CHAPTER - 9

CONCLUSION AND SUGGESTIONS

In the foregoing chapters an attempt has been made to analyse the origin and development of the concept of police in India with special reference to Kerala and evolution and development of the concept of human rights and various kinds of human rights violations in police custody in different stages of history. A detailed description of legal standards for the protection of human rights of persons in police custody is also made.

Interview with the victims of custodial abuses, police officers from the higher echelons of the service to those at the cutting edge level, human rights activists and various voluntary organisations reveals that there are so many factors contributing towards the causes of violations of human rights by police. Sociological causes like ambivalent outlook of the society with respect to the use of third degree methods by the police, economic causes like meagre salary and inadequate living conditions, rampant corruption in police service, unnecessary political interference in the crime investigation, work load of police personnel without any time limit and periodic holidays, unnecessary pressure from superior police officers and the general public for speedy detection causing great mental strain to the investigating officers, defective system of recruitment and training, imperfect system of investigation and lack of public co-operation are some of the factors identified in the field survey towards the causes of violations of human rights in police custody.

Even though the Supreme Court and various High Courts in India, National Human Rights Commission and State Human Rights Commissions, various voluntary organisations and the media have contributed much towards ensuring custodial justice, it is found that the incidents of custodial violence
are endemic in India. Therefore it is high time to take immediate steps for introducing certain practical measures to check this menace.

The problem cannot be solved through mere lip service or through the enactment of strict laws. Similarly it is difficult to find a remedy without altering certain concepts as well as certain social and legal realities which have emerged through centuries. Hence earnest efforts should be made to bring in some changes in the behavioural pattern of the police. In addition to this, vigorous campaigning from different angles and from various platforms is required to eradicate the threat of violations of human rights of persons in police custody. Government should identify the problems and the deficiencies and prepare a master plan regarding the action that has to be taken to curb human rights violations in police custody.

Police reforms should specifically address the problem of human rights violations in custodial situations and structural problems which have been identified as facilitating torture and ill-treatment and other human rights violations. They should also incorporate international human rights standards, particularly those relating to arrest and detention procedures and safeguards against discrimination. They should incorporate a code of ethics for police officers.

The Government should declare that it will not tolerate any kind of human rights violations in police custody including custodial torture and custodial rape under any circumstances and such a declaration should be made a part of its police policy.

The Government should ensure a strict supervision over all police personnel authorised to arrest and detain people. Steps should be taken to see that frequent visit to police stations are made by superior officers as well as a specially constituted squad of police officials who are capable of carrying out
their duties impartially and without being biased to any particular police officials. It should be ensured that such officials have a regard for human rights. Police officials should be strictly instructed to comply with all the decisions of the courts regarding custodial violence.

In our present system of criminal justice administration arrest is followed by investigation and collection of evidence. After taking a person into custody the investigating officers are usually trying to get confession by physical as well as mental torture. This is entirely different from the system of criminal justice administration followed in other developed countries like England. A new system of criminal investigation is to be fostered in which arrest and interrogation must be the final step after knowing the whereabouts of the suspects and collection of all evidence by lawful means. Sufficient time should be given to the investigating officer for the collection of evidence against the real offender. Adequate training should be imparted to the police officers accordingly.

Powers of the police to arrest should be strictly limited and adequate safeguards for arrest should be ensured. Police should be required to demonstrate in writing the need for arresting an individual as a means of reducing the number of unwarranted arrests at the instigation of vested interests.

The Government should give instructions to all the police officers that arrests should only be made strictly in accordance with legal procedures. They should also be instructed that arrest could only be made by police officers in uniform clearly indicating their names, distinctive ranks and the names of police stations to which they belong. Vehicles used by the police should have number plates clearly displayed at all times. Informal arrest not complying with legal formalities and taking persons in vehicles other than police vehicles should be strictly forbidden and should be made and declared
as part of police policy. Police officers making arrests should undergo adequate training in human rights.

The study proves that the use of handcuffs causes humiliation and loss of self-respect to the arrested person. So the barbarous method of tying the human being with iron chains especially while taking through public places should be used only in unavoidable circumstances. Handcuffing is to be used only in the cases in which the person to be arrested are obstructive, disorderly or violent and that too only after getting the required order from the judicial officer in advance. If it is not practical to get such an order in advance, the reason and the circumstances for using handcuff should be recorded in writing and the necessary order of ratification should be obtained from the concerned judicial officer.

A comprehensive custody record containing all the details of arrestees from the time of arrest should be kept in the station. Whenever a person is arrested, the place, exact time of the arrest, by whom it was made, where the arrested person is being kept, to whom he has been handed over, details of witnesses and other relevant information should be entered in the diary. All these matters should be intimated to the District Police Head Quarters and to the concerned Custodial Justice Officer. All police stations should keep accurate and up-to-date record of these data along with the reasons for detention and the time and date of the person's entry and release from the police station. There should be periodic and unexpected checking of police stations by superior officers or by a visiting body and action is to be taken against those officials who have not followed the procedures.

All police stations should be provided with reception-cum-waiting rooms with adequate seating facilities. A register for recording arrest should be
kept at these counters. An arrested person should be brought into the station only after making an entry in the register.

The detainee should be promptly informed of the reasons for his arrest and detention to enable him to effectively present his case seeking legal redress. The officers-in-charge of police stations should be instructed that all detainees must be formally informed of their rights and privileges. The arrestees should be made aware of their legal rights and privileges by displaying in the lock-up a list of those rights and privileges written in the regional language. Taking into consideration of the low literacy rate in many areas, it is suggested that this list of rights should be read out to the arrested person in a language he or she understands as a legal formality. He should also be informed of the disciplinary requirements in police stations.

Considering the increasing custodial violence against women certain suggestions are made. No woman shall be arrested between sunset and sunrise unless it is absolutely necessary to effect the arrest in the night itself. If it is very necessary to arrest a woman at night, the permission of the next superior officer must be obtained. If permission could not be obtained, the justification for making the arrest should be reported to the next superior officer without any delay. The arresting police party must consist of sufficient number of women police constables and the arrested woman should be kept under their custody. Relatives or neighbours of the arrested woman should also be allowed to accompany her to the station.

A redressal mechanism is to be introduced consisting of a three-tier system – Grievance Cell in every police circles, Complaint Board in all the districts and a State Security Commission in the State level. For the smooth functioning of the Mechanism and for a popular representation, a civilian control mechanism is to be included in the form of Custodial Justice
Committee at the cutting edge level. Reputed human rights activists and social workers preferably from the locality, media men, nominees from the bar and nominees from the police department should be the members of the Committee to ensure the custodial justice of arrested persons. The Committee should elect a Custodial Justice Officer to look after the welfare of persons who have been taken into custody by police. It should be made obligatory on the part of the arresting police officer to inform the Custodial Justice Officer the matter of arrest as well as all other details such as the ground of arrest, time of arrest, persons who have been intimated and the health condition of the person in police custody. A system for getting a signed statement from the Custodial Justice Officer and the relatives that they have been intimated the details regarding the arrest should be introduced.

District Level Human Right Cells should also be constituted in all the district headquarters similar to the state level Human Rights Commission. Members of the District Human Rights Cells, and the Custodial Justice Committee and Custodial Justice Officer should be statutorily empowered to have immediate and unhindered access without prior notice or permission to all places where people may be suspected to be detained by the police; to hear them and to take appropriate actions against the delinquent officials.

The release of a person from police custody should be done only in the presence of his relative or friend or his advocate or a respectable person of the locality or a member of the Custodial Justice Committee. There should be a proper record consisting the whereabouts of the detainee and his arrest.

The existing in-house mechanism functioning in the office of D.G.P should be detached therefrom in order to ensure its independent, effective and successful functioning and it should be converted into a civilian controlled mechanism.
Measures are to be taken to see that police is not at all exerting pressure or harassing, humiliating and victimizing the parents, relatives or friends of the ‘wanted persons’ in the guise of investigation. When the police decide to arrest a person, refuse bail and refuse to grant permission to consult a legal practitioner or when the police decide to withhold any legal provision from a suspect in extra ordinary circumstances, they must give reason for their action and the police officer effecting the arrest should bring it to the notice of the Custodial Justice Committee through the Custodial Justice Officer or the District Level Human Rights Committee instantly.

All persons taken into custody by the police should be kept only in officially recognized places of detention and the names of all those detention centres should be officially notified. Secret or adhoc detention centres should not be allowed. A person in police custody should be given free legal aid if he is unable to have a lawyer at his cost and he should be provided with the assistance of a lawyer at the cost of the State. Of course, the consultation may be within the sight of the police officer but not within his hearing.

Police lock-ups are to be re-structured so as to provide with sufficient ventilation and adequate space. There should at least be two lock-up rooms in all the police stations to keep women folks separately from men and to avert innocent people being manhandled by the fellow detainees who are aggressive in nature. Those police personnel who are in guard over a detainee in police stations should be specifically trained in matters like human rights of arrested persons, custodial justice etc. There should be a Custody Officer who should be fully responsible for the safety of the detainees. Even Station House Officer should seek his permission to interrogate the detainee.

In all police lock-ups there should be sufficient space for the detainees to sleep during nights and the lock-ups should have sufficient
ventilation, adequate bathing and toilet facilities in the vicinity of the lock-ups. There should be constant and continuous supervision over the detainees kept in police lock-ups. The police personnel who arrest a person should brief the Custody Officer about the background, mental make-up and behaviour. It is necessary to see that the detainees do not indulge in any acts likely to endanger themselves and others.

All persons in police custody should be provided with food of reasonable standard and quality and clean water or if they wish, should be allowed to have food at their cost. The existing rate of daily bata for the food of the detainees in police custody should be revised periodically and the cumbersome formalities in availing this fund should be avoided through providing a sufficient contingency fund for the purpose by making SHO as the custodian.

As it is the primary right of every person to have a decent wearing apparel, the person in lock-up should be allowed to wear his own normal clothing and under no circumstance should he be compelled to remain only in underclothing or in humiliating dress. If it appears to the police that there is every chance of the detainee committing suicide or if there is no facility to arrange proper observation of the detainees in the lock-up, the detainee should be given a decent dress to wear at least a dress of the type of Bermuda or long trousers at the State’s expense and such types of dress should be kept in the stations in a reasonably hygienic condition. Relatives and lawyers should have free access to the lock-up to see the detainee.

All detainees should be examined by a doctor promptly after admission to the place of detention and should have the right to be medically examined by a doctor of his own choice. A copy of the medical examination report of the arrested person should be given to him or his nominated representative such as his lawyer or relatives. A Reception Centre headed by a
senior police officer consisting of a physician and a psychiatrist should be constituted in all sub-divisions.

In custodial death cases post-mortum is to be conducted within 24 hours. Proper training and orientation should be given to medical professionals to prepare post-mortum reports based on ethical standards. The deceased's relatives should be permitted to post an expert medical practitioner at the time of post-mortum. All post-mortem examinations in respect of deaths in police custody should be video-filmed and sent to the NHRC and the State Human Rights Commission. Steps should be taken to protect medical professionals carrying out post-mortems and medical examinations of alleged torture victims from police pressure. As a step towards this, it should be made mandatory that the police officials should not be present during post-mortems or the medical examination of detainees.

There should be ample facilities for free communication between the interrogated and the interrogator. Detainees should be promptly informed of any charges against them. A system for the supervision of interrogation by the police should be introduced and records relating to the supervision should be kept off the officials conducting the interrogation. Such records should contain the names and address of persons present at the time of interrogation and the time between interrogation sessions.

The extensive training in investigations with recent scientific innovations could be imparted to create specialised wings for investigations. The investigative work of the police should be made absolutely free from all types of external political and other pressures. In no way the politicians should be allowed to interfere in the crime investigation function of the police.

In the existing system of policing the police personal are getting only 30% of their time on investigation duties. Due to the shortage of time they
resort to the short-cut method of torture. Therefore it is very essential that investigative work should be de-linked from law and order functions and other duties so as to enable the police to get sufficient time for investigative duty. The investigating police officers should not be allowed to go for VIP bandobast and similar duties.

Section 22 of the Indian Police Act, 1861 and relevant sections of the State Police Acts lay down that police officers are to be considered to be always on duty and may at any time be employed as a police officer in any part of the general police district. This has dehumanised the entire police system. Therefore it is high time to limit the working hours of police people to 8 hours with periodic holidays. They should be given overtime allowance for the extra hours of duty as in Britain. In the study it was noted that a policeman has to work at least 16-20 hours a day and almost 7 days a week continuously even without a weekly off, for 3 or 4 weeks. Thus the present situation is much worse than that existed in 1979 when the NPC found that a policeman had to work for sixteen hours per day.

Due to the continuous work without leisure and recreation, the police people tend to become mentally and physically ruptured with the result that they become highly insensitive to human rights of the person with whom they interact. It is only in the Indian Police that policemen are not allowed to have religious or national holidays; thus making a total of 26 per cent extra days of work per year. They should be given either compensatory leave for equal number of days or a special allowance. Steps should be taken to increase the man power in police department. Representation of women should be high in every police station. More over the official status of the constabulary is to be upgraded to the rank of skilled workers.
There is a notion among the members of the investigating agency that conviction is the sole purpose of criminal trial. So they resort to all unfair and foul methods to see that the accused is 'some how' convicted by the court. An attitude should be developed inside the police organisation, in the entire criminal justice system, and in the minds of the public that conviction rate is not the criteria for measuring the efficiency of the police and that it should not be the criterion for promotion in police service. The investigating officers should give prime importance to scientific evidences. Better training is to be imparted to police officers considering the nature of crimes and thereby make them specialized investigators in such crimes.

Steps should be taken to ensure that evidence in criminal cases is collected by police through proper and scientific methods of investigation. The states shall look into the possibility of making electronic recordings of interview with suspects. Polygraph test should be implemented in our police system.

Specific guidelines should be formulated by the government for the interrogation of suspects in various types of offences after consulting with human rights activists, police officials, advocates, judges, sociologists, psychologists and members of medical profession. These guidelines are to be published and revised from time to time. Urgent steps are to be taken by the government to have interrogation rooms equipped with lie detectors, close circuit television facility, tape recording system and other scientific gadgets for more successful interrogation as provided in western countries. Suitable atmosphere should be created in all the interrogation centres to enable the interrogator to act according to the innermost attitude of the interrogated.

Interrogation is to be conducted only after preliminary investigation about the whereabouts of the suspects and the collection of sufficient evidence. New techniques of interrogation and new methods of psychological tackling of
suspects should be developed. The police should be allowed to interrogate the accused only in the presence of an impartial third person. The children who come into conflict with the law should be treated in accordance with international standards on the administration of juvenile justice.

To understand the criminal and the crime better, the predisposing and precipitating factors in the psyche of the criminal should be studied. For this purpose a ‘Police Psychic Centre’ should be constituted in connection with the District Police Head Quarters wherein curative measures against criminality should be introduced. This system enables the treatment of different levels of errant personalities in a scientific and psychological manner without violating their human rights.

Scientific method of recruitment should be adopted to obtain candidates of professional aptitude, sound character, political neutrality, above-average intelligence and emotional stability. By taking into consideration of the raising educational standard and financial standard of the society, qualification of the constabulary must be raised to graduate level and their pay scale is to be revised periodically. Steps should be taken for recruiting highly qualified and competent personnel having emotional stability, sensitivity to human rights, sound character, political neutrality, above-average intelligence etc. in the police service. Those persons with criminal nexus or background shall not be selected.

During the British period there was a parade-oriented training which was mainly focused on physical training and is still continued without much modification. Instead of a ‘muscle police’ we require a police having ‘brain’ and ‘heart’ since they have to deal with their own fellow human beings and not with their enemies.
In the Police Training Colleges and Academies the training curriculum should be revised by incorporating a separate subject on ‘humanity’. Noted human rights activists, sociologists, psychologists, eminent police officers who respect human rights should be called to deliver lecture and suggest modern methods of interrogation and thus inculcating respect for human beings in them.

During the training period and the service period, workshops should be organized on the subject ‘Third degree methods; a bane’ in regular intervals and the participants should be allowed to freely express their feelings so that wrong notions buried deep in them could be extracted out and by process of counseling right thoughts could be imbibed in them. Human Right activists, people from different walks of life including women, officers from all ranks of the police including constables must be invited to attend this workshop. Refresher courses on custodial human rights should be organised periodically at all levels. Implementation of practices taught during training should be monitored and evaluated. Sufficient resources should be allocated to ensure that programmes of training can be carried out effectively and followed up effectively.

The police personnel should be made duty bound. In order to protect the citizens, they have to ignore their prejudices based on caste gender etc. Object of police training should be to inculcate a human right culture on the basis of the international and national standards for the protection of human rights in police custody. Regular gender sensitisation and orientation courses should be conducted for police personnel of all levels. Health professionals, NGOs, counselors, experts and individuals from other backgrounds who have a thorough knowledge about violence against women should be invited to address and to interact with recruits and those in the service.
Police personnel should be provided with periodical in-service training in the field of human rights. Linking in-service training courses with the channels of promotion would ensure better motivation and greater effectiveness in the field of protection of human rights by police. The senior police officers should envisage novel programmes like ‘Police-Community Relations’ and thereby establish a constant contact and healthy relationship with the general public.

The libraries of the police training institutions should be well equipped with sufficient books and reading materials on subjects like human rights, modern scientific methods of investigation, behavioural science, criminal psychology etc.

Today juvenile offenders are on increase. The members of the Special Juvenile Police Unit constituted as per section 10 of the Juvenile Justice (Care and Protection) Act, 2000 need special training and skills to understand, appreciate and handle actual or potential delinquents and to devise schemes to help them become law-abiding citizens instead of recidivists or anti-social elements in society.

The Government should accede to the U.N. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Convention on Prevention of Torture requires the state parties to prevent only the act of torture. It is to be modified incorporating the requirement to prevent the attempt, preparation, complicity and abetment to commit an act of torture also punishable. The Constitution is to be amended so as to incorporate the provisions prohibiting torture and other cruel, inhuman or degrading treatment or punishment.

Legal instruments like the Indian Police Act, 1861 and the Kerala Police Act, 1951 should be restructured giving more importance to human
rights of the persons in police custody. These instruments should be updated and brought in line with existing and any future national legislation and jurisprudence which provides safeguards to the human rights of persons in police custody. Any new legislation which deals with the relation between police and public should be kept under regular periodic review to ensure that the protection of human rights is maintained.

The first Optional Protocol to the International Covenant on Civil and Political Rights should be ratified by the Government of India. The Government of India should take steps to take away the reservations it made while acceding to the Covenant so as to enable the Indian citizens to claim compensation in case of wrongful arrest or detention.

Similarly India should ratify the Optional Protocol to the UN Convention on the Elimination of All Forms of Discrimination against Women at the earliest opportunity to enable individuals to bring complaints to the Committee on the Elimination of Discrimination against Women about violation of their rights under the Women's Convention once they have exhausted national remedies. Special Rapporteur on Torture and the Special Rapporteur on Violence against Women should be invited to India to investigate patterns of custodial violence against women.

The Government should also take steps for the prompt and effective investigation of all reports of torture published by the media through an independent and impartial body. It should also initiate model prosecution proceedings against the perpetrators of police torture. Voluntary organizations and human rights activists should be encouraged and appreciated in their endeavours to protect human rights.
Safeguards for detainees on arrest which have been set out by the Supreme Court, particularly in *D.K. Basu v. State of West Bengal*\(^1\), should be incorporated in relevant statutory law and all police manuals. Measures should be taken to monitor their implementation and statistics should be published periodically. There is a police association now, which should take initiative to discuss the finer points and implement these.

The traditional method of evaluating the performance of police officer on the basis of conviction rate should be changed. Emphasis should be given to correct and ethical approach during the investigation rather than the success or failure of the case.

Most of the human rights activists are of the opinion that police atrocities are mainly because of the excess power conferred on the police officers by the Code of Criminal Procedure. Thus if a police officer out of enmity or spite registers even a patently false case against an innocent and law abiding citizen and arrest him, it becomes very difficult for the arrested person to come out unscathed either in police custody or in judicial custody.

Police agencies in India are obsessed with secrecy. Some of the most harmless documents pertaining to the police are labelled as secret and confidential. Police manuals/codes of practice and standing orders should be publicly available documents and be presented at police stations on request. For ensuring the transparency in police work and to protect human rights of persons in police custody, the criteria for maintaining secrecy and restrictions to be imposed on the circulation of literature relating to police should be redefined.

A Commission is to be appointed to enquire into the present working conditions, standard of living and domestic requirements of police personnel. To curb corruption the police should be provided with better

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\(^1\)(1997) 1 S.C.C. 416.
salaries and other welfare amenities. There is acute shortage of family quarters to police personnel all over the country. Policemen of and below the rank of sub-inspectors are to be provided with sufficient accommodation facilities. They should be provided free house or, if there are no houses available a free rent allowance in lieu.

Statutory provisions should be made to the effect that personnel from the DIG to the constable should be appointed in a particular place for a fixed tenure, unless and until he becomes corrupted. This will help the policemen to work independently and impartially because now, the sword of transfer will not be hanging over their heads all the time.

The existing law lays down only a passive duty on the part of police personnel to abstain from torture. Instead of that the law should lay down a positive duty on the part of all police personnel to prevent and bring before law all kinds of torture committed by their fellow beings.

Unlawful orders of the superior police officers need not be obeyed by the subordinates. Earnest endeavour should be made to make it a part of the police culture that the unlawful orders of the superiors shall not be obeyed. Specific provisions are to be made so as to make superior officers also liable for giving unlawful orders to commit torture.

Evidence elicited as a result of torture should be excluded in all trials. Magistrate should be empowered to order the investigating officer to make further examination of the accused in jail, instead of remanding him in police custody.

Judicial inquiries should be made mandatory into all allegations of torture, including rape and deaths in custody. The Supreme Court and the High Courts should conduct their own inquiries whenever a victim alleges
torture or illegal detention in a *habeas corpus* petition. Model prosecution proceedings should be initiated against the officials who do not co-operate with judicial investigations in custodial torture. Subordinate judicial officers should be trained to acquire a realistic approach in dealing with cases of custodial crimes.

Criminal proceedings should be initiated against police officials who abuse their position and yield to corruption and political influences which result in violation of human rights of persons who come in contact with the police. The existing system of getting prior sanction from the Government for the purpose of conducting investigation against the police personnel who committed death or torture in police custody is to be removed. Provisions should be made for appointing special prosecutors in cases of custodial violence. Interim relief should be given to victims of custodial violence from the errant police personnel. In order to establish liability of the police in cases of custodial death, the presumption of guilt should be raised against them.

The courts instead of issuing reminders to Parliament or directions to the executive, should really try to establish the real content of their decisions. Magistrates should play an active role in monitoring strict adherence to the guidelines set out by the Supreme Court in *D.K. Basu v. State of West Bengal*.\(^2\) Resources should be made available so that Magistrates are able to apply themselves fully to the important role they play in assessing the lawfulness and monitoring the condition of detention. Magistrates should question detainees brought before them to ascertain that they have not been tortured, ill-treated or made involuntary confessions and are not being held in conditions amounting to ill-treatment.

\(^2\) Ibid.
In order to ensure a safe environment in which detainees are able to bring complaints of torture before a Magistrate, there should be an opportunity for detainees to be heard by the Magistrate in the absence of those police officials who have brought them from the police station and may have been responsible for their arrest, interrogation and detention. In doing so, they must ensure that detainees are not withholding relevant information from them for fear of reprisals by law enforcement officials and make it clear to detainees that in the event that a complaint is made, steps will be taken to protect them against reprisals.

Judges should pursue any evidence or allegations of torture and order release if the detention of an individual is found to be unlawful. A system of a 'Mobile Judicial Unit' (MJU) should be introduced in all the Taluks and Districts. It should be made mandatory that every arrest is to be reported by the police to an officer of the Unit through wireless messages within a prescribed time limit.

Protection of Human Rights Act is to be amended to empower the NHRC to Award appropriate compensation in the cases of violation of human rights by police instead of merely recommending to the concerned authority or Government. Section 357of the Code of Criminal Procedure empowers the trial court to award compensation only if the offender is found guilty by the court. This section is to be amended so as to empower the trial court to award interim compensation in case of human right violations by the police. Verification mechanisms should be arranged to ensure that orders for compensation are implemented promptly by the authorities and that they are paid directly to the awardee.

A new law of bail is to be enacted similar to the Bail Reforms Act, 1966 in U.S.A in which it should be stipulated that release should be granted in
non-capital cases where there is reasonable assurance of the accused’s reappearance when required.

The contact of the police with the public should be friendly enough to create a mutual respect. If the police respect the public as a whole, the public will respect them more. It is essential to have an endeavour on the part of the police to eliminate the mutual hostility and distrust existing between the police and the public and to develop cooperation and more openness in dealing with the public, especially with mass-media.

Since the cardinal principle behind the concept of human rights is the recognition of the rights of everyone to live with dignity and let others also live with such a dignity, this must become the philosophy of life for everyone. The police should also follow the same philosophy since they also form a part of the society. Circumstances make a man a criminal and he is not losing his dignity by the mere reason that he is destined to become a criminal. Police should not resort to torture, violence, and deaths in police custody. We need the police to be human, tolerant and dignified. The dignity of police is not something to be buried within the four walls of the police station. The police should bear in mind the fact that they are also human beings and that either the notoriety or reputation they have earned in their service does not end with their retirement or death. Hence it is necessary for the police to reorient its style of functioning for playing a more effective role in controlling crime and winning the support and confidence of the people. Radical reform of the police set-up is the need of the time. According to the modern democratic concept, police should always be a friend, guide and philosopher to all the citizens including the criminals in the society.