

# Comparative Study of Police Administration in Indian States

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## ABSTRACT

Comparative study of police Models – Policing is one of the most important of the functions undertaken by the every sovereign government For the state machinery, police is an inevitable organ which would ensure maintenance of law and order, and also the first link in the criminal justice system. Traditional policing is probably the best known style of law enforcement in the U.S. and its still the standard. The other law enforcement style is known as community policing these are fundamentals constructs that dictates the nature of policing and contextual constructs that influence policing strategies and operations. “Comparative Policing” implies similarities and contrasts. Wilson identified three styles of policing. 1. Watchman Style 2. Legislative Style and 3. Service Style. The watchman style distinguishes between two mandates of policing order maintenance and law enforcement. In this context the paper explores the comparative study of police models and institutional inadequacies in Indian police system. This paper tries to examine the varies police systems that exists in India examples of varies types of policing models This paper takes cue from these systems, their positives and negatives, and tries to find out how the Indian System can be understood in the light of these policing models. “Unlike the armed services, the police is a civilian force; unlike the civil services, it is a disciplined service. The police service has thus a flavour all its own and comparison with other services can be misleading”.

*Royal Commission the police, 1962*

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## 1. Introduction

In India, police is the Coercive arm of the state , which is entrusted to perform the basic duty of the state that is maintenance of law and order. Therefore, law and order administration has acquired significance at the central, state, Range, District and sub district (sub-Divisional) level in rural and urban areas. Police are a group of people whose job it is to enforce laws, help with emergencies, solve crime and protect property police are trained in first aid and risqué, because police officers are often one of the first people to get to a police where people are sick to injured, such as a car accident, or a fire.

“I (police man) have been where you fear to go  
I (police man) have seen what you fear to see  
I (police man) have done what you fear to do  
All these things I have done for you”

With the above the quotation simple we can say about the Indian police service. The Indian police service is one of the three all India services as envisaged in the Constitution India.

## 2. Evolution of police Administration

Over the countries police administration has evolved in several important respects including how police have been organized and what they considered their core strategy for providing value to the communities they serve. It is argued that the present police work is not very different from previous police work performed by the London Bobbies in 1829 and the New York cops in 1845. Police Administration refers to the organization and management of policing. The conceptual

breadth of the term police administration is elastic. It can refer to how the policing function is organized at the national or social level or more specifically to how individual police agencies and units are organized and managed.

The Indian police Act (IPA) of 1861 imposed a uniform police system on the entire country. The Act established organized police forces the responsibility of the various provincial government. Within the provinces the police was to be recruited, trained, disciplined and control by British affairs. Each state and union territory has a state police force headed by a Director General of Police changed by a director general of police, an Indian police service officer, The IPS is one of the three All India services as envisaged in the constitution of India. Which is responsible for maintaining law and order in the states, Townships and rural areas? Most preventive police work is carried out by constables assigned to police stations. According to Article 246 of the Indian Constitution and section 3 of the IPA, the police force is a state subject and not dealt with at central level. The DGP is the highest responsible for the state police force. The State is divided into Several Zones, Ranges and District.

## 3. Functions of the police

The primary function of the civil force is to control crime, while the primary function of armed police is to deal with law and order situation, Armed Force is the Reserve police of the district. The police is entrusted with the task of maintain peace and harmony of society arresting and controlling people who violate laws. The police enforce the laws of the land. One

who does not obey the law is punished by the police. It is because of police men that our lives and property are safe.

#### 4. Administration of police

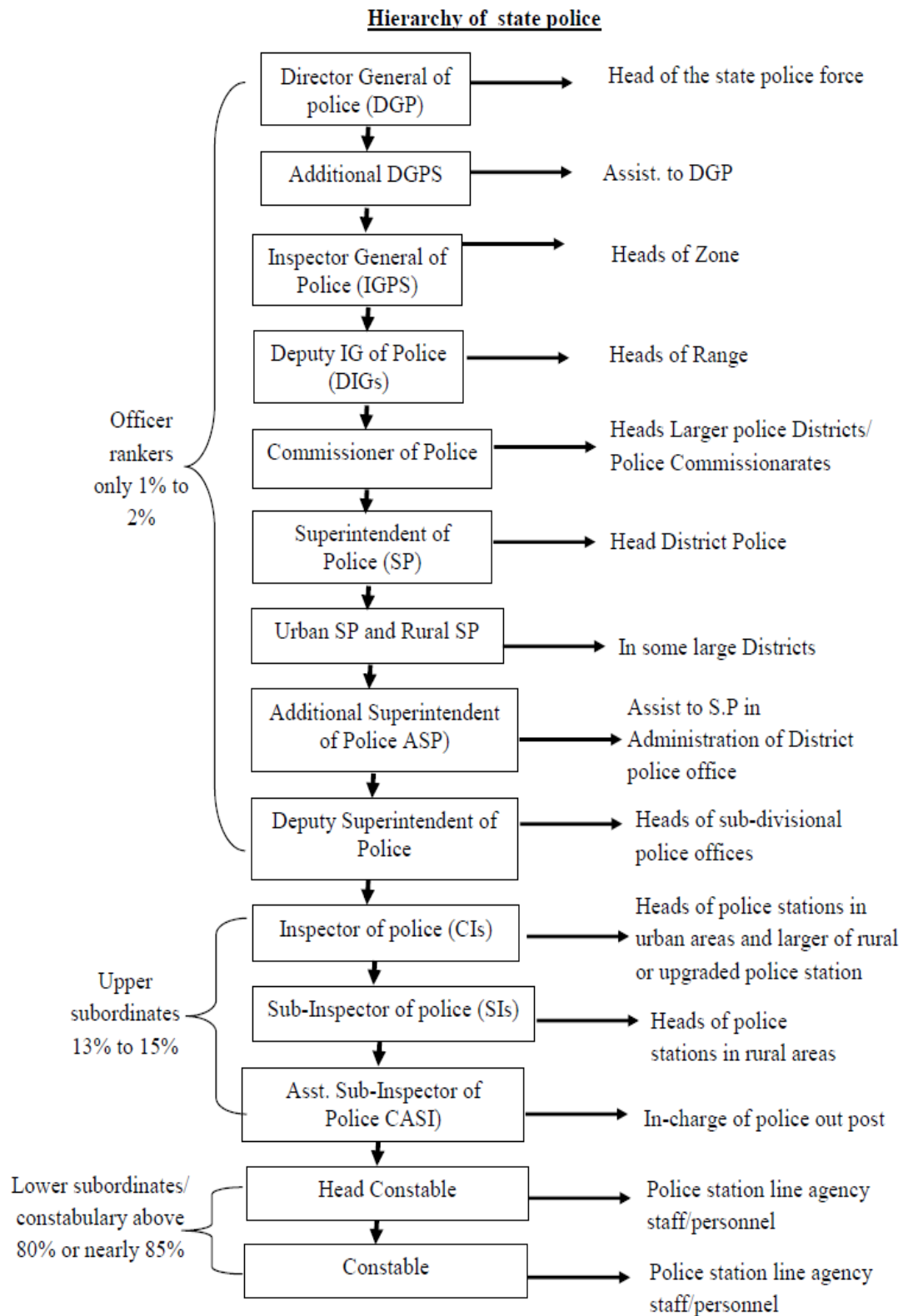
Section 4 of the police Act states that the administration of the police force in the state shall be under the supervision of the Director General of police who is at the top of the director General of police who is at the top of pyramidal hierarchy consisting of Addl. GPs, Inspector General of police (IGP) Deputy Inspector General of police (DIGP) and superintendent of police. At the district level, the police administration is vested with the district superintendent of police (SP) functioning with the assistance of the ASP.

#### 5. Police in India

India tops the number of Police men in the world countries with 1,032,960 police personnel. USA has the second largest police force in the world with 941,139 police officers. UK and France come 9th and 10th respectively. However considering the population of the country, India has only 0.956207 per 1,000 people are 1 per 1,000 people and comes 47<sup>th</sup> in the world countries, while, UK with 2.04871 per 1,000 people stands at 34<sup>th</sup> position. Indian model of police organization is an example for a multiple unorganized decentralized policing. In sharp contrast to the British principle of policing by consent, India follows policing by law. Each state has its own police force, whose top echelons are filled by officers of Indian Police Service, which is an all India Service. Many analysts have commented that the Indian Police Act, 1861, which was

brought into force immediately after the First War of Indian Independence in 1857, was based on distrust of Indian officials and was aimed at ensuring strict control over the Indian population. Even after attaining independence, successive governments did not try to change this basic character of Indian Police force. Though the framers of the Indian Constitution envisaged police as a state subject, vide Article 246 read with entries 1 & 2 of List II of Seventh Schedule of Indian Constitution, most Indian states opted to adopt the Indian Police Act, 1861 without any change, while the very few states, including Kerala which opted for Police Act of its own, modelled its statute broadly based on the Indian Police Act, 1861 itself. Even the model Police Act, 2008 does not have any basic difference from the philosophy of Indian Police Act, 1861.

While we can broadly classify the Indian Police organisation as a multiple, un coordinated, decentralised model, the presence of IPS officers at the top ranks of most police forces create an oblique Centralised control. The quasi-federal character of the Indian polity, with specific provisions in the Constitution, allows a coordinating and counselling role for the Centre in police matters and even authorizes it to set up certain central police organisations. The head of the police force in each state is the Director General of Police (DGP) - responsible to the state government for the administration of the police force in each state, and for advising the government on police matters. The DGP represents the highest rung in the police hierarchy.



The hierarchical structure of the police in India follows a vertical alignment consisting of senior officers drawn, by and large, from The Indian Police Service (IPS) who do the supervisory work, the “upper subordinates” (Inspectors, Sub-Inspectors, and Asst. Sub-Inspectors) who work generally at the police station level, and the police constabulary who are delegated the patrolling, surveillance, guard duties, and law

and order work. The constabulary accounts for almost 85% of total police strength. Section 3 of the Police Act, 1861 vested the superintendence of the state police force in the state government. A system of dual control at the district level is introduced under Sec.4 of Indian Police Act, 1861. It places the police forces under the District Superintendent of Police, but subject to the “general control and direction” of the District

Magistrate. The draft Police Act, 2008 apparently tries to change this dual control.

## 6. An analysis of various models brings out the following lessons from comparative study

Popular consent on policing is a very uncertain concept and policing by law and by consent has now become almost intertwined.

Most countries, irrespective of the model they follow, give importance to public consultations and local help in the policing activities- though sometimes not formally.

In almost all these sample jurisdictions, with the exception of China, there is clear separation of crime investigation from law and order maintenance duties.

## 7. History of Indian Police Structure

Ancient Police system in India was based on the principle of local responsibility and mutual cooperation. In the village, security and peace was a matter of collective responsibility and shared by every resident of the village. One of the villages, called, gramaneta or village watchman is responsible to protect the village from the criminals while the body corporate of the village was bound to make good the loss due to crime committed within the village limits, except in cases where they were able to trace the offenders or succeeded in fixing responsibility of crime upon neighbouring villages. This village level responsibility continues, though in its rudiments, even today, which is seen embodied in section 40 of Code of Criminal Procedure, 1973, which imposed a duty on officers employed in connection with the affairs of a village and each person residing in a village to communicate to the nearest magistrate or to the officer in charge of the nearest police station certain information.

"Regulations for the Police of Collectorships of Bengal Bihar and Orissa", known as Regulation No XXII of 1793 of Lord Cornwallis, made the Police in the country the exclusive charge of the Government and who may be specially appointed to that trust. Police commission of 1860, whose recommendations culminated in the Indian Police Act, 1861, recommended that Police under each local government or administration shall constitute one force and be under the officer to be styled Inspector General of Police, in whom should be vested the control over the organization, the responsibility of maintaining it in a state of efficiency by proper attention to its training and discipline, internal economy and its general rearrangement through its own officers. It was also inter alia recommended that the office of Village watchman should be retained, being an ancient institution of India, since village watchman was "a man of village but not enough an official to be alien or obnoxious to the villagers, but only an official to be amenable to systems and reliable for duty on behalf of the police." Thus it can be seen that the British how much so ever they were contemptuous of the integrity of local people, were convinced that the policing would not be successful without a tolerably reliable agency in the villages.

The Indian Police Act, 1861 did not come into force automatically in all the provinces since there was a provision in it, which stipulated that the Act would be applicable to any province only when so notified by Governor General in Council. The Act was never applied in Provinces of Madras, Bombay

and Sind, which had separate Police Acts. (Police Act of 1859 in Madras and Bombay District Police Act II of 1867 in Bombay, were almost similar to Indian Police Act, 1861 with certain changes based on local conditions). The Police Commission of 1902 recommended setting up separate Criminal Investigation Department in each province for collecting and distributing information regarding criminals and organized crimes and for assisting in the investigation of complicated cases. It also recommended establishing an organization under Inspector General of Police, for the whole of India in the line of Police Organisation for Provinces. It also contained an important recommendation outlining the paramount importance to develop and foster the existing village agency for police work.

## 8. Comparative study

A comparative study of the policing across the models examined, undertaken by Nation Master shows that of the models examined, the percentage rate of public confidence in policing is as follows:

United Kingdom	: 77%
USA	: 73%
France	: 67%

The other countries including India are not even featuring in the sampling. This can give rise to an assumption that multiple police forces instil more confidence in the public about the policing, as they have more reach than a singular system as followed in Saudi Arabia or China, but this conclusion should be taken only against the caution that the sampling may not even have included these countries.

## 9. Assimilation of Lessons

While as a democracy, India should be striving towards an inclusive policing, where the policing functions are carried out on the basis of popular consent, accountability and transparency is also required and in this the British models of making police accountable to the public is worth emulation. In fact, the Police Complaints Authority (PCA), which is already brought in force in many states in India as an aftermath of Prakash Singh judgment, is nothing but a copy of the English model. While the emphasis of the UK model is participatory management of the police system, it appears that emphasis of the Indian models is to vest more discretion on the executive authorities.

It is also sad to note that there are no suggestions in the existing reform recommendations to augment the existing system of village level cooperation in policing. S 72 of the draft Kerala Police Act, 2008 for example provides for a system of community policing, which perhaps is the sole proposition in the whole of the draft statute that calls for community consultations. However, there are no provisions which make the recommendations of the Community Liaison Group mandatory and this would make the community policing an exercise to create informants rather than participants in the policing process. Even the Police commissions appointed by successive governments which formed the basis of the guidelines issued by the Supreme Court in this regard, did not give as much thrust to the democratization as to the independence of the police force from the governmental intervention.

## 10. The Megacity Policing Plan

The megacity policing plan was introduced by the government under the MPF scheme in 2005. By 2010, it had achieved considerable maturity as the system was used for ensuring the successful and event-free Commonwealth Games in Delhi. The Ministry of Home Affairs (MHA) provided further impetus to the megacity policing programme by allocating more funds for the period 2013-17. The state governments are the primary drivers for city surveillance initiatives. They are also responsible for overall funding. However, they can request funds from the MHA as needed. The funds will be used to procure modern equipments like Closed Circuit Television (CCTV) systems, perimeter security systems, network; equipment; data servers for central command control centres, video management system and digital video recorders (DVRs); cyber patrol and communication monitoring system; Integrated GIS-based automated vehicle tracking and management system.

## 11. The e-COPS project of Andhra Pradesh Police

The e-COPS project-electronic-Computerised Operations for Police Services was launched in 2002 by Andhra Pradesh Police. It is conceptualized to ensure smart policing by utilizing State of Art technology which is converting the AP Police into speedy processing, increased efficiency, transparent policing and better interaction with the citizens of Andhra Pradesh. The objective behind initiating e-COPS is to computerize the activities of controlling crime, administration and support services across the State in an integrated fashion so as to enable the Division Heads and Senior Officers to obtain information that may not have been previously or easily accessible to them. Through e-COPS, complaint can be registered by a citizen at a Police Station which is convenient and comfortable without the problem of Jurisdictional limits. This is a boon for weaker sections, minorities and women victims, as they can register their complaint at a Police Station of their choice comfortably (woman victim can choose to register at all women Police stations or with a responsible Officer above the rank of Inspector of Police). Such cases are automatically transferred without human interference to the appropriate Police Station under whose jurisdiction the actual Crime has taken place, making it a reality that the nearest Police Station can be chosen by the Citizen.

## 12. 'SMART Policing' for SMART Cities: A New Paradigm Shift

There are two approaches involved in the concept of SMART Policing i.e. SMART Police and SMART Police Station. The Prime Minister of India had introduced the concept of 'SMART Police' during the 49th Director General's (DGPs) Annual Conference at Guwahati, Assam on 30th November,

2014. The acronym 'SMART Police' stands for Sensitive and Strict; Modern with Mobility; Alert and Accountable; Reliable and Responsive; Trained and Techno-savvy. This new acronym insists more on police personnel and their approach towards policing. But, at the same time, one cannot deny the importance of Police Station that creates conducive work environment to deliver SMART Policing. In fact, Police Station is the primary point of interaction between the citizens and the police. Due to this reason, the Police Station has been considered as the key functional unit from where the police discharge their tasks of maintaining of law and order and investigation of cases etc. Thus, not only the police officers but also the police stations need to be SMART. Realising this, Union Ministry of Home Affairs came out with the concept called 'SMART Police Stations'. But in a broader sense both concepts ultimately aim to achieve SMART Policing. By taking this concept forward Ministry of Home Affairs has recognized the significance of SMART Police Stations to support and materialise the concept of 'SMART Police'. As part of the pilot study, MHA has decided to establish one model SMART Police Station in each state. While operationalizing the concept, the corporate sector will be involved as part of their Corporate Social Responsibility (CSR) programmes to expand the roll out of SMART Police Stations.

The SMART Police Station can be considered as the foundation towards SMART policing. A SMART Police Station is expected to be citizen friendly and approachable. Not only that, it should also meet the operational and welfare needs of the police personnel posted there. Some suggested features of a SMART Police Station are: Basic amenities for visitors, waiting area, toilets, drinking water, receptionist whom the visitors can meet; rest room for constables, including separate room for women constables; natural lighting and ventilation, solar lighting, energy saving features; CCTV, safe and secure armoury, record room, communication room for wireless, computers etc., automated kiosks for filing of complaints by public (with a back-end system for tracking follow-up action).

Andhra Pradesh first SMART police Station had inaugurated on 6 feb 2017 at Nagarapalem in Guntur city in the capital region AMARAVATHI. It is having look and feel of a corporate-style office with exterior beautifully landscaped and façade made of glass. It is fully air-conditioned station has a staff room dormitory, mini control room, a reception chamber and individual enclosures for the station house officer and three sub-Inspectors, It is equipped with custody room and also CCTV (Closed Circuit Television Cameras) network around the station for closer surveillance of staff behaviour and movement of visitors. It is one of the two model smart police stations constructed in Guntur as a pilot project Andhra Pradesh police administration is planning to build another 100 smart police stations across the state.

**The strength of some state police forces and vacancies as on 01-01-2016)**

States	Sanctioned Strength of State Police (Civil + Armed)	Difference
Andhra Pradesh	132,712	43,887
Bihar	87,314	25,350
Gujarat	103,545	45,656
Maharashtra	181,803	47,107

India's ratio of 138 police personnel per lakh of population fight lowest economy in countries. **India is Short of 0.5 Million policeman But 47,000 protect VTPs**

**MUTTOS OF SOME STATES POLICE ORGANISATION IN INDIA**

State of organization	Motto
Andhra Pradesh	SATYAMEEVA JAYATE" (Always Truth Wins).
ASSAM	Always at your service .
Bengalure city police	"We serve We protect".
Chattisghar police	"Paritranay sadhunaum,( protect the GOOD).
Delhi police	Shanti, seeva , Nyaya,.
Gujarat police	"Seva , Suraksha, Shanti",.
Nagaland police	Security, service, Sacrifice
Odisha police	"We serve and protect .
Panducherry police	Integrity ,Sincerity, service'
Rajasthan police	Committed to serve .
Sikkim police	To protect and serve
Telangana police	Duty , Honour , Compasssion',
Utter Pradesh	"Protection of Good Destriction of Bad

### 13. Conclusion & Suggestions

**On the basis of comparative study of the police systems in the country, the following suggestions are made:**

- There is a need to amend the various Police Acts in the country to bring in more accountability and transparency in the functioning of police.
- Instead of governmental functionaries, independent personnel having wide experience and knowledge in law, management, accounting, social service etc, should be appointed as members of the bodies which make appointments and handle complaints against police.
- As pointed out in Prakash Singh judgment, there should be independent Police Complaints Authority to handle complaints against police men and independent State Security Commission to handle appointment of top officials of police. The members of these bodies should be selected through an open recruitment process, and the selection committee can comprise of the members mentioned currently as members of State Security Commission. At least 1/3rd of the members of the State Security commission and Police Complaints Authority shall be drawn from judiciary/legal academicians in consultation with the Chief Justice of High Court.
- Functions of State Security Commission should also include a general supervision of the investigative functions, including providing facilities for crime investigation, though it is not desirable to give the Commission any powers to interfere in case to case investigation.
- State Security Commission as envisaged by National Police Commission draft is also an appellate authority to whom complaints regarding illegal or irregular orders from superiors is to be made. A proper avenue for venting such complaint and more importantly for

recording the same would create a sense of independence in the police psyche which is essential to ensure a free and fearless police force.

- The Police Complaints Authority should be given the powers to record all sorts of complaints against the police officers and to publish the details there of in the website for public scrutiny. This would help a greater accountability in the police.
- There should be a proper enforcement mechanism for the findings of Police Complaints Authority. The findings of the Authority should be final and the Police Complaints Authority should be designated as the sole disciplinary authority over the police officials, failing with the exercise of Police Complaints Authority in discharge of their duties would go waste.

### 14. Conclusion

It must be said that if the policing in India has to imbibe the true spirit of community participation and become a role model for the policing, then the emphasis on executive discretion should give way to participatory policing and there administration of police should be made more transparent and participatory. It should be borne in mind that in a modern democracy police has a great role in keeping the social fabric together and ensuring the continuance of democracy. Hence it is important to modify the negative perception about the police that is deep rooted in the commoners psyche as an instrument of torture by the power wielders, and to create a feeling of comity in the public mind that police is their friend and guide and the representative of common men in combating crime, who is accountable to public for their deeds and misdeeds. Equally important is the feeling of comfort in the minds of police men who should be freed from arbitrary interference from powers-that-be in discharge of their duties to ensure their allegiance to cause of common men and to uphold the sceptre of justice entrusted to them by law in a just and equitable manner, acceptable to common man.

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