

ANALYSIS OF POLICE SYSTEM IN INDIA WITH COMPARISON TO OTHER COUNTRIES

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Abstract

The police force is one of society's most prominent institutions. As a result, police officers are the government's most visible representatives. When a citizen is in a time of need, danger, crisis, or trouble and is unsure what to do or whom to contact, the police station and a police officer are the most appropriate and approachable unit and person for him. Any current societal police force is expected to be the most accessible, engaging, and dynamic organisation. On the one hand, their tasks, functions, and responsibilities in society are diverse and multifaceted; on the other, they are difficult, knotty, and convoluted. The dual tasks that the police are supposed to fulfil in a society are generally speaking, the upholding of law and the maintenance of order. However, the repercussions of these two responsibilities are extensive, resulting in a massive inventory of the police organization's duties, functions, powers, roles, and responsibilities. Policing is one of the most crucial responsibilities that each sovereign government performs. For the state apparatus, the police are an unavoidable organ that ensures peace and order, as well as the first link in the criminal justice system. On the other hand, for the average citizen, the police force is a representation of authority's brute power while also serving as a deterrent to crime. The uniform that police officers wear gives them a corporate identity; the average man recognises, differentiates, and awes him because of the same uniform. However, it has been seen that unfavourable press coverage of a citizen's bad experience with the police, particularly coverage that escalates to the level of a public scandal, can quickly derail an officer's efforts to foster a positive relationship with the public. Today's police executives generally believe that public support is critical for the credibility of the police as well as their ability to effectively combat crime. While data reveals that the majority of people support the police and are content with how they carry out their tasks, it also shows that not all parts of society hold the same positive views.

Key words: *Police, Police system, roles and duties, society ,impact, Cognizance, Non-cognizable and cognizable offences*

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I. INTRODUCTION

The rule of law is a fundamental democratic principle⁹⁷. It states that no one is above the law and that everyone is equal in front of the law. The term "rule of law" refers to equal protection under the law and the lack of arbitrary legal authority. Under the Constitution, the police are a topic that is regulated by the states. As a result, each of the 29 states has its own security forces. In fact, the centre has the authority to maintain its own security forces as well as assist states in maintaining law and order. As a result, it maintains seven regional police forces and many additional police organisations for specialty operations like as intelligence gathering, investigation, research and record-keeping, and education. Police agencies have an important role in upholding and enforcing laws, as well as investigating crimes and ensuring the safety of the country's inhabitants. In a large and densely populated country like India, police forces must be well-equipped in terms of manpower, weaponry, forensic aid, connection, and transportation to effectively perform their duties.

Police authorities rely on community member's assistance to get information about the crime happening in their neighbourhoods and to cooperate with the police to find the appropriate solutions to crime. Similarly, community members' desire to trust the police is determined by whether they feel police activities represent community values and integrate procedural fairness and legitimacy principles. Among numerous important criteria for public acceptance of the police, the legitimacy of all their acts is determined by the extent to which the public considers the police to have acted appropriately in line with basic principles and values. The fundamental feature of this component is the Rule of Law. As a result, among the key problems important to assessing police-public relations are the need to alter attitudes, ensure increased public engagement in policing, and disseminate human rights knowledge and education.

People do not want the police to take on the role of a full-fledged state. What people actually want is for the police to execute the law and carry out their duties in accordance with the law. What a citizen wants is for the police to follow the law without being swayed by extraneous forces. The nature of the reaction of police officers at the level of the police station is used by the public to assess the quality of service it receives. When police officers remove themselves from the public, the latter becomes increasingly disillusioned and dissatisfied with the entire police apparatus. In such a case, the public refrains from cooperating with the authorities.

⁹⁷ Chhavi Agarwal , Rule of law - A reflection upon we the people and beyond, Legal Services India, (Sep 27, 2021, 9:29 AM), <https://www.legalserviceindia.com/article/1459-Rule-of-law.html>

II. JURISPRUDENCIAL APPROACH AND STATUTES THAT GOVERN THE POLICE DEPARTMENT

The origins of modern-day Indian police may be traced back to the *early nineteenth century*. The concept of a separate regular police force, as it exists now, was never considered before to the British period, and for a long time after the rule began. Warren Hastings presented various proposals for police reform for the first time during the Company's control in 1774, which ultimately culminated in the Police Act of 1861. Sir Charles Napier was appointed to oversee the administration of Sind's newly acquired area (now in Pakistan). He restructured the native police system to ensure that it could work effectively and deliver the necessary outcomes in this crime-ridden and tough environment⁹⁸. This system was founded on two tenets:

- The police must be fully isolated from the military;
- they must function as an autonomous entity; and
- they must help the Collectors in carrying out their law enforcement duties.

The system established an Inspector General of Police who was in charge of the province's law and order. Provinces were split into districts, with Superintendents of Police in charge of the police administration, which was overseen by the Magistrates. Even the Police Commission of 1860, which is responsible for India's modern police system, did not change the fundamental ideas. The Police Commission's recommendations from 1902-03 improved the system to some extent. For the first time in 1917, the Islington Commission Report referred to it as the Indian Police Service. Sardar Vallabhbhai Patel⁹⁹, the first Union Home Minister, recognised the need of establishing the Civil Services on an all-India basis after independence. He emphasised the importance of having a ring of services to help the country remain intact under a federal constitution in the Constituent Assembly in 1949, saying, "...the Union will go, you will not have a united India if you do not have a good All India Service, which has the independence to speak out its mind." As a result, the Indian Police Service was established as an all-India organisation.

⁹⁸ Mithi Mukherjee, Justice, War, and the Imperium: India and Britain in Edmund Burke's Prosecutorial Speeches in the Impeachment Trial of Warren Hastings, Vol. 23 JSTOR 3, 589-630(2005), <https://www.jstor.org/stable/30042899>

⁹⁹ Police - Administrative Organization in British India, NeoStencil (Sep 27, 2021, 9:29 AM) <https://neostencil.com/police-administrative-organization-in-british-india>

The police department is in charge of maintaining law and order in communities, ensuring public safety, and safeguarding the department's reputation. *The Preamble of the Indian Constitution makes it plain that no one is above the law.* In the guise of conducting an investigation, police officers are also unlikely to wield undue control or misuse their power by threatening people. The police force is one of society's most important institutions. The cops also happen to be the government's most powerful officials¹⁰⁰. When a citizen is faced with a danger, threat, catastrophe, or problem and is unsure what to do or who to call, the police department and a police officer are often the most appropriate and available unit and people. Any society's most accessible, engaging, and dynamic organisation is assumed to be the police. The police officer also happen to be the government's most powerful officials. When a citizen is faced with a danger, threat, catastrophe, or problem and is unsure what to do or who to call, the police department and a police officer are often the most appropriate and available unit and people. Any society's most accessible, engaging, and dynamic organisation is assumed to be the police. On the one hand, their roles, tasks, and responsibilities within society are diverse; on the other, they are challenging. The major tasks of police officers, in general, are to maintain law and order. These two obligations, on the other hand, have multiple consequences, resulting in a huge inventory of the police organization's duties, functions, powers, positions, and responsibilities. Putting a variety of powers in the hands of police while still requiring them to carry out their responsibilities opens the possibility to abuse and, as a result, human rights abuses. Police officers are the initial point of contact for citizens. The police must maintain order and deter crime. It is their responsibility to bring the criminals before the court and prosecute them.

The following are some of the statutes that govern the administration, powers, and responsibilities of police officers:

1. **The Police Act of 1861¹⁰¹**- is the principal legislation that governs the state's entire police administration. Section 2 of the Act states that the number of officers or men engaged in the police force will be determined by the relevant state government on a regular basis and will be properly enrolled. The Director-General of Police is in charge

¹⁰⁰ Chenthilkumar Paramasivam, Police Organisations in India, CHRI 8, 13-30(2008), https://www.humanrightsinitiative.org/publications/police/police_organisations.pdf

¹⁰¹ MINISTRY OF HOME AFFAIRS, https://www.mha.gov.in/division_of_mha/police-act-drafting-committee (last visited Oct. 6, 2021).

of the whole police force in the state, however Section 4 of the Act places the administration of the district in the hands of the District Superintendent of Police, who is directed by the District Magistrate.

2. **The Police Act, 1888-** "The Central Government may, by notification in the Official Gazette, create a special police district embracing parts of two or more States, and extend to every part of the said district the powers and jurisdiction of members of a police force belonging to a State specified in the notification," says Section 2 of the Police Act of 1888.
3. **The Police Act of 1949-** established rules for the management of the police service in Union Territories. The Central Government is in charge of police supervision across the general police district, according to Section 5 of the Act. For the administration of police in UTs, the provisions of The Police Act, 1861 apply.
4. **The Delhi Special Police Establishment Act, 1946-** This Act has had a significant impact on police officer responsibilities. It establishes a unique police force in Delhi, which can merge or assist the police forces of other states with the approval of the relevant state governments.
5. **The Model Police Act of 2006** outlines the structure, appointment, powers, function, and duties of police officers.

A. Police Code of Conduct of the Government of India¹⁰²:

The following is the country's police code of conduct, which was established at the Conference of Inspectors General of Police in 1960:

1. The police must swear loyalty to the Indian Constitution and respect and protect the citizens' rights as provided by it.

¹⁰² Antariksh Anant, Code of Conduct for Police in India (National Police Commission 1977) Legal Bites(Sep 27, 2021, 9:29 AM), <https://www.legalbites.in/code-of-conduct-for-police-in-india/>

2. Police officers shall not dispute the legality or need of any law that has been lawfully enacted. They should uphold the law with zeal and zealousness, without fear of reprisal, malice, or vindictiveness.
3. Police officers should be aware of and respect the limits of their authority and functions. They should not usurp, or even appear to usurp, the judiciary's powers by sitting in judgement on cases to avenge people and punish the guilty.
4. In order to ensure that the law is followed or that order is maintained, the police should use persuasion, counsel, and warning as much as possible. When the use of force is unavoidable, only the absolute least amount of force necessary under the circumstances should be employed.
5. The police's primary responsibility is to prevent crime and disturbance, and they must understand that the absence of both, rather than apparent evidence of police activity in dealing with them, is the true measure of their effectiveness.
6. The police must realise that they are members of the public, with the exception that they are engaged in the interest of the society and on its behalf to devote full time attention to responsibilities that are ordinarily the responsibility of every citizen.
7. The police should be aware that their ability to carry out their tasks effectively is contingent on the public's willingness to cooperate. This, in turn, will be contingent on their capacity to gain public approval for their acts and behaviour, as well as win and maintain popular respect and confidence.
8. Police officers should constantly regard the welfare of the public and be sensitive and aware of their needs. They should always be willing to provide personalised service and companionship to anybody who needs it, regardless of their financial or social status.
9. Police officers should always put duty ahead of self, remain cool in the face of danger, derision, or humiliation, and be willing to lay down their life to defend the lives of others.
10. Police officers should always be courteous and well-behaved; they should be trustworthy and unbiased; they should be dignified and courageous; and they should nurture character and the public's trust.
11. The greatest level of integrity is the foundation of the police's prestige. Recognizing this, police officers must maintain their personal lives spotless, practise self-control, and be genuine and honest in thought and deed in both personal and professional life in order for the public to consider them as role models.

12. The police should be aware of their full capacity in service to the state. Only by maintaining a high standard of discipline, faithful performance of duties in accordance with law, implicit obedience to the lawful directions of commanding ranks, and absolute loyalty to the force can it be ensured, as well as by keeping themselves in a constant state of training and readiness.
13. As members of a secular, democratic state, the police should strive to rise above personal prejudices and promote harmony and a spirit of common brotherhood among all Indians, regardless of religious, linguistic, regional, or sectional differences, and to renounce practises that degrade the dignity of women and marginalised groups.
14. The police force is a vital tool for preserving peace and order in the country. If the police fulfil their tasks and duties properly and successfully, a country may live in peace and security. The administration, role, duties, and powers of the Police Department are defined by the Police Act of 1861 and the Model Police Act of 2006. Furthermore, the 1973 Code of Criminal Procedure authorises police officers to conduct investigations, make arrests, including preventative arrests, and compel witnesses to appear, among other things.

B. Contemporary Position In India

The present structure of India's police force :Senior police officers were recruited in two methods after 1860: first, by appointing officers from the British Army, and second, by nominating younger sons of landed aristocracy in the United Kingdom. Both of these methods were phased out in 1893¹⁰³. Officers were now recruited through a joint competitive exam held in London, which was exclusively open to Europeans. It was then opened to Indians as well. The Union Public Service Commission now conducts annual recruiting through the Combined Civil Services Examination. The All India Services are mentioned in Article 312 of the Indian Constitution. Probationers are put through a rigorous basic training programme that includes academics, weapons training, and other activities.

The police force is a state subject, according to the Constitution. The state police handbook contains rules, regulations, and instructions for the police. In India, the organisational structure of police forces is generally consistent across the country. The Director-General

¹⁰³ Rachit Garg, Problems faced by the police system of India and their solutions, iPleaders(Sep 30, 2021, 9:29 AM),<https://blog.iplayers.in/problems-faced-police-system-india-solutions/>

of Police is the chief of a state's police force (DGP). A state is segmented further into zones, ranges, and districts. The district police force is led by a Superintendent of Police officer (SP). A range of districts is led by an official with the rank of Deputy Inspector General of Police (DIG). Zones are made up of two or more ranges, each of which is led by an Inspector General of Police (IG). Districts are further divided into sub-divisions such as circles and police stations, each of which is led by a particular level of officer. The district police are likewise separated into two branches: civil and armed, with the former largely controlling crime and the latter dealing with law and order issues and serving as the district's reserve police in the event of an emergency.

About 3% of government spending goes to the police. If state police forces are in charge of preserving law and order and prosecuting crimes, central powers assist them with intelligence and national security issues (e.g., insurgency). The federal and state governments devote around 3% of their budgets in law enforcement. In January 2016, there were 24% openings in the state police force (about 5.5 lakh vacancies). While the approved police force in 2016 was 181 officers per 100,000 citizens, the actual force was 137 officers. It's worth noting that the UN recommends 222 police officers per lakh people. The constabulary makes up 86% of the state police force.

III. CRITICAL ANALYSIS OF LEGAL PROVISIONS WITH JUDICIAL PRONOUNCEMENTS

A. Powers and duties of police

The police officers are the government's most visible representatives. When a citizen is in a time of need, danger, crisis, or trouble and is unsure what to do or whom to contact, the police station and a police officer are the most appropriate and approachable unit and person for him. The police force is meant to be the most approachable, participatory, and dynamic¹⁰⁴. Their societal tasks, functions, and responsibilities are certain to be diverse and multifaceted on the one hand, and convoluted and complex on the other. Police are required to fulfill two responsibilities in a society: enforcing the law and maintaining order. The implications of these two responsibilities are vast and numerous, resulting in a broad inventory of the police

¹⁰⁴ Ritik Sharma, Who is police? What are powers & duties of police?, law times journal(Sep 30, 2021, 9:29 AM),<https://lawtimesjournal.in/who-is-police-what-are-powers-duties-of-police/>

organization's duties, functions, powers, roles, and responsibilities. The role and functions of the police in general, according to section 57 of the Model Police Act, 2006, are:

- i. to uphold and enforce the law impartially, as well as to preserve the public's life, liberty, property, human rights, and dignity,
- ii. to maintain and promote public order,
- iii. to safeguard internal security by preventing and controlling terrorist acts, breaches of community peace, militant activity, and other situations that threaten internal security
- iv. to protect public property, such as highways, railways, bridges, important installations and facilities, against vandalism, violence, and other forms of attack,
- v. to prevent crimes and reduce the opportunities for their commission through their own prevention measures and, as well as cooperating with other relevant agencies for the prevention of crimes, as well as assisting agencies in implementing appropriate measures upon receipt of the complaint,
- vi. to accurately record all complaints received by person or via mail, e-mail, or other means by a complainant or his representative, and to take prompt action after duly acknowledging receipt of the complaint,
- vii. to record and investigate any cognizable offences brought to their attention through such reports or otherwise, duly giving a copy of the First Information Report to the complainant, and, where appropriate, to apprehend criminals and provide necessary support in their prosecution,
- viii. to foster and sustain a sense of communal security, while avoiding confrontations and promoting amity as much as feasible,
- ix. to give all feasible aid to persons in circumstances deriving from natural or man-made catastrophes as first responders, as well as active assistance to other organisations in relief and rehabilitation efforts,
- x. to assist individuals who are in danger of bodily harm to their person or their property, as well as to provide required assistance and provide relief to those in distress,
- xi. to ensure that people and vehicles move in a safe and orderly manner, as well as to govern and regulate traffic on roads and highways,
- xii. to gather intelligence on topics affecting public peace and all types of crimes, including social offences, communalism, extremism, terrorism, and other national security issues, and disseminate it to all relevant agencies, as well as acting on it as needed,
- xiii. to take control of all unclaimed property while on duty as a police officer and take steps to ensure its secure custody and disposal in line with the procedure, and

xiv. to educate, motivate, and protect police officers.

The Model Police Act of 2006, Section 58, also outlines the police's social obligations. Every police officer is required to:

- (a) treat members of the public with respect and courtesy, especially while dealing with older persons, women, and children,
- (b) assist and guide members of the public, notably senior people, women, children, the impoverished and needy, and physically or mentally challenged individuals, who are found helpless on the streets or in other public areas and require assistance,
- (c) provide all necessary support to victims of crime and traffic accidents, including ensuring that they receive prompt medical treatment regardless of medico-legal requirements, as well as facilitating their compensation and other legal claims,
- (d) ensure that the police conduct is always governed by the principles of impartiality and human rights norms in all situations, particularly during conflict between communities, classes, castes, and political groups, with special attention to the safeguard of weaker sections, including minorities,
- (e) prohibit harassment of women and children in public areas and on public transportation, including stalking, making offensive gestures, signs, or remarks, and any other form of harassment,
- f) provide all necessary support to members of the public, notably women, children, the destitute, and indigent people, in order to protect them against criminal exploitation by any individual or organisation;
- (g) provide every person in custody with legally permissible food and shelter, as well as inform the authorities concerned, and make available to all such persons the provisions of legal assistance schemes available from the government; and
- h) preserve, promote, and safeguard the human rights and interests of marginalised groups, the impoverished, the weak, and the oppressed.

According to Section 58 of the Model Police Act, 2006, when the State Government proclaims any specified service to be an essential service to the community, it is the responsibility of the police to maintain the essential services, and every police officer must abide any order given by any officer superior to him in connection with the service specified in the Government's declaration.

B. Investigation by Police

The role of the police in combating crime, preserving peace, and maintaining public order is extremely crucial. They essentially serve a dual purpose in maintaining a state's law and order. They also keep an eye on illegal activities and the sale of illegal goods, which many people fall prey to and lose their lives to. The following are some of the police's responsibilities and duties:

- (i) To prevent criminal activity;
- (ii) To safeguard public property;
- (iii) To maintain and promote public order;
- (iv) To uphold the rule of law;
- (v) Preventing and controlling terrorist activities;
- (vi) Ensuring internal security
- (vii) To prevent any cognizable offences from being committed;
- (viii) Accurately register the complainant's complaint;
- (ix) To register zero FIRs rather than simply denying the person the right to file a complaint because the location of the offence falls outside of their jurisdiction;
- (x) Preserve, promote, and protect human rights and the interests of the underprivileged and backward classes;
- (xi) To take preventive action, but a police officer must not do so arbitrarily;
- (xii) To conduct patrols and prohibit the sale of illegal items; and VIP security and the performance of various duties during any VIP's visit.

1. Powers of Police to Investigate:

Chapter XII of the Cr.P.C. contains provisions relating to police investigative powers (Sections 154 to 176).

- (i) When a FIR is issued under Section 154 of the Cr.P.C, the police have the authority to begin an investigation.
- (ii) Where the officer has reasonable grounds to suspect the commission of a cognizable offence under section 156(1) & 157(1) Cr.P.C. or
- (iii) When a competent Magistrate orders the police under Section 156(3) but does not take cognizance of the offence based on a complaint under Section 200. In *Tula Ram v. Kishore Singh*, a magistrate can only order an investigation under section 156(3) during the pre-cognizance stage.
- (iv) After taking cognizance of the offence on the basis of a complaint in order to decide on the issue of process against the accused. [Sections 202(1) and 203 of the Criminal Procedure Code]

2. Power to investigate the cases of Non-Cognizable Offences: S. 155(2) Cr.P.C:

A Magistrate can also order a police officer in charge of a police station to investigate a cognizable or non-cognizable case in certain circumstances. When a Magistrate issues an order to a police officer under section 155(2) to investigate a non-cognizable offence, the officer receiving the order has the same powers in relation to the investigation as he does in a cognizable case, with the exception of the power to arrest without a warrant.

3. Procedure to start Investigate in case of a Cognizable Offence: S. 156 Cr.P.C:

The investigation of a cognizable offence begins with the giving of information to a Police Officer-in-Charge of a Police Station under section 154 Cr.P.C. Section 156 Cr.P.C. gives police officers the authority to investigate a cognizable offence. Any police officer can investigate any cognizable matter without a Magistrate's order. Any magistrate authorised under section 190 Cr.P.C. can direct a Police Officer-in-Charge of a Police Station to investigate any cognizable offence, according to section 156(3) Cr.P.C.

4. Procedure for Investigation: S. 157 Cr.P.C:

If there is a reasonable suspicion of the commission of a cognizable offence, the police officer shall immediately send a copy of the report to the Magistrate, who is empowered to take cognizance of the offence based on a police report and proceed in person, or depute his subordinate officer to proceed on the spot and begin the investigation. "Even without a FIR, if a police officer-in-Charge of a police station has grounds to suspect the conduct of a cognizable offence, he can proceed to investigate the matter under section 157(1)".

5. Power of police to require attendance of witnesses:

According to section 160 of the Criminal Procedure Code, a police officer may issue a written order requiring witnesses to appear. Provided, however, that no male person under the age of 15 or over 65, or a woman, or a mentally or physically disabled person, shall be required to attend at any location other than where he or she resides.

6. Examination of witnesses by Police:

Under section 161 Cr.P.C. statements are obtained from those who are familiar with the facts and circumstances of the case and reduced to writing. According to the Amendment Act of

2013, the statement of a woman against whom an offence under Sections 354, 354-A, 354-B, 354-C, 354-D or Section 376, 376-A, 376-B, 376-C, 376-D, 376-E, or Section 509 of the IPC is claimed to have been committed will be recorded exclusively by a woman police officer.

7. Power to submit charge-sheet after completing investigation under section 173 Cr.P.C: In the end, after the completion of the investigation, the police file a charge sheet. It contains FIR copy, complainant and informant testimonies, witness and pancha statements, panchnama, dying declaration, recovery of items, and so forth. Other powers of the police in the course of an inquiry under the Cr.P.C. include:

- (i) Arrest of the accused person or people.
- (ii) Medical examinations of both the victim and the accused.
- (iii) Suspects' persons are being searched, and the crime scene is being examined.
- (iv) Taking arrestees into police custody under Section 167 if the investigation is not concluded within 24 hours. A maximum of 15 days in police custody is permitted. This is referred to as police remand.
- (v) Requesting the Magistrate to order the accused's imprisonment in judicial custody, rather than police custody, for a length of more than 15 days. When the inquiry relates to an offence punishable by death, life imprisonment, or ten years in jail, judicial detention shall not exceed 90 days. In the event of other offences, detention shall not exceed 60 days.
- (vi) Requesting the accused's release where the evidence is insufficient, in accordance with Section 169 of the Cr.P.C.
- (vii) Performing inquests under Section 174 of the Criminal Procedure Code in all situations of unnatural deaths.

C. Custodial Violence:

Custodial violence, which includes torture, murder, and other abuses in police or jail custody, is not a new occurrence. For years, law enforcement agencies have been doing this to convicts, criminals, and wrongdoers. Even in ancient Indian history, we have rulers like 'Nanad' in the Mauryan era who imprisoned the whole family of 'Chandra Gupta Maurya' and gave sustenance for only one member's survival. In Arthashastra, Kautilya discusses different forms of torture, such as burning of limbs, ripping by wild animals, stomping to death by elephants and bulls, chopping of limbs and mutilation, and so on. Trial by ordeal was also popular throughout the Gupta period (A.D. 320-500 A.D.). There is no legal definition of the word "custodial

violence." It's a term that combines two words: custody and violence. The term "custody" connotes guardianship and protection. This term, when used to signify arrest or incarceration, does not contain any negative connotations during detention. According to Chamber Dictionary, 'custody' refers to the state of being detained by the police, arrested, or imprisoned. According to the Legal Glossary Dictionary, custody refers to the detention of a person by virtue of legitimate power or authority.

Section 167 of the Code of Criminal Procedure, 1973 (Cr.P.C.) distinguishes between two forms of detention: police custody and judicial custody. According to section 167 (1) of the Cr.P.C, 'police custody' can only be given for a maximum of fifteen days. The term "police custody" refers to police detention for the purpose of interrogation. According to the laws, a police officer has two occasions to detain a person in his custody: first, from the time he arrests a person until the time he produces the same person in court, i.e. during the first 24 hours following the arrest of the accused. Second, he gets police remand from the court after presenting the accused in court, which can be extended for up to fifteen days. Following that, a person is placed in judicial custody, which in broad terms implies jail or prison, where an accused remains in custody until he obtains bail or, if convicted and condemned to imprisonment, until the sentence is completed. According to the law, a person's 'custody' begins when the police arrest him or her or when the individual surrenders himself to the police for any reason.

Concept of Custody

Since there is a distinction between the two, the concept of being in custody cannot be compared with the concept of a legal arrest.' When a person admits to a police officer that he has committed certain activities that constitute an offence, he himself surrenders to the police. This was also the observation and opinion of Tennon and Ghosh, JJ, concurred in *Legal Remembrancer v. Lalit Mohan Singh Roy*.

The idea of police custody has been defined by the courts in a number of decisions. When an accused or suspected individual enters the custody of a police officer, he is no longer at liberty in the absence of clear evidence to the contrary, and is thus said to be in custody under sections 26 and 27 of the Indian Evidence Act, 1861. "Custody" may not always imply detention or confinement. A mere observation of an accused under the observation of police is equivalent

to police custody." When a person stands before a police officer and provides a statement that leads to the discovery of a fact, he is considered to have surrendered his person to the police and is said to be in police custody. Even consenting to a questioning by the police would amount to detention. 'Custody' and 'arrest' are not similar, because a guy may be in custody but not yet arrested, which is a formal and legal process. In Gurbaksh, the Supreme Court stated unequivocally that a man released on bail who provides information that leads to the revelation of a fact might be deemed to be in police custody. The use of force by one person against another in order to injure him has been characterised as violence in its literal sense. It could be a physical, mental, or emotional harm. Violence is defined as behaviour that is intended to cause bodily harm or property damage to another person.

Custodial violence is a word used to describe violence perpetrated by a police or jail authority against a person. Custodial violence might thus be defined as an inhuman feature that arises from a perverted desire to cause misery when vengeance is impossible; a senseless display of superiority and physical strength over the one who is overwhelmed. Custodial violence, according to the Law Commission of India, is when a public servant commits a crime against an arrested or detained individual who is in custody. According to Dr. S. Subramaniam the term custodial violence is define as "any use of force, threat, or psychological pressure." According to Justice B.P. Jeevan Reddy "Custodial violence" includes torture, murder, rape, and severe beating in police custody. Custodial violence is a broad phrase that encompasses all forms of torture, unlawful imprisonment, use of the third degree, harassment, cruelty, and use of force which is not authorised by law, etc. Illegal imprisonment, unlawful arrest on inadequate or illegal grounds, and use of third-degree techniques on the accused are examples of custodial abuse. Custodial violence includes humiliating them with filthy language, denying them sleep, extorting confessions under duress, padding up evidence, misusing the authority of handcuffing, denying them access to counsel or family members, and denial of food.

In most cases, custodial abuse is conducted under the pretext of inquiry and questioning. The heinousness and peculiarity of this crime is that it is perpetrated against citizens by the same person who is regarded as the citizens' guardian. It is done under the protection of a uniform and by authority behind the four walls of a police station or a prison, and the victim is completely powerless under these circumstances. The police make every attempt to dispose of the body or put up a case that the detained individual died after he was released from custody, and death in custody is rarely recorded. Because of fraternal links, higher police personnel do

not pay heed to any complaints of torture. There is no direct evidence to support the charge of torture or causing harm that results in death because the police lock-up, where most of these types of incident occur, is hidden from public view, and the witnesses are either police officers or co-prisoners who are hesitant to testify as prosecution witnesses for fear of retaliation.

The police are the principal component of the criminal justice system that deals with persons in detention. It is important to investigate the conditions under which police operate and their method of operation while dealing with accused individuals in order to determine the causes of custodial violence. The following factors and reasons need attention:

- 1. Work Pressure and Shortcuts:** Work pressure is major factors in police departments for continue brutality. Work pressure comes from a variety of sources, but they all revolve around performance or output beyond the narrow confines of the police role, despite several constraints. Police officers use to deal with crime and disorders directly. This puts a lot of pressure on both the people and the government. The constraints arising from the system's actual operation are in addition to the system's constraints. The police are always looking for ways such as shortcuts and loopholes in order to achieve results.

The UP Police Commission of 1970-71 correctly stated, "According to the law, an accused or suspect may be held in police custody for a maximum of 24 hours. In the meantime, much information needs to be elicited from the suspect, particularly in cases involving property, on which the prosecution's success is strongly reliant. After several days of unrecorded and illegal detention, the investigating officer records the arrest whenever it is practicable. As a result of the pressure to obtain as much information as possible in the shortest amount of time, the investigating officer resorts to shortcuts."

- 2. Extortion of Money/Corruption:** A number of police officers use violence to collect money from criminals and innocent people. The legal context and the nature of the evidence enhance the process of making the investigating officer a very strong person who is needed to give an air of finality to whatever he does. This set of circumstances gives him the unintended power to draw out money and escape the corrective process of supervision. The courts give extensive importance to the FIR and what kind of First Information Report (FIR) is actually written depends on the police officer on duty. Greed for money is another key reason behind police resorting to custodial violence.

- 3. Deterrence Factor:** Some misguided cops believe that the criminals should not be allowed to leave the police station unpunished. They genuinely believe that there is no other method of controlling criminals other than a good beating. The Uttar Pradesh Police Commission stated in 1970-71, that “the reason for use of the third degree method is born out of wrong convictions reared by policemen”. There is a segment of the public and law enforcement who believe that third-degree methods alone are effective in dealing with criminals, particularly hardened criminals. They claim that the sentence of imprisonment is no longer a deterrent to criminals. The current criminal justice system is punitive, hence, a subsystem of it which is assumed to be of service to the people cannot so operate. The essence of the police function becomes punitive as a result of the system's constraints, and many police officers see their brutality as an extension of the organization's punitive role.
- 4. Performance Pressure:** Police work culture is performance oriented where ends are necessary, not the means. The final result receives universal acclaim. With the achievement of result, all the sins and misdeed done by policeman are pardoned. In due course, ranks or hierarchy of such policeman rises. This strengthens the use of third degree methods not only in his own eyes but also in the acumen of his colleagues and subordinates. Sometimes the expertise at third degree of some policemen receives such wide respect that other policeman confronted by an intractable situation or a case, request for his assistance. He then goes like a senior performer, confronts the suspect, and produces results, earning a reward in the process. This continual positive reinforcement of the third degree technique when it yields results is a key cause of police brutality in detention.
- 5. Work Culture:** The use of third-degree tactics is part of the police subculture. The police subculture is bolstered by alienation, cynicism, low social standing, a sense of pariah status, and inconsistent evaluation of their work, etc. are forcing them into a corner. In this situation, a police officer finds solace among members of his community with whom he identifies, resulting in group solidarity, which in turn gives a sense of security against the perils of his job. As a result, a group culture emerges that demands increased conformity to threats, tortures, and so on, rather than rules, regulations, directives, and so on.

6. Improper Training and Professionalism: The use of third-degree methods is frequently the result of the lack of proper training and professionalism among police officers. According to the Gore Committee on Police Training in 1972, one of the aims of police training should be to instill the right attitude toward the public and remind them over and over that a civil servant is a servant, not a master of the community. Unfortunately, no proper training with the above-mentioned goal has been provided to police officers to date.

D. Indian Legal Framework Against Custodial Violence

In India, the legal structure, both constitutional and statutory, includes safeguards to prevent custodial torture and other crimes in custody. The substantive legislation (Indian Penal Code, 1861) punishes anyone who injures, tortures, or kills someone in custody. Several provisions in the procedural legislation (Code of Criminal Procedural, 1973 and Indian Evidence Act, 1872) protect a person in custody's legal rights. Significant court pronouncements on the subject have reinforced the appropriate constitutional and statutory provisions. Furthermore, the Protection of Human Rights Act of 1993 establishes organisations such as National and State Human Rights Commissions, as well as Human Rights Courts, to ensure the protection of a person in custody's human rights. India has ratified and signed the following international declarations, covenants, conventions, and treaties. Aside from that, the United Nations Declaration on the Basic Principles of Justice for Victims of Crime and Abuse of Power gives important recommendations for the treatment of criminals who have been victims of abuse of power by the authorities.

The right to life is a basic fundamental human right of a person. Article 21 of the Indian Constitution states that no one shall be deprived of his life or personal liberty except in accordance with the legal procedure. The right to life does not simply imply the right to exist; it also implies the right to live a life full of dignity, which is required for human existence in a society. Article 22 ensures personal liberty by requiring the arrested person to be informed of the reasons for his arrest and to appear before a Magistrate within 24 hours of his arrest. Man's most precious possession is liberty. Every individual's liberty is guaranteed by the constitutional safeguards. As a safeguard against custodial torture, the Code of Criminal Procedure, 1973 contains provisions stating that arrested persons shall not be subjected to more restraint than is necessary to prevent his as a safeguard against custodial torture. Section 57

states that no police officer shall detain a person in custody without a warrant of arrest for a longer period of more than 24 hours, and must present the accused in front of magistrate within the time period. Section 57 of the Code of Criminal Procedure is mandatory, and Section 163 of the Criminal Procedure Code states that no police officer or other person in authority shall give or make, or cause to be offered or make, any threat, or promise as defined in Section 24 of the Indian Evidence Act, 1872.

There are many provisions which are contained in Chapter XVI of the Indian Penal Code, cover persons in custody as well as others. The following are the few provisions: 

1. Injuring another person is prohibited under Section 166 of the Code. It should be emphasised that the term "injury" refers to harm done illegally to one's health, mind, reputation, or property. Public servants who violate lawful orders are punished under Section 166A of the Indian Penal Code.
2. A public servant who frames an inaccurate document with the purpose to cause harm is punished under Section 167.
3. A person with legal power to confine individuals, etc. who corruptly or intentionally confines any person, knowing that he is breaking the law, is punished under Section 220.
4. Section 330 of the Indian Penal Code prohibits inflicting bodily harm in order to compel a confession.
5. The sections 340 to 348 of the Indian Penal Code deal with unlawful restraint and wrongful imprisonment, as well as its aggravations.
6. Section 376(2) addresses aggravated rape by police officers and other public officials, such as those in charge of hospitals and other detention facilities.
7. Sections 376B to 376D of the Code deal specifically with sexual offences committed while in detention, such as: (a) Intercourse between a police officer and a woman in custody, (b) Intercourse by the Superintendent of Jail, remand homes, and other institutions, (c) Intercourse between a member of the hospital's management or staff and a prisoner.
8. Criminal intimidation is a punishable offence under sections 503 and 506 of the Indian Penal Code.

E. Preventive Measures to Curb Custodial Violence

The higher police management or authority might take the following steps to prevent the custodial violence:

- i) All areas of police stations to be covered with CCTV cameras.
- ii) Accurate inventory and accounting of people detained by the police.
- iii) Appropriate senior officer supervision.
- iv) An independent agency investigating incidents of custodial violence under the direction of a senior police officer.
- v) Creating a zero-tolerance culture for in-custody violence.

F. JUDICIAL PRECEDENTS

(i) Youth Bar Association Of India vs Union Of India¹⁰⁵

It was held that all information pertaining to a cognizable offence, whether it is a simple FIR inquiry or a preliminary investigation, has to be recorded in the general journal, as is the result of the preliminary investigation

(ii) Dharma Rama Bhagare vs The State Of Maharashtra¹⁰⁶

It was held that the value of a FIR is determined by the facts and circumstances of the case. The court does not consider it to be substantively admissible evidence. It is not permitted to be used to refute or discredit the witness. A formal investigation report (FIR) is simply a complaint that initiates the legal process.

(iii) Sudarshan v. the State of Karnataka¹⁰⁷

It was stated that any investigation into a non-cognizable offence conducted without a Magistrate's order is illegal and would not be proclaimed legal after the authority's subsequent authorization.

¹⁰⁵ Youth Bar Association Of India vs Union Of India, AIR 2016 SC 4136

¹⁰⁶ Dharma Rama Bhagare vs The State Of Maharashtra, (1973 AIR 476)

¹⁰⁷ Sudarshan v. the State of Karnataka, (1979) 2 Karn LJ 449

(iv) "No one can urge that a crime be investigated by a certain agency," the Supreme Court ruled in **CBI & others vs. Rajesh Gandhi and others**¹⁰⁸. It was established in *Sakiri Vasu vs State Of U.P. & Others* that if an informant has a grievance that the police in charge is not registering his FIR under Section 15, he can file a written plea with the SP under Section 154(3). If no action is taken, the aggrieved party may bring an application before the Magistrate who has jurisdiction under Section 156(3) CrPC.

An application is submitted with the Magistrate under Section 156 (3), and the Magistrate can order the FIR to be registered as well as an investigation by the officer in charge.

(v) **Mohd. Yousuf vs. Smt. Afaq Jahan & Anr**¹⁰⁹ Before becoming aware of the offence, any Judicial Magistrate may order an investigation under Section 156(3) of the Code. If he does, he will not conduct an oath examination of the plaintiff since he does not see any wrongdoing in it. The Magistrate has the authority to instruct the police to file a FIR in order for them to begin their investigation. It is not illegal to do so. The sheer process of recording the substance of the information submitted relative to the commission of the cognizable offence into a book kept by the police station officer, as explicitly stated in section 154 of the Code, constitutes FIR registration.

(vi) In **Lalita Kumari v. Government of U.P.**¹¹⁰, a Supreme Court Constitution Bench held that, under Section 154 of the Code of Criminal Procedure, the registration of the First Information Report is mandatory, provided that the information discloses a cognizable offence. In such a situation, no preliminary inquiry is permissible. An initial inquiry may only be performed to assess whether or not a cognizable offence is disclosed if the received information does not reveal a cognizable criminal but suggests an imminent need for an inquiry.

(vii) Police have the authority to file a police report. Police must record information relating to any cognizable offence, according to Section 154 of the Code of Criminal

¹⁰⁸ CBI & others vs. Rajesh Gandhi and others, 1997

¹⁰⁹ Mohd. Yousuf vs. Smt. Afaq Jahan & Anr, (2006) 1 SCC 627

¹¹⁰ Lalita Kumari v. Government of U.P, Writ Petition (Criminal) No. 68 OF 2008

Procedure, 1973. In the case of **Kalpna Kutty v State of Maharashtra**¹¹¹, it was held that "if an official receives information of a cognizable offence, he must file a complaint under Section 154(1) of the CrPC." In the end, police protect people's rights and maintain the state's law and order.

- (viii) Section 151 of the Code gives police the authority to arrest a person without a Magistrate's order if it appears to them that the individual is planning to conduct any cognizable offence. In the case of **Medha Patkar v. State**¹¹², MP landowners and others gathered on the road and shouted slogans and demands. Section 151 was used to arrest those individuals, as well as women and children. It was determined that there was no risk that the gathering would commit a cognizable offence, hence detaining them was contrary to Section 151 of the Code and infringed their Fundamental Right under Article 21

IV. COMPARATIVE ANALYSIS WITH OTHER COUNTRIES

The organisation of police in various nations is largely based on the country's sociocultural and historical history. For example, in the United Kingdom, which has a long history of parliamentary democracy, policing is based on population consent, but in most other nations, policing authority is vested in the state by legislation.

As a result, in many nations, police organisations have little in common save their core aims (which, in some jurisdictions, do not even match). However, criminologists have attempted to identify similar elements in police systems throughout the world based on specific characteristics, the most notable of which is command architecture.

- a) **Saudi Arabia** : Saudi Arabia is a classic example of a centralised, coordinated police force with a single line of command coming from the King. The King appoints both the Minister of Interior and the Director of Public Safety, and both are generally senior members of the King's family. The Public Security Police is in charge of general policing across the country, and its authority comes from Executive Orders and the Shariah. Regular Police and Special Investigative Police (SIP), often known as "Mubahit," are two types of Public Security Police. The

¹¹¹ Kalpna Kutty v State of Maharashtra, 2007 (109) Bom L R 2342, MIPR 2007 (3) 483

¹¹² Medha Patkar v. State, 2007 (4) MPHT 219

Director of Public Safety is in charge of regular police, which is directly under the Ministry of Interior's jurisdiction. SIP is responsible for criminal investigations and manages domestic security and counterintelligence tasks under the direction of the General Directorate of Investigation (GIP).

In addition to the Public Security Police, there is a religious police force known as the Mutawwiun, which reports directly to the King and is responsible for enforcing Islamic Shariah. Mutawwiun is more of a religious sect than a police force because they generally take the form of a religious band and are not responsible for any general law and order maintenance functions. Except for the Mutawwiun, Saudi Arabia's police force is organised as a single entity. One prominent feature of the Saudi Police System is that the distinction between the Saudi Regular Armed Forces and the Police is relatively thin, and policing tasks are frequently augmented by the Saudi National Guard and the armed forces.

b) China: China is another Singular Coordinated Centralized Police Force concept. The Ministry of Public Security (MPS) is a state-run institution in charge of public security operations across the country. Public security departments are established in provinces and autonomous regions; metropolitan public security bureaus are established in direct municipalities; public security bureaus or divisions are established in cities and prefectures; sub-bureaus are established in sub-regions of cities, under the direct leadership of their superior public security agencies; public security bureaus are established in counties and banners, under the leadership of their respective local government and superior public security agencies; public security bureaus are established in counties and banners, under the leadership of their respective local government and superior public security bureaus and sub-bureaus in counties and banners are directly responsible for sent police stations.

c) France: France is an exemplary example of a multi-coordinated centralised police force. There are two national law enforcement agencies in France:

- The Police Nationale, historically known as the Sûreté, is a civilian police force that has main responsibility in metropolitan areas and is overseen by the Ministry of the Interior.

- Gendarmerie Nationale, a gendarmerie with main duty in rural regions and military facilities; administered by the Ministry of Defence but operating under the operational supervision of the Ministry of the Interior for the most part).

d) United Kingdom: United Kingdom which contains England, Scotland and Northern Ireland is the world most seasoned vote based system and policing in UK additionally developed from the rule of "policing by assent". Despite the fact that the fundamental reason of policing in UK is by assent, the British Police framework as it exists currently is more a converse course of putting more force in individuals by law, than policing by assent. Thusly, the policing in UK has now become policing by law, yet a law which commands a police which is responsible to public. The United Kingdom is an excellent example of a multiple coordinated decentralised police force. The United Kingdom does not have a single national police force, but rather a network of 43 police forces that are responsible for policing certain counties, cities, or districts, with the exception of forces having special authority. More than 140,500 police officers, 14,000 volunteer special constables, and 13,400 community support officers make up these 43 forces.

The UK has a three-tiered structure of accountability to guarantee that police forces function smoothly:

- 1) the Home Office finances the police and serves as their ultimate overseer and coordinator.
- 2) Local police units must function properly and successfully, according to the police authorities.
- 3) Chief Police Officers are in charge of leading and controlling regional police units.

As indicated by UK Home Office, this framework forestalls political impedance in policing and tries not to give any single association control over the whole police administration. Also there is an autonomous Police Complaints Authority and an Inspectorate of Constabulary. While the Police Complaints Commission looks at the grumblings against the police authorities, the Inspectorate of Constabulary goes about as a review wing for the police which analyze and survey the productivity of police. The Police Reforms Act, 2002 requires the Home Secretary to set up a yearly Policing Plan and to put it before the assembly. The monetary control of each police

power rests with the Police Authority, which comprises of no less than 17 individuals. Every police authority has representation for local elected officials, the courts, and ordinary citizens. This representation includes nominations from the Home Office as well as people chosen through an open recruiting procedure. All bodies, such as the Inspectorate of Constabulary, the Independent Police Complaints Authority, and the Police Authorities, operate as separate corporate entities with different corporate identities from the police.

- e) **Spain:** Spain is an excellent demonstration of a different Uncoordinated Centralized police power. As in practically all European Countries, policing depends on the rule of "Policing by law". The framework is called Multiple Centralized clumsy power since, there is more than one police power in the nation, yet at the top both these powers report to a similar position. The authority of these powers covers in many spots. In similarity with the Constitution, the natural law on law requirement bodies characterizes the design of public wellbeing in Spain. Under the Spanish constitution, public wellbeing is the obligation of the State alone and public Government's job to keep up with security. Independent people group and nearby enterprises might take part through their own security powers in the lawfulness upkeep and wrongdoing examination elements of police. Spain has a National Police, which is a non-military personnel power and works essentially in metropolitan regions. The Guardia (Civil Guard), which is a tactical power and works basically in rustic regions. Nearby people group have either units of police powers joined to their chiefs or their own police powers.
- f) **United States of America:** There's no public police power in the US, where policing is coordinated on a state and nearby premise. The nation has around 500,000 cops and a sum of 40,000 separate police powers, over portion of which are basically a couple of man sheriffs' workplaces in unassuming communities. Notwithstanding normal full-time cops, numerous towns have helper, low maintenance cops, exceptional obligation and volunteer sheriff's gangs (which help sheriffs' workplaces in certain spaces). Law requirement in the United States is decentralized. Government specialists manage infringement of administrative law that fall inside their particular purviews. There are roughly 65 diverse government police offices. Each of the 50 sovereign states has its own state legislature, which

enacts criminal statutes in accordance with their respective state constitutions. Most states in the United States have police at various levels, including municipal, county, and state. Specific Police departments range in size from relatively small, informally organised departments with only a few workers to large, highly organised metropolis departments with hundreds of sub divisions and thousands of employees. The federal, state, and municipal police structures all differ significantly. The primary duty for police lies with the municipal government. Officials at the state level have only specified responsibilities.

- g) Police in India:** India beat the quantity of Police men on the planet nations with 1,032,960 police faculty. USA has the second biggest police power on the planet with 941,139 cops. UK and France come ninth and tenth separately. Anyway thinking about the number of inhabitants in the country, India has just 0.956207 per 1,000 individuals and comes 47th on the planet nations, while, UK with 2.04871 per 1,000 individuals remains at 34th position.

Indian model of police association is a model for a different chaotic decentralized policing. In sharp differentiation to the British standard of policing by assent, India observes policing by law. Each state has its own police power, whose highest levels are filled by officials of Indian Police Service, which is a focal assistance. Numerous investigators have remarked that the Indian Police Act, 1861, which was brought into power following the First War of Indian Independence in 1857 depended on doubt of Indian authorities and was pointed toward guaranteeing severe command over the Indian populace. Even subsequent to achieving autonomy, progressive states didn't attempt to change this essential person of Indian Police power. However the designers of the Indian Constitution imagined police as a state subject, vide Article 246 read with passages I and 2 of List II of Seventh Schedule of Indian Constitution, most Indian states picked to embrace the Indian Police Act, 1861 with next to no change, while the not many states, including Kerala which selected Police Act of its own, demonstrated its resolution comprehensively dependent on the Indian Police Act, 1861 itself. Indeed, even the model Police Act, 2008 doesn't have any fundamental distinction from the way of thinking of Indian Police Act, 1861.

While we can comprehensively arrange the Indian Police association as a various, un composed, decentralized model, the presence of IPS officials at the highest levels of most police powers make an angled Centralized control. The quasi-federal nature of the Indian polity, combined with specific provisions in the Constitution, permits the Centre to play a coordinating and counselling role in police matters, as well as to establish certain central police organisations. The Director General of Police (DGP), who is accountable to the state government for the administration of the police force in each state and for advising the government on police matters, is the head of the police force in each state. The DGP is the highest ranking officer in the police force. The Indian police force is organised vertically, with senior officers drawn primarily from the Indian Police Service (IPS) performing supervisory duties, "upper subordinates" (inspectors, sub-inspectors, and assistant sub-inspectors) working at the police station level, and the police constabulary performing patrolling, surveillance, guard duties, and law and order duties. The constabulary makes up almost 88 percent of the entire police force. The state government was given control of the state police force under Section 3 of the Police Act of 1861. Sec. 4 of the Indian Police Act, 1861, establishes a dual-control system at the district level. It placed the police forces under the District Superintendent of Police, but under the District Magistrate's "general control and direction." The draught Police Act of 2008 appears to be an attempt to address this dual control.

V. CONCLUSIONS

Various state governments have implemented a number of initiatives to improve police-public engagement and cooperation in order to ensure effective policing. Some of the measures taken by the state governments of Tamil Nadu, Karnataka, Madhya Pradesh, and Maharashtra to establish a detailed computerised control room facility with online public interaction, the establishment of mobile counselling centres for women in Tamil Nadu, the participation of NGOs and other weaker sections in Karnataka, and the formation of Mohalla Committees for a better understanding of the situation. Some state governments have built 'Help-Lines,' which include the computerization and networking of police stations with the ability to register complaints online and engage in interactive sessions with residents, as well as the construction of Women Mobile Counselling Centres. A crime stopper call system is a specific phone line where anyone may report information about a crime that has been committed and it is sent to

the patrol team. Kerala has implemented this system. Another initiative to improve police-public relations is community policing.

Some states have taken up this project in a big way. Following the 1998 bomb blast, Area committees were formed in the Coimbatore district to address the issue of sectarian violence. These committees were tasked with gathering intelligence with the regular engagement and cooperation of the locals. The studies were very successful in preventing law and order problems and establishing faith and confidence in the community, as well as in overcoming claims of prejudice and heavy handedness through active engagement and involvement of people. The Kerala Police have many police-public contact programmes known as "CAATCH" or "COMMUNITY ACTION AGAINST THIEF CULPRITS AND HOOLIGANS," which were started in Trivandrum in the year 2000. Under this plan, resident associations meet once a month with police officers and the Commissioner of Police. This is a successful endeavour, and the feedback has been positive.

These initiatives are still policing experiments or efforts to improve the police-public relationship. The necessity of the hour is to persuade governments, legislatures, and municipalities that these efforts are not ad hoc and must be institutionalised in order to ensure effective policing in society. Nothing succeeds like a job well done, it is concluded. The police must carry out their mandated responsibilities in accordance with the law and maintain the rule of law. If this occurs, the public will undoubtedly step forward to assist the police whenever they are required.

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