



DAILY EDITORIAL ANALYSIS

TOPIC

**POLICE REFORMS IN INDIA: FROM
A CULTURE OF COERCION TO A
RIGHTS-BASED FRAMEWORK**

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POLICE REFORMS IN INDIA: FROM A CULTURE OF COERCION TO A RIGHTS-BASED FRAMEWORK

Context

- It is time for a **policing reset in India** where human dignity and professionalism replace fear, coercion and the illusion of quick justice.

Why Policing in India Needs a Reset?

- Legacy of Colonial Control:** India's police system is still governed by the Police Act of 1861, designed by the British to suppress dissent and protect imperial interests.
 - Post-independence, this structure remained largely unchanged, leading to a force that is often elitist, politicized, and unaccountable.
- Custodial Violence:** Over 687 custodial deaths (*approx. 2–3 deaths per week*) were reported between 2018–2023 (According to a 2023 Lok Sabha reply).
 - Top States:** Gujarat (81), Maharashtra (80), Tamil Nadu (36).
 - Torture often occurs off-record, in vans or abandoned buildings, away from CCTV surveillance.
 - Custodial violence disproportionately affects daily-wage workers, migrants, slum dwellers, and dalits and tribals.
- Bias and Discrimination:** The **Status of Policing in India Report 2025** found widespread caste and religious bias among police personnel.
 - Many officers believe certain communities are '**naturally inclined**' to crime, legitimizing profiling and abuse.
- Lack of Accountability:** Disciplinary action is rare, and criminal convictions for police misconduct are even rarer.
 - Oversight mechanisms are weak or absent, and societal tolerance for custodial violence normalizes impunity.

Scientific and Legal Case for Reform

- Legal Safeguards Ignored:** Supreme Court rulings like **D.K. Basu v. State of West Bengal (1996)** and **K.S. Puttaswamy (2017)** affirm rights against torture, detention protocols and uphold bodily autonomy.
 - The **Law Commission's 273rd Report (2017)** recommended a standalone anti-torture law, but Indian Parliament has **not enacted it**.
 - India **hasn't ratified the UN Convention Against Torture**.
 - In 2025, **India** was ranked a '**high-risk**' country in the **Global Torture Index** — a damning indictment.
- Scientific Evidence:** Neuroscience shows torture impairs memory and cognition, making confessions unreliable.
 - Real-world examples—from the Algerian War to CIA black sites—prove that torture yields false or unusable intelligence.

Recent Legal Reforms Proposed for Policing in India

- Revamping Colonial-Era Laws:** The **Police Act of 1861**, designed for colonial control, still underpins policing in India.
 - Reforms aim to replace this with a **Model Police Act** that emphasizes:
 - Accountability to citizens;
 - Community-oriented policing;
 - Separation of law enforcement from political influence
- Supreme Court's Prakash Singh Directives (2006):** These include:

- ♦ State Security Commissions to insulate police from political pressure;
- ♦ Fixed tenures for senior officers to prevent arbitrary transfers;
- ♦ Separation of investigation from law and order duties;
- ♦ Police Establishment Boards for transparent postings and promotions;
- ♦ Independent Complaints Authorities to handle misconduct
- **Committee Recommendations:**
 - ♦ **National Police Commission (1977–81):** Professionalism, citizen accountability, fixed tenures;
 - ♦ **Ribeiro Committee (1998):** Independent oversight, modern training;
 - ♦ **Padmanabhaiah Committee (2000):** Community policing, decentralization;
 - ♦ **Malimath Committee (2002–03):** Forensic upgrades, federal crime agency;
 - ♦ **Law Commission (273rd Report, 2017):** Anti-torture legislation, better custodial safeguards;
- **Modernization & Technology:** Push for **SMART** (Sensitive, Modern, Accountable, Reliable, Tech-enabled) Policing. It emphasis on:
 - ♦ Digital case management;
 - ♦ Body cameras and CCTV in custody areas;
 - ♦ Forensic labs and cybercrime units;

Case Studies: What Actually Works?

- Non-coercive methods consistently prove more effective:
 - ♦ **UK's PEACE Model:** After wrongful convictions in the 1970s, the UK adopted an interrogation framework built on **preparation, open-ended questioning, and rapport**.
 - It reduced false confessions and restored public trust.
 - ♦ **High-Value Detainee Interrogation Group (HIG):** U.S. research shows **rapport-based approaches outperform torture** in producing reliable intelligence.

Path Forward

- India needs to shift from a coercive, fear-based model to one rooted in professionalism, dignity, and legality. It means:
 - ♦ Replacing the colonial-era **Police Act with a Model Police Law;**
 - ♦ Invest in training for the 90% of police who are constables;
 - ♦ Implementing Supreme Court directives from the **Prakash Singh case;**
 - ♦ Creating independent complaints authorities;
 - ♦ Investing in forensics, digital tools, and ethical training;
 - ♦ Ratifying the UN Convention Against Torture;
 - ♦ Embedding the PEACE model in police training;
 - ♦ Promoting a culture of zero tolerance toward custodial abuse
- Justice needs to be rooted in dignity, professionalism, and legality—not fear and coercion.

Source: TH

Mains Practice Question

- Q.** Examine the need for police reform in India in the context of prevailing practices rooted in fear, coercion, and the illusion of quick justice. How can structural, legal, and cultural changes help transform policing into a more democratic and rights-based institution?

