CHAPTER VI

COMMUNITY POLICING AND THE PUNJAB POLICE ACT, 2007

According to renowned Jurist V.R. Krishna Iyer, “that State serves society best, lose police camaraderie from top the bottom shows deep concern for and commitment of public welfare, manifests secular egalite and social justice protective of men and Omen and children with none below the law and none above the law”. He further said the primary duty of the police in a democratic State is to help the society, maintain law and order, track down crimes, brings anti-social elements to book and to preserve an atmosphere which will help the ordered growth of a Welfare State, free from violence and disorder. Fulfilling this role faithfully without fear or favour and in conformity with law is the surest and the best means by which the police may hope to eliminate popular distrust and antipathy and to create confidence and goodwill.¹

A basic feature of democracy is transparency coupled with accountability, secrecy of operation and refusal to be accountable to the public amount negation of the law and respect for human rights. The Victorian vintage Indian Police Act does not speak of the role of the police beyond law enforcement and does not recognize the need and responsibility of the Government to establish an effective and efficient system of democratic policing. The ethos of police must undergo a total change. As the police organization was established after the Indian mutiny in 1857 to curb dissent, to enforce obedience and make loyalty for the foreign ruler was the basic objective. The whole exercise has done to engender a culture which was pro ruler and anti people.²

State Police Acts passed after Independence are mostly modeled on the 1861 Police Act and there is little to distinguish them from colonial legislation. Since dependence, various committees and commissions submitted reports and recommended police reforms and need to foster Police-Public Relations but not implemented as it ought to be. Whereas, the reports of the various state bodies, commissions, verdicts of courts on death’s in police custody, illegal arrest and detentions, false implications soured the police public relations to a great extent. As a result, the need for a healthier instructive police-community interaction has been felt. Today there is a lack of communication and accessibility between the police and the citizen and a new functional nexus must remove the mists of misunderstanding.

The basic premise of community policing, as Dr. Doel Mukerjee put it, lies in allowing the community to collaborate with the police force to perform various duties. It includes maintenance of peace and security, safety of citizens, law enforcement, crime control and orderly flow of traffic. If these functions are taken care of, it will leave ample time for the police to execute their remaining duties such as investigation of cases.³

Many developed countries felt the need to reconsider the police-public relations before. In the late 1960s, police leaders, government officials, the academic unity, and society began to question whether the police were performing their job in the most effective ways possible.⁴ As a result, the idea of community policing has become popular during the past two decades or so in many democratic societies like U.S.A., U.K., Canada, Japan and Singapore as a promising alternative to the traditional mode of law enforcement which is largely reactive and often repressive, rendering the police ineffective and alienated from the public.⁵ However, the emergence of the concept as a

distinct policing philosophy can be traced to a series of studies and field experiments carried out mainly in the U.S.A. during three decades commencing with 1960s which tested the utility and efficacy of existing police strategies to deal with crime and disorder which plagued US cities during these eventful years.\(^6\)

The concept of CPRC is the brain child of Sh. A.A. Siddiqui, IPS, Director General of Police, Punjab (2003-05). He inspired a number of studies and arranged various seminars and conferences to moot this idea. He also headed an Indian Delegation to the United Kingdom where Indo-UK Police Conference was convened in Liverpool in 2003 on Community Policing. Thereafter, the concept of CPRC was drafted and implemented in Punjab. Later on, this concept was given legal status under the Punjab Police Act, 2007. Section 14 of the Act describes the concept and implementation of CPRC. In the newly drafted legislation titled the Punjab Police Act, 2007 (hereinafter ‘the Act’), the state legislation has included provisions regarding set up of ‘Community Policing Resource Centre’, which “mean a body registered with the Societies Registration Act, 1860 with a view to provide for public police interface.”\(^7\) It explores the initiatives taken up by the Punjab police with the support of the state government in promoting community policing in the state and its position under the Punjab Police Act, 2007.

Crime is a complex social phenomenon which cannot be tackled effectively by single agency. The entire community and not just the police is responsible for crime control. Community policing is a philosophy of client-oriented service delivery aimed at improving accountability and effectiveness by putting emphasis on problem solving. Community policing taps the resources of the community to share efforts to control crime, it promotes police-community partnerships to address the causes of crime and the fear of crime. It widens the role of a police officer from an incident-driven law enforcer to that of a problem solver and facilitator which improves the image of police. The


\(^7\) Section 2(c) of the Punjab Police Act, 2007.
Padmanabhiah Committee on Police Reforms has also emphasized community policing as a proactive policing approach.

Shri K. Padmanabhaiah observed in the report that “Community Policing has become the new ‘mantra’ of law enforcement across the world and has taken rapid strides during the last two decades in countries like USA, Canada, UK, Japan, Singapore and South Africa. In India too, some sporadic experiments have been made in certain States like Delhi, Tamilnadu, Karnataka, Kerala, Andhra Pradesh, Maharashtra, Orissa, Madhya Pradesh, Punjab and Jammu and Kashmir. While some of these initiatives, mostly by innovative and enterprising officers had varying degrees of success, most have been given up for want of institutional support or continued commitment by successor-officers and the organization failed to understand the philosophy underlying the community policing, the measure taken were bound to be half-hearted and they have met with more sniggering than success. In the West, a great amount of academic research and studies were conducted and are being conducted about community policing, but the results drawn are sometimes very conflicting.8

The term ‘community policing’ that “the word refers to arrangements for policing that give a significant role to ‘the community’ in defining and guiding the performance of policing in their locality. It answers the basic questions about policing, namely, who defines what order is to be maintained and how it is to be maintained? Community policing is based on the democratic principle, ‘anyone who exercises authority on behalf of the community (like the police) is accountable to the community for the exercise of that authority. Simply put, community policing is an partnership between the police. The local community in identifying the basic problems which give rise to crime and in identifying solutions in preventing and controlling crime. Community policing therefore, as now understood round the world, has three components, complementary to each other:

(i) police recognizing the value of community partnership (as also partnership with other public and private sector resources)

police thus, identifying specific concerns of the community, which should be priorities for work (problem solving)

achieving the above two would necessitate changes in the mindset and organizational set up of the police. The organization wise commitment is required for ‘community policing’ success.9

6.1 Position under the Punjab Police Act, 2007

In fact, the Apex Court intervened after considering the far reaching changes that taken place in the country after the enactment of the Indian Police Act 1861 and any comprehensive review at the national level of the police system after independence despite radical changes in the political, social and economic situation in the case of Prakash Singh and ors. v. Union of India and ors.10 After considering the reports of the various committees11, the apex Court held that “in discharge of our constitutional duties and obligations, we issue the following directions to the Central Government, State Governments and Union Territories for compliance till framing of the appropriate legislations. These directions are:

6.1.1 State Security Commission

The State Governments are directed to constitute a State Security mission in every State to ensure that the State Government does not exercise unwarranted influence or pressure on the State police and for laying down the broad policy guidelines so that the State police always acts according to the laws of the land and constitution of the country. The watchdog body shall be headed by the Chief Minister or Home Minister as Chairman and have the DGP of the State as its ex-officio Secretary. The

11 Besides the report submitted to the government of India by National Police Commission (1977-81). various other high powered Committees and Commissions have examined the issue of police reforms, viz. (i) National Human Rights Commission (ii) Law Commission (iii) Ribeiro Committee (iv) Padmanabhai Committee and (v) Malimath Committee on Reforms of Criminal Justice System (vi) Sorabjee Committee.
other members of the Commission shall be chosen in such a manner that it is able to function independent of Government control. For this purpose, the State may choose any of the models recommended by the National Human Rights Commission, the Ribeiro Committee or the Sorabjee Committee, which are as under:

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<th>National Human Rights Commission</th>
<th>Ribeiro Committee</th>
<th>Sorabjee Committee</th>
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<tbody>
<tr>
<td>1. Chief Minister HM as Chairman.</td>
<td>Minister i/e Police as Chairman</td>
<td>Minister i/e Police (ex-officio Chairperson)</td>
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<tr>
<td>2. Lok Ayukta or, in the absence, a retired judge or High Court to be nominated by Chief Justice of a Member of State Human Rights Commission.</td>
<td>Leader of Opposition.</td>
<td>Leader of Opposition.</td>
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<td>3. A sitting or retired judge nominated by Chief Justice of High Court.</td>
<td>Judge, sitting or retired nominated by Chief Justice of High Court.</td>
<td>Chief Secretary</td>
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<td>4. Chief Secretary</td>
<td>Chief Secretary</td>
<td>DGP (ex-officio Secretary)</td>
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<tr>
<td>5. Leader of opposition in Lower House</td>
<td>Three non-political citizens of proven merit and integrity.</td>
<td>Five Independent Members.</td>
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The recommendations of this Commission shall be binding on the State Government. The functions of the State Security Commission would include law down the broad policies and giving directions for the performance of the preventive tasks and service oriented functions of the police, evaluation of the performance of the State police and preparing a report thereon for being placed before the State legislature.12

12 Not a single State has managed to fulfill all the criteria prescribed by the Supreme Court regard to the State Security (SSCs). Most states have been set up SSC’s that do not reflect the Court’s criteria not regarding to the composition function and powers. States such as Tamil Naidu, Orissa, Madhya Pradesh, Jammu and Kashmir and Andhra Pradesh in complete non complete directive. Please note that these are inserted to add what is the present position regarding the execution of the Apex Court directions and they are not part of the Judgement.
6.1.2 Selection and Minimum Tenure of D.G.P.

The Director General of Police of the State shall be selected by the State Government from amongst the three senior-most officers of the Department who have been empanelled for promotion to that rank by the Union Public Service Commissioner. The basis of their length of service, very good record and range of experience for heading the police force and once he has been selected for the job, he should have a minimum tenure of at least two years irrespective of his date of superannuation. The D.G.P may however, be relieved of his responsibilities by the State Government acting in consultation with the State Security Commission consequent upon any action taken against him under the All India Services (Discipline and Appeal) Rules or following his conviction in a Court of law in a criminal offence or in a case of corruption or if he is otherwise, incapacitated from discharging his duties.13

6.1.3 Minimum Tenure of I.G. of Police & other officers

Police Officers on operational duties in the field like the Inspector General of Police is in-charge of Zone, Deputy Inspector General of Police in-charge Range, superintendent of Police in-charge of district and Station House Officer in-charge of a Police Station shall also have a prescribed minimum tenure of two years unless it is found necessary to remove them prematurely following disciplinary proceedings against them their conviction in a criminal offence or in a case of corruption or if the incumbent is otherwise incapacitated from discharging his responsibilities. This would be subject, to promotion and retirement of the officer.14

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13 Arunachal Pradesh, Meghalaya, Mizoram and Nagaland are the only states that have adopted the Court’s prescribed criteria with regard to the selection, tenure and removal of the Director General of Police. A few states have only partially incorporated these criteria whilst several states such as Karnataka, Jharkhand, Haryana, Kerala and Andhra Pradesh are not compliant with this directive.

14 Andhra Pradesh, Madhya Pradesh and the north-eastern states of Arunachal Pradesh, Meghalaya, Manipur, Mizoram and Nagaland are in full compliance with this directive which provides for a fixed tenure for officers on operational duties. While a few states have partially satisfied the criteria set by the Supreme Court, it is notable that the majority are not in compliance with this directive.
6.1.4 Separation of Investigation

The investigating police shall be separated from the law and order police to Eire speedier investigation, better expertise and improved rapport with the people. It must, however, be ensured that there is full coordination between the two wings. The separation, to start with, may be effected in towns/urban areas which have a population of ten lakhs or more, and gradually extended to smaller towns/urban areas also.\(^{15}\)

6.1.5 Police Establishment Board

There shall be a Police Establishment Board in each State which shall decide all transfers, postings, promotions and other service related matters of officers and below the rank of Deputy Superintendent of Police. The Establishment Board shall be a departmental body comprising the Director General of Police and four other senior officers of the Department. The State Government may interfere with the decision of the Board in exceptional cases only after recording its reasons for doing so. The Board shall also be authorized to make appropriate recommendations to the State Government warding the posting and transfers of officers of and above the rank of Superintendent of police and the Government is expected to give due weight to these recommendations and shall normally accept it. It shall also function as a forum of appeal for disposing of presentations from officers of the rank of Superintendent of Police and above regarding if promotion transfer disciplinary proceedings or their being subjected to illegal or regular orders and generally reviewing the functioning of the police in the State.\(^{16}\)

**Police Complaints Authority**

The State Government may by notification, constitute Police Complaints Authorities at the State Level as well as District level according to Chapter VIII of Punjab Police

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\(^{15}\) Several states such as Assam, Arunachal Pradesh, Haryana, Himachal Pradesh, Karnataka and Sikkim have complied with the Supreme Court’s directive to separate the law and order police with the investigation police. However, a majority of states have not fully implemented this directive.

\(^{16}\) Most states have established a Police Established Board, but only Arunachal Pradesh and Goa are in full compliance with all the Court’s stipulated criteria in this regard. In contrast, Bihar is the only state which has taken no steps towards complying with this directive.
Act, 2007 to look into complaints against police officers of and up to the rank of Deputy Superintendent of Police. Similarly, there should be another Police Complaints Authority at the State level to look into complaints against officers of the rank of Superintendent of Police and above. The district level Authority may be headed by a retired District Judge while the State level Authority may be headed by a retired Judge of the High Court Supreme Court. The head of the State level Complaints Authority shall be chosen by the State Government out of a panel of names proposed by the Chief Justice. The head of the district level Complaints Authority may also be chosen out of a panel of names proposed by the Chief Justice or a Judge of the High Court nominated by him. These Authorities may be assisted by three to five members depending upon the volume of complaints in different States/districts and they shall be selected by the State Government from a panel prepared by the State Human Rights Commission/ State Public Service Commission. The panel may include members from amongst retired civil servants, police officers or members from the civil society. They would work for the Authority and have to be suitably remunerated for the services rendered by them. The Authority may also need the services of regular staff to conduct field inquiries. For this purpose, they may utilize the services of retired investigators of the CID, Intelligence, Vigilance or any other organization. The State level Complaint Authority would take cognizance of only allegations of serious misconduct by the police personnel, which would include incidents involving death, grievous hurt or rape in police custody. The district level Complaints Authority would, apart from above cases, may also inquire into allegations of extortion, land/house grabbing or any incident involving serious abuse of authority. The recommendations of the Complaints Authority, both at the district and State level, for any action, departmental or criminal, against a delinquent police officer shall be binding on the concerned authority.17

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17 No state government has established Police Complaints Authorities at both district and state level that fully comply with the Supreme Court’s orders- Many states have establish Authorities which only partially comply with the Court’s direction in terms of the composition- mandate and powers. Many states- Uttar Pradesh, Tamil Nadu, Punjab, Mizoram, Madhya Pradesh, Karnataka, Jammu and Kashmir and Andhra Pradesh completely ignored these directives.
The Central Government shall also set up a National Security Commission at the Union level to prepare a panel for being placed before the appropriate appointing authority for selection and placement of Chiefs of the Central Police Organisation (CPO), who should also be given a minimum tenure of two years. The Commission would also review from time to time measures to upgrade the effectiveness of these forces, improve the service conditions of its personnel, ensure that there is proper coordination between them and that the forces are generally utilized for the purposes it were raised and make recommendations in that behalf. The National Security Commission could be headed by the Union Home Minister and comprise heads of the CPOs and a couple of security experts as members with the Union Home Secretary as Secretary. As a result, all the State governments have to draft a new Police Act as per directions of the Supreme Court. The State of Punjab has also enacted an Act titled Punjab Police Act, 2007 (hereinafter “the Act”) as per the directions of the Supreme Court. The aim of the act is “to respond to the democratic aspirations of the people and provide for the establishment, regulation and management of the police, redefine its role, duties and responsibilities and to enable it to functions in an efficient, effective, accountable, people friendly, service oriented and responsive agency, free from extraneous influences, accountable to law by taking into account the emerging challenges of policing, enforcement of rule of law, the concern for security of the State and the society, particularly the vulnerable sections and minorities, good governance, human rights and for that matters connected therewith or incidental thereto. However, the term “Community Policing” has not been defined in the Punjab police Act, 2007. Rather the Act has defined the “Community Police Resource Centre” which “means a body, registered with the Societies Registration Act, 1860 with a view to provide for police-public interface”. The Senior Superintendent of Police of a district, jail get registered and established Community Police Resource Centre in the district, which may include among other things streamlining police service delivery mechanism aimed at dissemination of information, redressal of public grievances, checking domestic violence, assistance to elders, traffic education and management, child protection, victim relief and checking drug menace. Further, under regulation mentioned in Chapter VII of

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18 Section 2(e) of the Punjab Police Act,2007.
19 Section 14 of the Punjab Police Act,2007.
the Act, “the Director General of Police shall be competent to issue directions or orders, not inconsistent with the provisions of the Act or the rules under regarding “community policing”.  

But in fact, community policing efforts in Punjab have been largely the result of initiatives taken by individual officers much before the present Act came into force. But pioneering efforts were not uniform, so could not sustained for long. It was because of lack of adequate support from the upper command, Inadequacy of funds and the lack of an institutionalized structure.

In an endeavor to improve the responsiveness of the police to the needs and expectations of the people, the Punjab Government has decided to open Community policing Resource Centers (CPRCs), as a single point of public interface, of people-friendly schemes would be initiated, in other words, the new initiative of setting up of CPRCs has been an attempt to institutionalized community policing initiatives, i.e. moving away from police controlled services to police community partnership from decision making to implementation of services. The first center was inaugurated in mid-October 2002 and police plan to launch six each year over i.e. next five years. In the first phase the state government took initiative to implement it in the district Moga, Bhatinda, Hoshiarpur, Jalandhar, Ludhiana, Patiala and Amritsar. The unique experiment is a collaborative venture between the Punjab Police, era Institute of Justice, New York and Chandigarh based research organisation, the institute for Development and Communication (IDC). The Vera Institute would contribute in terms of providing training to the police functionaries. The IDC would train master trainers and be involved in the production of training resources. Punjab took the credit for being the first State to allocate budgetary sources to implement such programs. Apart from the 17 revenue districts, six separate police districts carved out during the times of terrorism continue to function through 259 police stations and 110 police posts. It was feared that the force, whose limbers grew from nearly 29,000 in 1980 to more than 71,000 in 2001, would remain tider-utilised in

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post-terrorism phase. While each CPRC was allocated Rs. 10 lakhs from the police modernization fund, the recurring expenditure is met from the police budget. The CRPCs are registered under the Societies Registration Act, 1860 to entitle them to receive grants directly for welfare schemes, which have been divided into “Backbone” and “local area specify categories and they are jointly managed by representatives of the community and police officials. The CPRCs are designed to make law enforcement services more friendly and accessible to ordinary citizens and more responsive to their needs and as a result, to build public confidence in the police. The kit is a guideline on the principles, functions and strategies to implement the community police partnership. While an elaborate State-level steering committee is in place, at the district level an officer of the rank of Superintendent of Police is in charge of the total functioning of the respective CPRCs, which, in turn, would be headed by a Deputy Superintendent of Police (DSP). The district police chief is the convener and a public representative is the co-convener of the district committee, whose strength is not to exceed 25. It includes for official members - the DSP and the government officials in charge of district health education, women and child welfare. At least four women members are to be nominated by the state steering committee to each district committee. To make community oriented policing integral to normal policing in the state, police personnel would be assigned community oriented tasks as a part of their regular duties. The State level Community Affairs Divisions (CAD) would be properly structured to oversee and monitor Community Police Resource Centre’s. While CPRCs have been set up at most district headquarters, the ones at Patiala, Nawashaher, Mansa, Kapurthala, Hoshiarpur and Bathinda have received the highest appreciation. The Kapurthala CPRC self-appraisal revealed some important trends. In the six months before the setting up of the CPRC, the “crime against women” cell disposed of 109 of the 145 complaints it received. It took 37 days on

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24 [www.humanrights.in.Usafive.org/new/communitypolicing experimentin India](http://www.humanrights.in.Usafive.org/new/communitypolicing experimentin India), (visisted on April 25, 2007).
average to decide each complaint. With the setting up of the CPRC, 359 out of the 429 complaints received were disposed of, each taking an average of 19 days. In all, 3,049 public complaints were received after the setting up of the centre as compared to 2,825 prior to it.²⁷

The community policing experiment in Ludhiana was launched on October 12, 2002. Thirty member community groups were set up in 400 beats and community members sit together every fortnight or once a month to discuss major problems confronting the area. Each group comprises of a beat officer who is also associated to the resource center. However, in Amritsar, senior police officials took the initiative to provide a single-window redressed cell facility to solve various problems of the people. Since a lot of people visit police stations for passport verification, arm licenses and for grievances, such centers were equipped with computers, telephones and a senior Superintendent of Police was appointed as in charge of the one-stop service. It was proposed that the centre would have helplines, doctors of the Health Department to take care of the accident cases etc. The centre would also establish women and children help lines and in addition, improve the police public relations. Subsequently, Community Policing Centre’s were opened in six police ranges in the State. In continuation to the above mentioned, senior police-official take personal interest in organizing public meetings and Mohalla-level meetings, in various districts like Ludhiana, Jagraon and Khanna, as they helped in bringing the police and public closer. The police had also decided to extend the popular job-card scheme and a unique “work chart” scheme in Ropar under which beat constables would be given a card for the regular checking of problems occurring in their areas. The mobile police stations would visit a scheduled place every week so that people living far away from the police station of their area would not have to travel long distances. These would also help in solving a dispute on the spot- A “work chart” scheme would entail each police personnel and officer to fill the work done by him in a month.²⁸

Besides the above mentioned facts, the Punjab Police Academy, Phillaur also organised various sensitization programme for the police officials of all ranks. The State

Government also organised an exchange program with the U.S.A in which seven police officers had visited the U.S.A in October 2002 to study the community policing in 2006, the State Government called the Central Government to seek funds of Rs. 86.80 crore for the construction of CPRCs in all the districts (24 CPRCs) and sub-divisions (72 CPRCs) for the proper implementation of the scheme of community policing in the state.29

In *Parkash Singh & Ors. v. Union of India & Ors.*,30 Police Role & performance – Reforms – Directions issued till framing of appropriate legislations as to, State Security Commission in every State, Selections and Minimum tenure of DGP, Minimum Tenure of I.G. of Police and Other Officers, Separation of investigation, Police Establishment Board; Police-Complaints Authority; National Security Commission-Direcions issued by complied with by Central Government, State Governments or Union Territories on or before 31st December, 2006. Y.K. Sabharwal, CJI - Considering the far reaching changes that had taken place in the country after the enactment of the Indian Police Act, 1861 and absence of any comprehensive review at the national level of the police system after independence despite radical changes in the political, social and economic situation in the country, the Government of India, on 15th November, 1977, appointed a National Police Commission (hereinafter referred to as ‘the Commission’). The commission was appointed for fresh examination of the role and performance of the police both as a law enforcing agency and as an institution to protect the rights of the citizens enshrined in the Constitution.

The terms and reference of the Commission were wide ranging. The terms of reference, inter alia, required the Commission to redefine the role, duties, powers and responsibilities of the police with special reference to prevention and control of crime and maintenance of public order, evaluate the performance of the system, identify the basic weaknesses or inadequacies, examine if any changes necessary in the method of administration, disciplinary control and accountability, inquire into the system of investigation and prosecution, the reasons for delay and failure and suggest how the system may be modified or changed and made efficient, scientific and consistent with

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29 www.punjabgovt.nic.in (visited on April 22, 2007).
30 2006(4) Criminal Court Cases 466 (SC).
human dignity, examine the nature and extent of the special responsibilities of the police towards the weaker sections of the community and suggest steps and to ensure prompt action on their complaints for the safeguard of their rights and interests. The Commission was required to recommend measures and institutional arrangements to prevent misuse of powers by the police, by administrative or executive instructions, political or other pressures or oral orders of any type, which are contrary to law, for the quick and impartial inquiry of public complaints made against the police about any misuse of police powers. The Chairman of the Commission was a renowned and highly reputed former Governor. A retired High Court Judge, two former Inspector Generals of Police and a Professor of TATA Institute of Special Sciences were members with the Director, CBI as a full time Member Secretary.

The Commission examined all issues in depth, in period of about three and a half years during which it conducted extensive exercise through analytical studies and research variety of steps combined with an assessment and appreciation of actual field conditions. Various study groups comprising of prominent public men, Senior Administrators, Police Officers and eminent academicians were set up. Various seminars, research studies conducted, meetings and discussions held with the Governors, Chief Ministers, Inspector Generals of Police, State Inspector Generals of Police and Heads of Police organizations. The Commission submitted its first report in February 1979, second in August 1979, three reports each in the years 1980 and 1981 including the final report in May 1981.

In its first report, the Commission first dealt with the modalities for inquiry into complaints of police misconduct in a manner which will carry credibility and satisfaction to the public regarding their fairness and impartiality and rectification of serious deficiencies which mitigate against their functioning efficiently to public satisfaction and advised the Government for expeditious examination of recommendations for immediate implementation. The Commission observed that increasing crime, rising population, growing pressure of living accommodation, particularly in urban areas, violent outbursts in the wake of demonstrations and agitations arising from labor disputes, the agrarian unrest, problems and difficulties of students, political activities including the cult of
extremists, enforcement of economic and social legislation etc. have added new dimensions to police tasks in the country and tended to bring the police in confrontation with the public much more frequently than ever before. The basic and fundamental problem regarding police as to how to make them functional, efficient and impartial law enforcement agency fully motivated and guided by the objectives of service to the public at large, upholding the constitutional rights and liberty of the people.

In the second report, it was noticed that the crux of the police reform is to secure professional independence for the police to function truly and efficiently as an impartial agent of the law of the land and, at the same time, to enable the Government to oversee the police performance to ensure its conformity to the law. A supervisory mechanism without scope for illegal, irregular or mala fide interference with police functions has to be devised. It was earnestly hoped that the Government would examine and publish the report expeditiously so that the process for implementation of various recommendations made therein could start right way. The report, inter alia, noticed the phenomenon of frequent and indiscriminate transfer ordered on political considerations as also other unhealthy influences and pressures brought to bear on police and inter alia, recommended for the Chief of Police in a State, statutory tenure of office by including it in a specific provision in the Police Act itself and also recommended the preparation of a panel of IPS officers for posting as Chiefs of Police in States. The report also recommended the constitution of Statutory Commission in each State, the function of which shall include laying down broad policy guidelines and directions for the performance of preventive task and service oriented functions by the police and also functioning as a forum of appeal for disposing of representations from any Police Officer of the rank of Superintendent of Police and above, regarding his being subjected to illegal or irregular orders in the performance of his duties.

With the 8th and final report, certain basic reforms for the effective functioning of the police to enable it to promote the dynamic role of law and to render impartial service to the people were recommended and a draft new Police Act incorporating the recommendations. When the recommendations of National Police Commission were not
implemented, for whatever reasons or compulsions and they met the same fate as the recommendations of many other Commissions, this petition under Article 32 of the Act was filed about 10 years back, inter alia, praying for issue of directions to Government of India to frame a new Police Act on the lines of the model Act drafted by the Commission in order to ensure that the police is made accountable essentially and primarily to the law of the land and the people.

The first writ petitioner is known for his outstanding contribution as a Police Officer and in recognition of his outstanding contribution, he was awarded the “Padma Shri” in 1991. He is a retired officer of Indian Police Service and served in various States for three and a half decades. He was Director General of Police of Assam and Uttar Pradesh besides the Border Security Force. The second petitioner also held various high positions in police. The third petitioner Common cause is an organization which has brought before the Court and High Courts various issues of public interest. The first two petitioners have personal knowledge of the working of the police and also problems of the people. It has been averred in the petition that the violation of fundamental and human rights of the citizens are generally in the nature of non-enforcement and discriminatory application of the laws so that those having doubt are not held accountable even for blatant violations of laws and in any case, not brought to justice for the direct violations of the rights of citizens in the form of unauthorized detentions, torture, harassment, fabrication of evidence, malicious prosecutions etc. The petition sets out certain glaring examples of police inaction. According to the petitioners, the present distortions and aberrations in the functioning of the police have their roots in the Police Act of 1861, structure and organization of police having basically remained unchanged all these years.

The petition sets out the historical background giving reasons why the police functioning have caused so much disenchantment and dissatisfaction. It also sets out recommendations of various Committees which were never implemented. Since the misuse and abuse of police has reduced it to the status of a mere tool in the hands of unscrupulous masters and in the process, it has caused serious violations of the rights of

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the people, it is contended that there is immediate need to re-define the scope and functions of police and provide for its accountability to the law of the land and implement the core recommendations of the National Police Commission. The petition refers to a research paper ‘Political and Administrative Manipulation of the Police’ published in 1979 by Bureau of Police Research and Development, warning that excessive control of the political, executive and its principal advisers over the police has the inherent danger of making the police a tool for subverting the process of law, promoting the growth of authoritarianism and shaking the very foundations of democracy.

The commitment, devotion and accountability of the police have to be only to the Rule of Law. The supervision and control has to be such that it ensures that the police serves the people without any regard, whatsoever, to the status and position of any person while investigating a crime or taking preventive measures. Its approach has to be service oriented, its role has to be defined so that in appropriate cases, where on account of acts of omission and commission of police, the Rule of Law becomes a casualty, the guilty Police Officers are brought to book and appropriate action taken without any delay.

The petitioners seeks that Union of India be directed to re-define the role and functions of the police and frame a new Police Act on the lines of the Model Act drafted by the National Police Commission in order to ensure that the police is made accountable essentially and primarily to the law of the land and the people. Directions are also sought against the Union of India and State Governments to constitute various Commissions and Boards laying down the policies and ensuring that police perform their duties and functions free from any pressure and also for separation of investigation work from that of law and order. The notice of the petition has also been served on State Governments and Union Territories. Mr. Prashant Bhushan for the petitioners, Mr. G.E. Vahanvati, learned Solicitor General for the Union of India, Ms. Indu Malhotra for the National Human Rights Commission and Ms. Swati Mehta for the Common Welfare Initiatives have been heard. For most of the State Governments/Union Territories oral submissions were not made. None of the State Governments/Union Territories urged that any of the
suggestions put forth by the petitioners and Solicitor General of India may not be accepted. Besides the report submitted to the Government of India by National Police Commission (1977-81), various other high powered Committees and Commissions have examined the issue of police reforms, viz. (i) National Human Rights Commission (ii) Law Commission (iii) Ribeiro Committee (iv) Padmanabhaiah Committee and (v) Malimath Committee on Reforms of Criminal Justice System. In addition to above, the Government of India, in terms of Office Memorandum dated 20th September, 2005 constituted a Committee comprising Shri Soli Sorabjee, former Attorney General and five others to draft a new Police Act in view of the changing role of police due to various socio-economic and political changes which have taken place in the country and the challenges posed by modern day global terrorism, extremism, rapid urbanization as well as fast evolving aspirations of a modern democratic society. The Sorabjee Committee has prepared a draft outline for a new Police Act (9th September, 2006). About one decade back, viz. on 3rd August, 1997 a letter was sent by a Union Home Minister to the State Governments revealing a distressing situation and expressing the view that if the Rule of Law has to prevail, it must be cured.

Despite strong expression of opinions by various Commissions, Committees and even a Home Minister of the country, the position is not improved as these opinions have remained only on paper, without any action. In fact, position has deteriorated further. The National Human Rights Commission in its report dated 31st May, 2002, inter alia, noted that Police Reform. The Commission drew attention in its 1st April 2002 proceedings to the need to act decisively on the deeper question of Police Reform, on which recommendations of the National Police Commission (NPC) and of the National Human Rights Commission have been pending despite efforts to have them acted upon. The Commission added that recent event in Gujarat and indeed, in other States of the country, underlined the need to proceed without delay to implement the reforms that have already been recommended in order to preserve the integrity of the investigating process and to insulate it from ‘extraneous influences’.

In the above noted letter dated 3rd April, 1997 sent to all the State Governments, the
Home Minister while echoing the overall popular perception that there has been a general fall in the performance of the police as also a deterioration in the policing system as a whole in the country, expressed that time had come to rise above limited perceptions to bring about some drastic changes in the shape of reforms and restructuring of the police before the country is overtaken by unhealthy developments. It was expressed that the popular perception of all over the country appears to be that many of the deficiencies in the functioning of the police had arisen largely due to an overdose of unhealthy and petty political interference at various level starting from transfer and posting of policemen of different ranks, misuse of police for partisan purposes and political patronage quite often extended to corrupt police personnel. The Union Home Minister expressed the view that rising above narrow and partisan considerations, it is of great national importance to insulate the police from the growing tendency of partisan or political interference in the discharge of its lawful functions of prevention and control of crime including investigation of cases and maintenance of public order.

Besides the Home Minister, all the Commissions and Committees above noted, have broadly come to the same conclusion on the issue of urgent need for police reforms. There is convergence of views on the need to have (a) State Security Commission at State level (b) transparent procedure for the appointment of Police Chief and the desirability of giving him a minimum fixed tenure (c) separation of investigation work from law and order and (d) a new Police Act which should reflect the democratic aspirations of the people. It has been contended that a statutory State Security Commission with its recommendations binding on the Government should have been established long before. The apprehension expressed is that any Commission without giving its report binding effect would be ineffective. More than 24 years back i.e. in August 1979, the Police Commission’s Report recommended that the investigation task should be beyond any kind of intervention by the executive or non-executive. For separation of investigation work from law and order even the Law Commission of India in its 154th Report had recommended such separation to ensure speedier investigation, better expertise and improved rapport with the people without of course any water tight compartment in view of both functions being closely inter-related at the ground level.
The Sorabjee Committee has also recommended establishment of a State Bureau of Criminal Investigation by the State Governments under the charge of a Director who shall report to the Director General of Police. In most of the reports, for appointment and posting, constitution of a Police Establishment Board has been recommended comprising of the Director General of Police of the State and four other senior officers. It has been further recommended that there should be a Public Complaints Authority at district level to examine the complaints from the public on police excesses, arbitrary arrests and detentions, false implications in criminal cases, custodial violence etc. for making necessary recommendations.

Undoubtedly and undisputedly, the Commission did commendable work and after in depth study, made very useful recommendations. After waiting for nearly 15 years, this petition was filed. More than ten years have elapsed since this petition was filed. Even during this period, on more or less similar lines, recommendations for police reforms have been made by other high powered committees as above noticed. The Sorabjee Committee has also prepared a draft report. We have no doubt that the said Committee would also make very useful recommendations and come out with a model new Police Act for consideration of the Central and the State Governments. We have also no doubt that Sorabjee Committee Report and the new Act will receive due attention of the Central Government which may recommend to the State Governments to consider passing of State Acts on the suggested lines. We expect that the State Governments would give it due consideration and would pass suitable legislations on recommended lines, the police being a State subject under the Constitution of India. The question, however, is whether this Court should further wait for Governments to take suitable steps for police reforms. The answer has to be in the negative. Having regard to (i) the gravity of the problem (ii) the urgent need for preservation and strengthening of Rule of Law (iii) pendency of even this petition for last over ten years (iv) the fact that various Commissions and Committees have made recommendations on similar lines for introducing reforms in the police set-up in the country and (v) total uncertainty as to when police reforms would be introduced, we think that there cannot be any further wait, and the stage has come for issue of appropriate directions for immediate compliance so as to be operative till such
time a new model Police Act is prepared by the Central Government and/or the State Governments pass the requisite legislations. It may further be noted that the quality of Criminal Justice System in the country, to a large extent, depends upon the working of the police force. Thus, having regard to the larger public interest, it is absolutely necessary to issue the requisite directions. Nearly ten years back, in Vineet Narain & Ors. v. Union of India & Anr., \(^{32}\) this Court noticed the urgent need for the State Governments to set up the requisite mechanism and directed the Central Government to pursue the matter of police reforms with the State Governments and ensure the setting up of a mechanism for selection/appointment, tenure, transfer and posting of not merely the Chief of the State Police but also all police officers of the rank of Superintendents of Police and above. The Court expressed its shock that in some States the tenure of a Superintendent of Police is for a few months and transfers are made for whimsical reasons which has not only demoralizing effect on the police force but is also alien to the envisaged constitutional machinery. It was observed that apart from demoralizing the police force, it has also the adverse effect of politicizing the personnel and therefore, it is essential that prompt measures are taken by the Central Government.

The preparation of a model Police Act by the Central Government and enactment of new Police Acts by State Governments providing therein for the composition of State Security Commission are things, we can only hope for the present. Similarly, we can only express our hope that all State Governments would rise to the occasion and enact a new Police Act wholly insulating the police from any pressure whatsoever thereby placing in position an important measure for securing the rights of the citizens under the Constitution for the Rule of Law, treating everyone equal and being partisan to none, which will also help in securing an efficient and better criminal justice delivery system. It is not possible or proper to leave this matter only with an expression of this hope and to await developments further. It is essential to lay down guidelines to be operative till the new legislation is enacted by the State Governments.

\(^{32}\) (1998) 1 SCC 226.
Article 32 read with Article 142\textsuperscript{33} of the Constitution empowers this Court to issue such directions, as may be necessary for doing complete justice in any cause or matter. All authorities are mandated by Article 144 to act in aid of the orders passed by this Court. The decision in \textit{Vineet Narain’s} case (supra) notes various decisions of this Court where guidelines and directions to be observed were issued in absence of legislation and implemented till legislatures pass appropriate legislations.

**National Security Commission**

The Central Government shall also set up a National Security Commission at the Union level to prepare a panel for being placed before the appropriate Appointing Authority, for selection and placement of Chiefs of the Central Police Organisations (CPO), who should also be given a minimum tenure of two years. The Commission would also review from time to time measures to upgrade the effectiveness of these forces, improve the service conditions of its personnel, ensure that there is proper coordination between them and that the forces are generally utilized for the purposes they were raised and make recommendations in that behalf. The National Security Commission could be headed by the Union Home Minister and comprise heads of the CPOs and a couple of security experts as members with the Union Home Secretary as its Secretary.

The aforesaid directions shall be complied with by the Central Government, State Governments or Union Territories, as the case may be, on or before 31\textsuperscript{st} December, 2006 so that the bodies afore-noted became operational on the onset of the new year. The Cabinet Secretary, Government of India and the Chief Secretaries of State Governments/Union Territories are directed to file affidavits of compliance by 3\textsuperscript{rd} January, 2007. Before parting, we may note another suggestion of Mr. Prashant Bhushan that directions be also issued for dealing with the cases arising out of threats emanating from international terrorism or organized crimes like drug trafficking, money laundering, smuggling of weapons from across the borders, counterfeiting of currency or the activities of mafia groups with trans-national links to be treated as measures taken for the

\textsuperscript{33} The Constitution of India, 1950.
defense of India as mentioned in Entry I of the Union List in the Seventh Schedule of the Constitution of India and as internal security measures as contemplated under Article 355 as these threats and activities aim at destabilizing the country and subverting the economy and thereby weakening its defense. The suggestion is that the investigation of above cases involving inter-state or international ramifications deserves to be entrusted to the Central Bureau of Investigation.

The suggestion, on the face of it, seems quite useful. But, unlike the aforesaid aspects which were extensively studied and examined by various experts and reports submitted and about which for that reason, we had no difficulty in issuing directions, there has not been much study or material before us, on the basis whereof we could safely issue the directions as suggested. For considering this suggestion, it is necessary to enlist the views of expert bodies. We, therefore, request the National Human Rights Commission, Sorabjee Committee and Bureau of Police Research and Development to examine the aforesaid suggestion of Mr. Bhushan and assist this Court by filing their considered views within four months. The Central Government is also directed to examine the suggestion and submit its views within that time. Further suggestion regarding monitoring of the aforesaid directions that have been issued either by National Human Rights Commission or the Police Bureau would be considered on filing of compliance affidavits whereupon the matter shall be listed before the Court.

**Gender Sensitive Approach To Violence Against Women: Building Capacity of Police And Community Partnered Delivery System**

The project has collaborated with a multi-sectorial platform of police and community-partnered NGO, institutionalized as the Community Policing Resource Centre’s (CPRCs) at the Punjab State and District levels to address Violence Against Women (VAW). The CPRCs provide a range of citizen services including a victim assistance and grievance redressal cell, but have yet to incorporate the provisions of the Domestic Violence Act. The project was undertaken in a three-phased process. A gender analysis of CPRC and functionaries (including health, education, women and child, panchayat, SC and OBC Departments, civil society members and NGOs) of the delivery system contextualized in
the backdrop of the Domestic Violence Act formed an evidence-based documentation to evolve training instruments for civil and police functionaries and basis for dissemination of information for the community on gender-friendly support services and the provisions of the Domestic Violence Act for women.

Chile University Prof Hugo Fruhling said there was an urgent need for police to come closer to the public as a trustworthy ally. He said such a partnership would not only make the police services more efficient but also create a better sense of security among the citizens. The pilot people-to-police contact programme was launched by Punjab police with much fanfare in Mohali district around three years ago, but it didn’t really work out, with residents complaining of indifference on the part of cops regarding the programme.

At that time, in September 2008, it was decided that in order to build trust between cops and local residents as well as boost responsiveness in the police force towards society, certain persons from the local population would be roped into become a channel between cops and residents. It was also decided then that representatives of resident welfare associations would be invited to fortnightly meetings at local police stations for redressal of grievances. However, after only a few meetings, the programme was abandoned as the interactions started taking up too much time as a result of which cops said they were not able to do justice to their primary duty of providing safety and security to the residents. These are some obstacles in the police-public interface:-

(i) **Awareness of human rights law in the community and the police**

Only a small Section of the community was well-versed with human rights issues most of them were not aware. Even when awareness of human rights existed, sensitization and the need for human rights was lacking.

(ii) **Conservative Police Culture and resistance to change**

Police styles of functioning related positively to authoritarian modes and a significant percentage was also found to be adopting exploitative styles. The lower ranks were found
on the exploitative modes with the middle ranks more dependent on the authoritarian style. The use of democratic styles was nominal.

(iii) **Concept of community participation restricted to informer and facilitator**

The police enlisted the community’s assistance mostly for investigation. In fact, the concept of community participation was restricted to making the community willing witnesses and better informer (this was mentioned as the ideal assistance). The community also perceived assistance for investigation to be their prime duty for maintaining order.

(iv) **Existing distrust between the community and the police**

The police complained that the community was not cooperative and, in fact, created hindrances in their functioning. The community perceived the police to be a source of nuisance and even exploitation. Predominant percentage of the community found the police to be inefficient in handling their complaints.

(v) **Political will remains a hurdle**

At the date of publication, it remained unclear whether the state governments – or even the union government – would comply with the directions of the Supreme Court or implement the recommendations contained in the Model Police Act in spirit. Although, the Supreme Court directions are binding on governments, many are opposed to their implementation and may legislate to avoid compliance with important aspects of the Court’s directions, which they think will curtail their powers to control the police.

6.2 **Community Policing Resources Centre (C.P.R.C.)**

As Police is the visible part of Government the quality of justice, institution of Government and society are often crystallized by the Public attitude towards the Police. To improve the relations between police and Public and thus improve the image of Police, it was necessary
that a well laid out plan is prepared for community policing in Punjab.

The idea to establish Community Police Resource Centre has been derived from the above quoted very sumptuous quotation by Worthy D.G.P Punjab Sh. AA.Siddiqui, I.P.S (Retired). Having been influenced with the concept of Community Policing and to provide a human face to the force, a C.P.R.C system comprising all the services at a single platform was set up in the Month of February 2003. It is important to mention here that Ludhiana police has been the pioneer to establish such a service center in the District Police Office Campus in the State. Earlier the people had a shuttle about from pillar to post to get their jobs done. To save them from undue harassment, this new concept of providing all the following services at a single window was taken into consideration. The satisfaction of the people is really our reward against the cost of Rs.14 Lacs for its construction. Punjab’s Chief Information Commissioner R.I. Singh, who chaired the concluding session, said policing directly reflects the quality of governance, which further depends on power play. He lauded the initiatives taken by the State to promote community policing through its programme “Saanjh”. Punjab Governance Reforms Commission chairman Pramod Kumar emphasised the need to put in place the diverse sensitivity filters. While the legitimacy of policing was determined by the nature of politics in a given community, Dr. Kumar cautioned against using community policing as an instrument to use the public to merely draw information or control traffic.

The services, which the people can have from the CPRC, are detailed below:³⁴

<table>
<thead>
<tr>
<th></th>
<th>General Enquiries</th>
<th>Enquiries related to different work of Community Service-cum-Information Centre.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Foreigner Counter</td>
<td>Register of Foreigners Fee Rs.250/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Visa Extension of Foreigners Fee Rs.250/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>National Status Verification (MRG)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Visa recommendation for Pakistani Nationals</td>
</tr>
</tbody>
</table>

<p>| | |</p>
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<th></th>
</tr>
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</table>
|   | Hotel arrival reports about foreigners  
No Objection Certificate Fee Rs.100/- |
| 3. Verification Counter | Migrant Verification  
Police Clearance Certificates Fee Rs.100/-  
Previous Verification of Foreigners Fee Rs.250/-  
Civil Verification (Employments)  
Military Verification (Recruits)  
Advance Police Verification for Passport Fee 100/-  
Character Verification of Persons to be attached with VVIP/VIP. |
| 4. Passport Verification | Passport Verification received from RPO, Chandigarh  
Passport Verification received from Deputy Commissioner, Ludhiana.  
Passport Verification received from Other States. |
| 5. Arms Licenses and Permission Counter | New Arms Licenses Verifications.  
Renewal Verification for Arms Licenses.  
Verification for Addition of other weapons on Arms Licenses.  
Verification for Prohibited Bore weapons.  
Permissions for Jagran, Religious Processions and Loud Speaker etc. |
| 6. Human Rights Complaint Counter | Complaint received from PSHRC  
Complaints received from NHRC |
| 7. N.C.R.B. Counter | No Objection Certificate regarding the vehicles. |
| 8. Information Cell under Right of Information Act | Information about the enquiries/ documents/ statements photocopies are provided. Fee Rs.50/- |
Punjab plans to implement community policing

In a bid to make police more people friendly and to enhance the concept of community policing in the state, Punjab government would set up around 450 community police suvidha centres in different districts of the state under the banner name of ‘Saanjh’.

“Punjab would be the first state in the country to come up with these unique community police suvidha Centre’s. These would be operational in the coming days. The aim is to make policing more people friendly”, Punjab’s Deputy Chief Minister Sukhbir Singh

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Badal said, "Around 450 suvidha Centre’s would be opened all across the state. After coming up of these Centre’s, the common man would not require going to police stations on minor issues and these can be easily solved at these Centre’s. Senior-ranked police officials will head these Centre’s".

According to chief minister of Punjab Police suvidha centres would also be assisted by district-level committees. These committees will be autonomous registered societies in partnership with representatives of the police, administration and civil society. Trained staff would provide every facility other than law and order to the people through a single window, at these Centre’s. These would be ultra-modern Centre’s. Thus, the more the community is involved, the better the relationship is going to be between community and police. The better the relationship, the greater the trust, the less the interference, the less control.

The Police Station Visitors Week (PSVW) is a unique global event organised by Altus to assess the quality of service delivered in the participating police departments, to identify some of the best practices used by the police, and to strengthen the accountability of police to the local citizens whom they serve. A system of annual visits by groups of citizens to local police stations, coordinated globally and designed to produce comparable annual scores on five dimensions of police service. These are Community Orientation, Physical condition, Equal Treatment of the Public, Transparency and Accountability Detention conditions.

To ensure better and hassle-free services to the people of rural areas in Punjab, 3,037 ‘e-gram suvidha’ (village help) Centre’s will be set up in the villages across the state, at a cost of Rs.90 crore. ‘Deputy Chief Minister Sukhbir Singh Badal has already given the green signal to the project. An empowered committee, comprising administrative secretaries of various departments, gave principle approval to implement it within a year, a government spokesperson said. ‘These ‘e-gram suvidha’ centres will ensure the delivery of basic people-friendly services like delivery of old-age pension, registration of people for pension under the categories of handicapped, widows and disabled persons,’.

These Centre’s would be set up to offer citizen-oriented services in a comfortable and efficient manner. He said at present a large number of services are being delivered at the village panchayat (council) level manually, resulting in inefficiency, inordinate delays and a lot of harassment to the beneficiaries and making it impossible to measure the standard of services and their effective supervision. The spokesman added that 300 police station outreach Centre’s will also be opened in the state for counseling services to resolve disputes related to domestic violence, dowry-related and various other crimes related to women.

Timeline for services at Saanjh Kendras

The following is the timeline for the services which are provided at Saanjh Kendras under the Right to Service Act, 201136:

Table 1: Timeline of services at Saanjh Kendras

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Name of Service</th>
<th>Given Time limit (Working Days)</th>
<th>Designated Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Registration of foreigners (Arrival &amp; Departure)</td>
<td>Immediate</td>
<td>Commissioner of Police or Senior Superintendent of Police of the concerned Police District</td>
</tr>
<tr>
<td>2</td>
<td>Extension of residential permit of foreigners</td>
<td>5 days</td>
<td>Commissioner of Police or Senior Superintendent of Police of the concerned Police District</td>
</tr>
<tr>
<td>3</td>
<td>Copy of FIR or DDR</td>
<td>Immediate/online</td>
<td>Station House Officer of the concerned Police Station or In-charge of Community Policing Suvidha Centre at the Sub-division</td>
</tr>
<tr>
<td>4</td>
<td>NOC for use of loud speakers</td>
<td>5 days</td>
<td>Station House Officer of the concerned Police Station or In-charge of Community Policing Suvidha Centre at the Sub-division</td>
</tr>
<tr>
<td>5</td>
<td>NOC for Fairs / Melas / Exhibitions</td>
<td>5 days</td>
<td>Station House Officer of the/ sponsored events etc. concerned</td>
</tr>
</tbody>
</table>

36 Right to Services Act, 2011.
<table>
<thead>
<tr>
<th>S. No.</th>
<th>Name of Service</th>
<th>Given Time limit (Working Days)</th>
<th>Designated Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Stranger verification (after receiving the verification from other district/state of which the stranger is a resident)</td>
<td>5 days</td>
<td>Station House Officer of the concerned Police Station or In-charge of Community Policing Suvidha Centre at the Sub-division</td>
</tr>
<tr>
<td>7</td>
<td>Tenant/ Servant verification (if resident of local area)</td>
<td>5 days</td>
<td>Station House Officer of the concerned Police Station or In-charge of Community Policing Suvidha Centre at the Sub-division</td>
</tr>
<tr>
<td>8</td>
<td>Tenant/ Servant verification (if resident of other district/state after receiving the verification from other district/State)</td>
<td>5 days</td>
<td>Station House Officer of the concerned Police Station or In-charge of Community Policing Suvidha Centre at the Sub-division</td>
</tr>
<tr>
<td>9</td>
<td>Other verification related services</td>
<td>30 days</td>
<td>Station House Officer of the concerned Police Station or In-charge of Community Policing Suvidha Centre at the Sub-division</td>
</tr>
<tr>
<td>10</td>
<td>Copy of untraced report in case of road accidents</td>
<td>45 days</td>
<td>Station House Officer of the concerned Police Station or In-charge of Community Policing Suvidha Centre at the Sub-division</td>
</tr>
<tr>
<td>11</td>
<td>Copy of untraced report in cases pertaining to stolen vehicles</td>
<td>45 days</td>
<td>Station House Officer of the concerned Police Station or In-charge of Community Policing Suvidha Centre at the Sub-division</td>
</tr>
<tr>
<td>12</td>
<td>Copy of untraced report in theft cases</td>
<td>60 days</td>
<td>Station House Officer of the concerned Police Station or In-charge of Community Policing Suvidha Centre at the Sub-division</td>
</tr>
<tr>
<td>13</td>
<td>NOC for pre-owned vehicles</td>
<td>5 days</td>
<td>Station House Officer of the concerned Police Station or In-charge of Community Policing Suvidha Centre at the Sub-division</td>
</tr>
<tr>
<td>S. No.</td>
<td>Name of Service</td>
<td>Given Time limit (Working Days)</td>
<td>Designated Officer</td>
</tr>
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<td>-----------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>14</td>
<td>Service verification</td>
<td>10 days</td>
<td>Station House Officer of the concerned Police Station and Designated officer in the office of Commissioner of Police or Senior Superintendent of Police</td>
</tr>
<tr>
<td>15</td>
<td>Character verification</td>
<td>10 days</td>
<td>Station House Officer of the concerned Police Station and Designated officer in the office of Commissioner of Police or Senior Superintendent of Police</td>
</tr>
<tr>
<td>16</td>
<td>Verification for renewal of Arm licence</td>
<td>15 days</td>
<td>Station House Officer of the concerned Police Station and Designated officer in the office of Commissioner of Police or Senior Superintendent of Police</td>
</tr>
<tr>
<td>17</td>
<td>NOC for issuance/renewal of licence of Arm dealers</td>
<td>15 days</td>
<td>Station House Officer of the concerned Police Station and Designated officer in the office of Commissioner of Police or Senior Superintendent of Police</td>
</tr>
<tr>
<td>18</td>
<td>Issuance of NOC for setting up of petrol pump, cinema hall etc.</td>
<td>15 days</td>
<td>Station House Officer of the concerned Police Station and Designated officer in the office of Commissioner of Police or Senior Superintendent of Police</td>
</tr>
<tr>
<td>19</td>
<td>Passport verification</td>
<td>21 days</td>
<td>Station House Officer of the concerned Police Station and Designated officer in the office of Commissioner of Police or Senior Superintendent of Police</td>
</tr>
<tr>
<td>20</td>
<td>Verification for fresh arm licence</td>
<td>30 days</td>
<td>Station House Officer of the concerned Police Station and Designated officer in the office of Commissioner of Police or Senior Superintendent of Police</td>
</tr>
</tbody>
</table>
The Researcher discussed about the Community Policing in Punjab. Study highlights that Punjab would be the first in the country to come up with these unique Community Policing Suvidha Centres. Punjab Government has implemented a number of projects and the websites of Government Departments are also launched for the effective implementation of e-Governance. Alongwith other departments, Police Department has also been computerized so that citizens can register their FIRs online, check their status of the passport verification online and much more. But still there is a need that citizens have to visit the Police Station to get their work done and it is observed that there is an inherent fear among common citizens to enter the Police Station for civil work. The basic endeavour behind the implementation of Saanjh Kendras was to reduce the interaction of general public and “Khaki Police”. That is why, there is a special dress code for the employees at Saanjh Kendra other than “Khaki Uniform”.

6.2.1 Need for Community Policing in Punjab

(i) Community was alienated during the fight against terrorism.
(ii) Need to sustain ad hoc individual initiatives to improve Police Image
(iii) To focus Police Priorities in greater tune with the felt needs of the people, technological development and complexities in crime trends outspacethe limited resources.

The very well-known and prestigious project named Saanjh was started in 2010 in Punjab state which has extended the concept of community policing centre up to sub division and police station level. Saanjh Kendras have been made the focal point of Police Community partnership.

6.2.2 Features of Saanjh

The Saanjh project has the following features:

1) A Community Affairs Division headed by an IGP at Police Headquarters would supervise the functioning of the Saanjh Kendras across the State. Zonal IGPs and Range DIGs shall be the intermediary supervisory levels.
2) It would be run by a Police-Public Committee comprising of Police Officers, Representatives of Government Departments such as Health, Education, Women at the district and sub-divisional level and representatives from among Principals of Colleges, Professionals and Civil Society and Non-Governmental Organizations, in which training will be provided to Community members and Police Officers which are associated in the public dealings.

3) It has platform with centralized server at Police Headquarters linked to every Saanjh Kendra shall enable centralized data uploading and access providing citizens with copies of FIRs, untraced reports, No Objection Certificates, etc., at a click of a button, in a time bound frame. Every Saanjh Kendra would provide all services to be delivered by the Police Department as enshrined in the Right to Service Act within prescribed time limits to the people from a single window. The citizen from any part of the State would be able to approach the nearest Saanjh Kendra for obtaining information/services from any Police Station in the state including remote locations.

4) Saanjh Kendras are the platforms for the Partnership of Community and Police to plan and implement the locally connected community centred projects. Legal help, Women Shelter Home, Non-Governmental Organizations which are working for the welfare of the society without seeking any gain, Saanjh will make an approach to their special services.

It was enacted with an aim to provide hassle free services to people in a stipulated time. The total number of services is 149. earlier there was only 69 services of 11 departments were covered under the Act. Now 80 more services have been included on the recommendation of Department of Governance Reforms to assist people. A posse of 3,085 cops of all ranks has been put exclusively on community policing duties in the state. According to the Punjab Police, more than 20 lakh citizens have availed of the services provided by the saanjh Kendra in the last two session two years. Over 14,000 disputes have been resolved amicably in the last one year. Community Policing efforts in Punjab have been largely the result of initiatives taken by individual officers and the

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37 Times of India, November 6, 2013
present state Government. Punjab Government has implemented a number of projects under e-Governance which are appreciable. Saanjh project is designed to provide the civil services of the Police Department in the state. Innovative efforts done by Mansa, Shaheed Bhagat Singh Nagar and Ludhiana Saanjh Kendra are not only appreciable but also a source of inspiration for other Saanjh Kendras in the state. These Kendras are operational at District & Tehsil level, that is why, citizens are not aware about these Kendras at rural level. In the future, Punjab Government should think to implement Saanjh Kendras at Sub-Tehsil level also. It is also required that steps must be taken to make the citizens aware about the operational Saanjh Kendras. Punjab Police must launch an awareness campaign to educate the people about the services provided at Saanjh Kendras and Police Out Reach Centres.

**Fresh set of rules for Punjab Police**

The around 81 year old Punjab Police Rules (PPR), 1934 would be changed. For the first time, Punjab police has prepared a detailed draft for a new and added some new chapters in it.\(^\text{38}\) The police department has also decided to invite suggestions of academicians, ex-judicial officers, bureaucrats and retired senior police officials in this regard. Punjab police currently follows Punjab Police Rules, 1934, which were established by British, and there is dire need to make changes as per the present scenario, police officials said. Punjab Police Rules, 1934 was related to the district police authorities only, but the new draft has been prepared in view of all armed battalions, Indian reserve battalions, commandos, battalions, internal vigilance and crime wing, among others. The apex Court had directed the state government to adopt new police rules and the state government has enacted the new Punjab Police Act, 2007 following which there was an immediate requirement to frame a new PPR. The detailed draft also stressed on autonomy for heads of different wings of police department for prompt and efficient service to the society.

There are several reasons why community policing has been difficult to implement in the police department, despite, the attention it has received from the police leadership and the

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\(^{38}\) *Times of India*, February 24, 2011.
people. There are few measures which would be helpful in successfully practicing community policing strategies. Therefore, it is suggested that there is a need for Institutionalization and reengineer other components of police department. It is ruled by old rules and regulations with a strong resistance to change which does not encourage innovation. Police should focus on culture change within the organization. Police forces need to be empower the frontline police officers and bring out necessary changes in the organizational culture. There should be modernization of police force so that to ensure that the service is fully equipped and able to deliver these changes. The government intends to embed a genuinely responsive customer-service culture and make the police and their partners more accessible, visible and accountable. The implementation experiences of community policing initiatives suggest that the key requirement must be that the initiative is local in character. The initiative should be evolved from the grass root level because they can be implemented only when they are constructed through the benefit of local knowledge and sensitivity to local conditions and legal realities. It can be helpful in terms of what works and what does not work. There should be encouragement of research and planning to modify and improvise the implementation of community policing.

6.3 Conclusion

Therefore, it is concluded that despite of many administrative and financial hurdles some of the CPRCs are working well in Punjab. However, due to lack of will among the senior officials as well as the government, most of the CPRCs are still struggling to get sufficient infrastructure as well as staff to the job assigned to them. Even though the new Act contain provision regarding CPRCs and their regulations, but even after six years, the rule making authority has not done much. Infact, Community Policing efforts in Punjab have been largely the results of initiatives taken by individual officers much before the present Act came into force but, it would not work out as it ought to be. This was because of lack of support from the upper command, inadequacy of funds and the lack of will among police personnel. The overall popular perception that there has been a general fall in the performance of the police as also a deterioration in the policing system.
as a whole in the country, expressed that time had come to rise above limited perceptions to bring about some drastic changes in the shape of reforms and restructuring of the police before the country is overtaken by unhealthy developments.

Moreover, the new police Acts that have been passed and the Bills that have been readied have diluted the core systematic reforms stipulated by the Supreme Court. A three member Monitoring Committee was set up by the Supreme Court Judge, as its chairperson. It is mandated to examine the affidavits filed by the states. It will also examine the new police Acts passed by the states after the Supreme Court judgment of 2006 and find out if the Acts are in keeping with the letter and spirit of the apex Court’s directives. The committee has not yet submitted its final report. Thus, meaningful police reforms in the country are stalled. But the reforms brook no delay. Saanjh project is implemented in Punjab as a platform for the Partnership of Community and Police. These Kendras are running successfully in the state. The unique appearance of the building of Saanjh Kendras and its visit gives an experience of a Corporate Office, not a Police Station. Also, Punjab is the very first state to implement “citizen friendly” Saanjh Kendras. Recently, Mansa Saanjh Kendra has been adjudged the best Saanjh Kendra in state during the annual, Police Station Visitors Week (PSVW) programme organized by Altus Global Alliance through IDC (Institute of Development & Communication) in Chandigarh. As a result, citizens are now able to approach the civil services of Police Department without any hesitation. It has been claimed that the crime rate has come down by 22 percent after Community Police Initiatives, which is highly appreciable. The overreaching goal of the program is measurably improve the quality of local police service according to international standards as interpreted by local communities, especially those who are poor and marginalised. This, in turn, contributes in improving trust and cooperation between police and communities, leading to greater reliance on police by the victims and improved access to justice.

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Sankar Sen, “Resistance to reform: Key to better policing Cosmetic Changes won’t do”, *The Tribune*, (July 21, 2010), p. 11.