
POLICE REFORMS AND CRIMINAL JUSTICE ADMINISTRATION IN INDIA: A SOCIO-LEGAL ANALYSIS

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ABSTRACT

Policing in India continues to operate within an institutional framework deeply shaped by its colonial origins, despite the constitutional commitment to equality, dignity, and the rule of law. This article undertakes a socio-legal analysis of police reforms in India, with a particular focus on their impact on criminal justice administration and the protection of constitutional rights. It employs a primarily doctrinal methodology drawing on constitutional provisions, statutory schemes, judicial decisions, and committee reports supplemented by comparative insights from jurisdictions such as the United Kingdom, the United States, and Germany.

The article first traces the historical evolution and organisational structure of the Indian police, demonstrating how the logic of control embedded in the Police Act, 1861 continues to influence contemporary policing practices. It then analyses key socio-legal concerns including custodial violence, arbitrary arrests, political interference, and structural bias against marginalised communities through the lens of Supreme Court decisions such as *D.K. Basu v. State of West Bengal* and *Prakash Singh v. Union of India*, as well as empirical patterns reflected in National Crime Records Bureau data¹. The discussion further evaluates the recommendations of major commissions, alongside the recent criminal-law reforms introduced through the Bharatiya Nyaya Sanhita, 2023², the Bharatiya Nagarik Suraksha Sanhita, 2023³, and the Bharatiya Sakshya Adhinyam, 2023⁴.

The central finding is that there remains a persistent gap between formal legal mandates and their implementation on the ground, manifested in low conviction rates, continuing incidents of custodial deaths, and limited compliance with judicially mandated structural reforms.

Comparative experience suggests that meaningful police reform requires a calibrated combination of operational autonomy, robust external

¹ Bureau of Police Research & Dev., *Data on Police Organizations in India 2023* 8–9 (Gov't of India 2024).

² Bharatiya Nyaya Sanhita, 2023 (India).

³ Bharatiya Nagarik Suraksha Sanhita, 2023 (India).

⁴ Bharatiya Sakshya Adhinyam, 2023 (India).

accountability, community-oriented policing, and technological modernisation. The article argues that such reforms are not merely matters of administrative efficiency, but constitutional imperatives necessary to align policing practices with fundamental rights and democratic values in India.

Keywords: Police Reforms; Criminal Justice Administration; Custodial Violence; Accountability; Rule of Law; Human Rights; Socio-Legal Analysis; India.

I. INTRODUCTION AND RESEARCH QUESTIONS

The police occupy a foundational position within the Indian criminal justice system, functioning as the primary interface between the State and individuals who come into contact with the law. Their actions from the registration of a First Information Report to arrest, investigation, and the production of evidence directly shape the trajectory of criminal proceedings and, consequently, the enjoyment of constitutional guarantees under Articles 14, 19, 20, 21, and 22 of the Constitution of India⁵. Yet, despite this centrality, Indian policing continues to be governed in significant part by the Police Act, 1861, a statute enacted in the immediate aftermath of the 1857 Revolt⁶ to secure imperial control rather than to protect rights in a democratic polity.

This disjuncture between constitutional norms and colonial-era structures manifests in a range of systemic problems. Persistent allegations of custodial torture and deaths, arbitrary arrests, prolonged pre-trial detention⁷, and the routine use of force raise serious concerns about the compatibility of policing practices with the right to life and personal liberty under Article 21. These problems are compounded by political interference in postings and transfers, inadequate training and infrastructure, and police–population ratio that remains below the often-cited United Nations benchmark, thereby overburdening frontline personnel and incentivising shortcuts over due process. Socio-legal scholarship further shows that the impact of these structural pathologies is unevenly distributed, falling disproportionately on marginalised groups defined by caste, class, gender, and religion⁸. Judicial interventions and expert bodies have repeatedly sought to recalibrate this framework.

⁵ India Const. arts. 14, 19–22.

⁶ Police Act, No. 5 of 1861, pmb. (India).

⁷ D.K. Basu v. State of W. Bengal, A.I.R. 1997 S.C. 610 (India).

⁸ Amnesty Int'l, *Treated with Contempt: Human Rights Violations in Policing of Marginalised Communities in India* (2019).

In *D.K. Basu*, the Supreme Court laid down guidelines to curb custodial abuse⁹, while in *Prakash Singh* it issued a set of binding directives¹⁰s aimed at insulating the police from political control and institutionalising mechanisms of accountability, including State Security Commissions and Police Complaints Authorities. Parallely, the National Police Commission (NPC), the Ribeiro, Padmanabhaiah and Malimath Committees, and the Expert Committee on the Model Police Act have proposed wide-ranging reforms in recruitment, training, organisation, and oversight. More recently, Parliament has enacted three major criminal-law statutes the BNS, BNSS, and BSA presented as a decisive departure from the colonial legal architecture.

Despite this dense reform landscape, implementation has remained halting and fragmented. Several states have complied with *Prakash Singh* only in form, by creating bodies that lack independence or effective powers, while others have delayed action altogether. National Crime Records Bureau data, as well as independent reports, continue to record incidents of custodial violence, low conviction rates, and public distrust of the police. Against this backdrop, the core question animating this article is whether existing and proposed police reforms have meaningfully transformed the culture and practice of policing in India, or whether they have merely layered new norms onto an unreconstructed colonial skeleton.

Against this backdrop, this article addresses three questions:

1. To what extent have judicial, committee-driven, and legislative reforms altered the structural and socio-legal foundations of policing in India?
2. How do empirical indicators such as custodial deaths, police–population ratios, and conviction rates reflect the implementation of these reforms?
3. What lessons can be drawn from comparative experience in the United Kingdom, the United States, and Germany for designing a reform agenda that balances operational autonomy with accountability and community engagement?

II. LITERATURE REVIEW AND THEORETICAL FRAMEWORK

Existing scholarship on police reforms in India has consistently highlighted the tension

⁹ D.K. Basu, A.I.R. 1997 S.C. 610.

¹⁰ *Prakash Singh v. Union of India*, (2006) 8 S.C.C. 1 (India).

between a colonial-era institutional architecture and the demands of a constitutional democracy¹¹. The National Police Commission (1977–81) was among the first authoritative bodies¹² to diagnose the systemic ailments of Indian policing, emphasising political interference, lack of accountability mechanisms, and inadequate training and infrastructure. Its eight reports laid the groundwork for later reform initiatives by recommending institutional insulation of the police, fixed tenures, and the establishment of State Security Commission

Subsequent commissions, including the Ribeiro Committee and the Padmanabhaiah Committee, built upon the NPC framework by advocating modernisation of police organisation, revision of recruitment and training structures, and the revival of the beat system to enhance local-level policing. These committees also underscored the need for a new Police Act to replace the colonial Police Act, 1861, which continues to govern the basic structure of Indian police forces.

Judicial literature has further enriched the research landscape. *Prakash Singh* is widely regarded as a landmark, as it converted reform recommendations into binding directions such as the creation of State Security Commissions, Police Complaints Authorities, and fixed tenures for key officers. Yet empirical and doctrinal studies reveal that implementation across states has been uneven and, in many cases, merely tokenistic, with several states delaying compliance or diluting the directives through executive relaxation.

The role of custodial justice and human rights has also attracted sustained scholarly attention. In *D.K. Basu*, the Supreme Court established basic safeguards against custodial abuse, including mandatory recording of arrests and the right to medical examination. However, NCRB data indicate that custodial deaths and allegations of torture continue to occur with disturbing frequency, underscoring the gap between legal standards and operational reality. Researchers have examined how policing intersects with social stratification, documenting how caste, class, gender, and religion shape patterns of scrutiny, profiling, and violence.

Comparative legal scholarship complements this domestic analysis. Studies on the United Kingdom highlight the role of independent oversight bodies such as the Independent Office for Police Conduct (IOPC) and the emphasis on community-oriented policing. In the United States, literature on internal affairs divisions and civilian review boards reveals both the potential and

¹¹ K.S. Subramanian, *Political Violence and the Police in India* (2007).

¹² Nat'l Police Comm'n, *First–Eighth Reports* (Gov't of India 1979–81).

limitations of external accountability mechanisms in a federal-style system. German models, meanwhile, stress de-escalation techniques, extensive training, and close integration of police with social-welfare institutions, features largely absent in the Indian context.

Theoretically, this article is situated at the intersection of constitutionalism and socio-legal studies. It treats the police as a constitutional actor whose legitimacy depends not only on statutory authorisation but also on compliance with fundamental-rights norms and the social perception of fairness. Drawing on theories of procedural justice and rule-of-law institutionalism, it assumes that public trust and effectiveness in crime control are mutually reinforcing, and that reforms must therefore attend to both legal design and everyday practices.

III. EVOLUTION AND STRUCTURE OF POLICING IN INDIA

The evolution of policing in India reflects a gradual transition from pre-colonial practices grounded in notions of dharma and community responsibility to a centralised, bureaucratic institution oriented towards territorial control. Pre-modern polities, including the Mauryan and Mughal empires, employed officials responsible for local order and crime detection, but these institutions generally lacked the uniform, militarised character of the modern police. The decisive break came with British consolidation after the 1857 Revolt, which led to the Government of India Act, 1858¹³ and the enactment of the Police Act, 1861, creating a uniform police system under executive control designed to secure imperial interests.

The Police Act, 1861 established a hierarchical structure with the Inspector-General at the apex and constabulary at the base, emphasising discipline, obedience, and command-and-control. The Indian Police Commission of 1902–03 refined this model by introducing the Criminal Investigation Department and strengthening supervision, but left intact the basic orientation of the force as an instrument of state authority. At independence, the Constitution envisaged a democratic transformation of state institutions, but policing was largely left to continue under the 1861 Act, with policing placed in the State List and state-level legislation frequently replicating colonial design.

Contemporary policing thus operates through a dual structure: the all-India Indian Police Service, which supplies leadership cadres, and state police forces, which perform day-to-day law-and-order and investigative functions. Organisationally, most states retain a strict

¹³ Government of India Act, 1858, 21 & 22 Vict. c. 106 (U.K.); Police Act, No. 5 of 1861 (India).

hierarchy from the Director General of Police at the state level down to constables. While this structure provides clear lines of authority, it also entrenches rigidity and top-down decision-making, with limited space for lateral accountability or community participation.

IV. SOCIO-LEGAL ISSUES IN POLICING

A. Custodial Violence and Everyday Coercion

NCRB statistics, NHRC reports, and media investigations reveal a regular pattern of custodial deaths and allegations of torture¹⁴. These incidents range from deaths in lock-ups allegedly caused by beating or “third-degree” methods to suicides amidst questionable circumstances. Even where death does not result, illegal detention, denial of legal counsel, and coercive interrogation remain common complaints, particularly among the poor and marginalised

From a socio-legal perspective, custodial violence reflects both structural impunity and the internalisation of a culture of coercion within police organisations. The *D.K. Basu* guidelines and statutory provisions on arrest and remand offer a robust normative framework, yet habitual reliance on confessions, pressure to “solve” high-profile cases, and weak oversight incentivise extra-legal methods.

B. Caste, Class, Gender, and Religion

Empirical work and rights-based advocacy have documented the disproportionate impact of policing on lower-caste communities, religious minorities¹⁵, informal-sector workers, and persons living in informal settlements. Complaints of selective registration of FIRs, biased investigation, and differential treatment of victims and accused are particularly acute in cases involving Dalit and Adivasi complainants, communal violence, and sexual offences. These patterns are reinforced by under-representation of such groups within the police itself, especially at leadership levels.

Gender likewise shapes both the composition and practices of policing. Women constitute a small fraction of total police strength, and women-friendly facilities and protocols remain

¹⁴ Nat'l Crime Rec. Bureau, *Crime in India 2023*, vol. 2, tbl. 8A.1; Nat'l Human Rights Comm'n, *Annual Report 2022–23* (India).

¹⁵ Aparna Chandra et al., *Policing in India: Discretion, Discrimination and Accountability* (2022); Amnesty Int'l, *Treated with Contempt*, supra note 8.

unevenly implemented despite formal mandates. Survivors of gender-based violence often encounter insensitive handling of complaints, pressure to compromise, and scepticism about their testimony. Religious identity can also influence policing, particularly in communally sensitive areas where minorities may experience both over-policing and under-protection.

C. Political Interference and the “Order” Orientation

A recurring theme in committee reports and judicial decisions is the pervasive influence of politics in policing. Transfers, postings, and promotions are often perceived to be contingent on political loyalty, creating incentives for officers to cultivate patrons and to respond to informal requests from elected representatives. This dynamic affects decisions on registration of cases, investigation, and management of protests.

The legacy of the Police Act, 1861 reinforces an “order-maintenance” orientation that prioritises control over service. Public assemblies and dissent are sometimes treated primarily as law-and-order problems rather than as exercises of fundamental rights under Article 19. This produces a tension between policing as a tool of regime stability and policing as an institution tasked with protecting constitutional freedoms.

V. JUDICIAL AND COMMITTEE-DRIVEN REFORM

A. Supreme Court Jurisprudence

In *D.K. Basu*, the Supreme Court laid down detailed guidelines on arrest and detention aimed at operationalising Articles 21 and 22, including requirements for arrest memos, communication of arrest to relatives, medical examinations, and production before a magistrate within twenty-four hours. Non-compliance was linked to potential liability, and the guidelines were treated as binding law.

In *Prakash Singh*, the Court confronted systemic politicisation and lack of accountability, issuing seven directives requiring State Security Commissions, minimum tenures, separation of investigation from law-and-order functions, transparent DGP selection, Police Establishment Boards, and Police Complaints Authorities, and urging states to enact a new Police Act reflecting these principles. These directives effectively converted long-standing reform proposals into judicially enforceable mandates, though implementation has been uneven.

B. Commissions and Committees

The NPC offered a comprehensive diagnosis of political interference, weak accountability, and poor service conditions, recommending State Security Commissions, revised recruitment and training, and clearer arrest guidelines. The Ribeiro Committee endorsed NPC proposals and focused on their implementation. The Padmanabhaiah Committee emphasised modernisation, revival of the beat system, specialisation, and community-oriented policing. The Malimath Committee proposed separation of investigation and prosecution, stronger forensic science, and a Central Law Enforcement Agency for certain federal offences. The 2006 Model Police Act, drafted by an Expert Committee, highlighted functional autonomy, human-rights compliance, and service orientation while retaining democratic superintendence.¹⁶

VI. FINDINGS AND ANALYSIS

A. Custodial Violence and NCRB Trends

NCRB data and parliamentary replies show dozens of police-custody deaths reported annually,¹⁷ with several hundred over the past five years, concentrated in a handful of states. Many cases involve allegations of torture or negligence during detention. The gap between *D.K. Basu* safeguards and persistent custodial abuse illustrates the limited penetration of judicial norms into everyday practice.

B. Police–Population Ratio and Capacity

Government and BPR&D data show India’s effective police–population ratio remains below the 220 per 100,000 figures often cited internationally,¹⁸ with many states operating with significant vacancies. Overburdened officers juggle law-and-order duties, VIP security, and investigation, leading to prioritisation of visible order-management over time-intensive investigation and contributing to low conviction rates.

C. Implementation Gaps in *Prakash Singh*

Civil-society and official reviews confirm partial and superficial implementation of *Prakash*

¹⁶ Nat’l Police Comm’n, *Reports*; Ribeiro Comm., *Report on Police Reforms* (1998); Padmanabhaiah Comm., *Report on Police Reforms* (2000); Comm. on Reforms of Criminal Justice System (Malimath Comm’n), *Report* (2003); Draft Model Police Act, 2006 (Expert Comm.).

¹⁷ Nat’l Crime Rec. Bureau, *Crime in India 2019–2023*, trend tables on deaths in police custody.

¹⁸ Bureau of Police Research & Dev., *Data on Police Organizations in India 2023* 8–9.

Singh. Many State Security Commissions and Complaints Authorities lack independence, resources, or powers, and the separation of investigation and law-and-order remains limited to a few metropolitan experiments. The transformative potential of the judgment has thus been constrained by executive resistance and weak enforcement.

D. Conviction Rates and Delay

¹⁹NCRB's *Crime in India* reports show that while charge-sheeting rates for IPC offences are relatively high, conviction rates remain modest, with national IPC conviction percentages around the mid-fifties and significantly lower in some categories. Delays in investigation, forensic backlogs, and inadequate documentation undermine both accused persons' liberty rights and victims' interest in effective redress.

E. Comparative Accountability and Community Policing

The UK's IOPC and local accountability structures, US internal affairs and civilian review boards, and German de-escalation-oriented training illustrate diverse approaches to oversight and community policing. None can be transplanted wholesale, but each underscores the value of independent oversight, transparent complaint-handling, strong training, and institutionalised community engagement.

VII. NEW CRIMINAL LAWS AND POLICE POWERS: BNS, BNSS, AND BSA

The enactment of the Bharatiya Nyaya Sanhita, 2023 (BNS), the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), and the Bharatiya Sakshya Adhinyam, 2023 (BSA) is presented by the Union government as a move away from colonial-era criminal laws towards a framework tailored to contemporary Indian needs. For the police, these statutes matter because they redefine offences, restructure procedure, and reshape evidentiary rules, thereby changing both the scope of police powers and the expectations placed on police practice.

A. Substantive Offences under the BNS

The BNS replaces the Indian Penal Code, 1860, but it largely retains the basic structure and many existing offences. At the same time, it introduces new categories and modifies key areas.

¹⁹ Nat'l Crime Rec. Bureau, *Crime in India 2023*, vol. 1, ch. 4 (conviction and charge-sheet rates).

It adds a standalone offence of terrorism, defined broadly to include acts that threaten the unity, integrity, and security of the country, intimidate the public, or disturb public order. This shifts some conduct previously addressed under specialised laws into the general penal code, potentially making terrorism investigations a more routine part of police work.

The BNS also removes the old sedition provision and replaces it with a new offence of “acts endangering the sovereignty, unity and integrity of India.” The new provision covers attempts to excite secession, armed rebellion, or subversive activities, as well as encouraging separatist feelings through words, signs, electronic communication, or financial means. Supporters argue that this formulation is narrower and more in line with constitutional constraints, while critics worry that the breadth of terms like “subversive activities” may still allow targeting of dissent.

In addition, the BNS creates or modifies offences relating to organised crime, mob lynching, and certain sexual offences, and recognises community service as a punishment in some cases. For the police, these changes expand areas where they must investigate networked criminal activity, public-order violence, and new categories of sexual exploitation. They also highlight a normative shift towards acknowledging alternative, non-custodial sanctions

From a police-powers perspective, the BNS does not fundamentally restrict existing authority. Instead, it tends to broaden the range of conduct that can be framed as serious threats to sovereignty, public order, or security, reinforcing the need for clear internal guidelines and judicial oversight to prevent over-broad or biased use of these provisions.

B. Procedure and Technology under the BNSS

The BNSS replaces the Code of Criminal Procedure, 1973, and is the statute with the most direct impact on everyday policing. It retains the overall structure of investigation, arrest, charge-sheet, trial, and appeal, but makes several important changes.

First, the BNSS expressly encourages the use of technology at every stage from registration of information to filing of charge-sheets and conduct of trials. It allows complaints in cognisable cases to be filed electronically, provides for electronic service of summons and warrants, and requires audio-video recording of certain search and seizure operations and statements. In theory, this can make the process more transparent, reduce opportunities for manipulation of paper records, and make it easier for victims and witnesses to participate without repeated

physical appearances.

Second, the BNSS modifies rules on custody and arrest. It permits the 15-day period of police custody to be authorised in parts at different points during the initial 40 or 60 days of the total 60- or 90-day remand period, rather than only at the start, as under the CrPC. Critics have pointed out that this may increase the risk of prolonged exposure to police custody and consequently to coercion, even if formally within statutory limits. The BNSS also expressly authorises the use of handcuffs in specified categories of cases, such as for habitual offenders or persons accused of certain serious offences, raising concerns about consistency with Supreme Court jurisprudence and human-rights standards on restraint.

At the same time, the BNSS includes safeguards that reflect judicial guidance on arrest as an exception rather than a rule. It requires higher-level approval for arrest in certain minor offences and for older persons, and emphasises that arrest is not mandatory in all cases where it is legally permissible. It also sets timelines for filing police reports in some categories of cases and for providing copies of reports and documents to the accused and the victim, which, if enforced, could improve timely access to information and reduce delay.

Overall, the BNSS pushes the system towards digital working and tighter formal timelines, but it also expands certain coercive powers. Whether it results in more rights-compliant policing will depend on how courts interpret its provisions on custody, handcuffing, and electronic processes, and on whether states provide the infrastructure needed to use technology in a fair and consistent way.

C. Evidence, Digital Records, and the BSA

The BSA replaces the Indian Evidence Act, 1872, with a particular focus on recognising and structuring the use of electronic and scientific evidence. It defines “electronic records” broadly and confirms that digital records such as emails, CCTV footage, server logs, and other data are admissible if certain conditions of authenticity and integrity are met. The Act stresses the importance of primary evidence and sets out procedures for admitting secondary electronic evidence.

For the police, this raises the standard for investigation. Proper collection and handling of digital evidence now require attention to chain of custody, secure storage, and documentation

of every transfer or access, because any gap can lead to challenges in court. Investigators must coordinate closely with forensic and cyber-crime units to ensure that devices are imaged correctly, metadata is preserved, and logs are maintained. Poor handling can result in exclusion of key evidence or acquittals.

If implemented properly, the BSA could reduce reliance on custodial confessions and oral testimony and encourage more objective, scientific investigation. It also aligns with the BNSS's emphasis on electronic processes, since both presume that large parts of the criminal process will move online in the coming years. However, without adequate investment in training, forensic capacity, and secure digital infrastructure, there is a risk that formal evidentiary standards will exist on paper but be honoured only in high-profile cases.

In summary, the new criminal laws do not, by themselves, guarantee a rights-based, accountable police. They offer tools: an updated catalogue of offences, more explicit reliance on technology, and a clearer framework for digital evidence. Whether these tools will be used to make policing more transparent and rights-respecting, or merely to extend existing patterns of control into digital spaces, will depend on how they interact with the institutional reforms and socio-legal changes discussed in the next Part.

VIII. COMPARATIVE PERSPECTIVES: UNITED KINGDOM, UNITED STATES, AND GERMANY

Looking at other jurisdictions does not give ready-made solutions for India, but it helps to clarify what kinds of institutions and practices matter for democratic policing. Three examples—the United Kingdom, the United States, and Germany are particularly useful.

In the United Kingdom, policing is often described as “policing by consent,” which stresses legitimacy, public trust, and community engagement rather than fear and coercion. The Independent Office for Police Conduct (IOPC) oversees the police complaints system in England and Wales, investigates serious incidents, and sets standards for how forces must handle complaints. It is structurally independent of the police and the government, which is intended to reassure the public that serious misconduct will not be investigated by the same institution accused of wrongdoing. In addition, elected Police and Crime Commissioners, local scrutiny panels, and regular publication of data about stop-and-search, use of force, and complaints help to maintain transparency and local accountability.

In the United States, policing is highly fragmented, with thousands of federal, state, county, and municipal agencies. This produces a patchwork of oversight arrangements, including internal affairs units, civilian review boards, inspector-general offices, and, in some cases, federal civil-rights investigations and consent decrees against departments with patterns of unconstitutional behaviour. High-profile cases of police violence, especially against Black Americans, have prompted reforms around body-worn cameras, data collection, use-of-force policies, and implicit-bias training, but problems of racial disparity, weak discipline, and strong police unions limit the effectiveness of these efforts. The US experience shows both the possibilities and limits of local-level reform in a federal system.

Germany offers a contrasting model. German police organisations place strong emphasis on professional education, de-escalation, and human-rights training; officers typically undergo multi-year programmes that combine law, social sciences, and practical work. Lethal encounters with the police are relatively rare compared to many other jurisdictions, and police legitimacy is comparatively high. Police work is closely linked to social-welfare agencies, and there is greater reliance on negotiation and communication before resorting to force.

For India, these comparative experiences highlight several lessons. First, independent oversight bodies with real investigative powers like the IOPC can strengthen public confidence if they are genuinely separate from both the police and the executive. Second, community-oriented policing²⁰ needs formal structures for consultation and participation, not just occasional outreach programmes. Third, serious investment in education and training, along the lines of Germany, is essential if the police are expected to handle complex social conflicts, digital evidence, and rights-sensitive procedures. Finally, the US example warns that reforms limited to technology (such as cameras) or policies on paper may not suffice if deeper issues of culture, race, and accountability are not addressed.

IX. REFORM AGENDA: AUTONOMY, ACCOUNTABILITY, COMMUNITY POLICING, TECHNOLOGY

The analysis in the earlier Parts suggests that India does not lack reform ideas; it lacks sustained implementation and coherent design. A practical reform agenda for police and criminal justice should focus on four main pillars: autonomy, accountability, community-oriented policing, and

²⁰ Independent Office for Police Conduct, *Annual Report and Accounts 2023–24* (UK 2024).

technology-driven but rights-based modernisation.

A. Autonomy and Insulation from Political Pressure

The first pillar is to secure a degree of operational autonomy for the police from day-to-day political interference. This does not mean that the police should be above democratic control; it means that decisions about individual postings, investigations, registration of FIRs, and use of force should not depend on informal instructions from ministers or legislators.

To move towards this goal, the *Prakash Singh* directives and the Model Police Act need to be implemented in substance, not just in form.²¹ State Security Commissions should have a majority of non-executive members, including judicial and independent experts, and should have a clear mandate to lay down policy guidelines and evaluate performance. Fixed minimum tenures for key posts from DGPs to Station House Officers should be respected, with any premature transfers requiring written reasons and subject to independent review. Police Establishment Boards should handle most transfer and posting decisions, based on transparent criteria, to reduce incentives for political patronage.

B. Capacity, Training, and Professionalisation

Autonomy will not yield better outcomes if the police lack basic capacity. India's police–population ratio remains below international benchmarks and many sanctioned posts are vacant.²² Overworked officers have little time for careful investigation, community engagement, or training. Increasing actual strength, especially in rural and peri-urban stations, is therefore a starting point.

At the same time, numbers alone are not enough. Training institutions need to shift away from a narrow drill-and-discipline focus towards robust education in criminal law, evidence, forensic science, cyber-crime, communication, de-escalation, and human-rights norms. The Malimath and Padmanabhaiah Committees, as well as the Model Police Act, have recommended specialised investigative wings and distinct cadres for law-and-order and investigation. Implementing these proposals would allow officers to build expertise in investigation, reduce the temptation to rely on custodial confessions, and improve the quality of cases that go to trial.

²¹ *Prakash Singh*, (2006) 8 S.C.C. 1; Draft Model Police Act, 2006.

²² Bureau of Police Research & Dev., *Data on Police Organizations in India 2023* 8–9.

Diversity is also part of professionalisation. Recruitment should aim to improve representation of women, Scheduled Castes and Scheduled Tribes, and minorities, particularly in investigative and supervisory roles, to counter structural biases and improve community confidence.

C. Accountability, Oversight, and Public Transparency

The second pillar is strong internal and external accountability. Internal disciplinary systems have not been sufficient to address custodial violence and abuse of power. The *Prakash Singh* requirement of Police Complaints Authorities at state and district levels remains poorly implemented in most places. These bodies should be redesigned along the lines of successful oversight models: independent appointments, adequate budgets, professional investigative staff, and clear powers to investigate serious complaints, summon records, and recommend disciplinary or criminal action.

Accountability also requires clear standard operating procedures on arrest, search, detention, interrogation, and use of force, with regular audits and performance evaluations that reward legality and respect for rights, not just numerical “crime control” indicators. Publishing disaggregated data on complaints, custodial deaths, use of force, and disciplinary outcomes can increase transparency and allow legislatures, courts, and the public to monitor trends.

D. Community-Oriented Policing and the Beat System

The third pillar is to redesign police–public relations on a community-oriented model. Traditional Indian policing has relied heavily on visible force and order-maintenance, with limited sustained engagement with local communities. Committees like Padmanabhaiah have recommended revival and strengthening of the beat system to improve everyday contact between the police and residents.²³

A modern beat system, as some state experiments show, can be turned into a genuine community-policing tool. This requires dividing large beats into smaller “sub-beats,” assigning specific constables to those areas, and building regular channels of interaction with residents, including women and marginalised groups. Beat officers can gather local intelligence, address minor disputes early, and build trust, while citizens gain accessible contact points and a say in security priorities. To avoid the risk of informal vigilantism or elite capture, such initiatives

²³ Padmanabhaiah Comm., *Report on Police Reforms* (Gov’t of India 2000).

should be guided by written protocols, inclusive representation, and supervision by senior officers.

E. Technology, Forensics, and Rights-Based Modernisation

The fourth pillar is to use technology and forensics to support fair and efficient policing, in line with the new criminal laws. The BNSS encourages use of electronic registration of information, video-conferencing, and videography of key investigative steps, while the BSA strengthens the legal framework for electronic and scientific evidence. To make these changes real, states must invest in reliable digital infrastructure, body-worn cameras where appropriate, and expanded forensic laboratory capacity, including in smaller cities.

Training for police, prosecutors, and judges on handling digital evidence collection, preservation, chain of custody, and privacy implications is essential so that scientific evidence can replace over-reliance on custodial statements. At the same time, technology must be constrained by constitutional safeguards. Expanded surveillance, data-sharing, and predictive tools risk entrenching bias or violating privacy if not governed by clear law, necessity and proportionality standards, and independent oversight.

Taken together, these four pillars autonomy, accountability, community policing, and rights-sensitive technological modernisation offer a realistic reform path. They require political will, resources, and institutional change, but they are also compatible with India's constitutional framework and with the broad consensus already visible in committee reports, judicial directives, and comparative experience.

X. CONCLUSION

This article has shown that police reform in India is fundamentally a constitutional and socio-legal issue, not merely an administrative one. The basic structure of policing grounded in the Police Act, 1861 and marked by hierarchy and an order-maintenance mindset continues to shape everyday practice despite constitutional guarantees and decades of reform proposals. Persistent custodial violence, low conviction rates, staff shortages, and public distrust illustrate a deep gap between formal legal standards and on-ground realities.

Judicial interventions like *D.K. Basu* and *Prakash Singh*, together with the recommendations of the National Police Commission, Ribeiro, Padmanabhaiah, Malimath, and the Model Police

Act, provide a clear blueprint centred on depoliticisation, professionalisation, independent oversight, and a shift from coercive to service-oriented policing. The new criminal codes the BNS, BNSS, and BSA offer additional tools by updating offences, embedding technology, and strengthening the framework for electronic and scientific evidence, but they also carry risks of expanding coercive powers if not implemented with strong safeguards.²⁴

A credible reform agenda must therefore rest on four pillars: operational autonomy under democratic oversight; investment in capacity, training, and forensics; robust internal and external accountability, including effective Police Complaints Authorities; and genuine community-oriented policing that addresses structural inequalities based on caste, class, gender, and religion. The extent to which India can translate this consensus into practice will determine whether its policing model reinforces a culture of fear and impunity, or upholds the constitutional promise of dignity, equality, and the rule of law.

²⁴ D.K. Basu, A.I.R. 1997 S.C. 610; *Prakash Singh*, (2006) 8 S.C.C. 1; Nat'l Police Comm'n Reports; Ribeiro; Padmanabhaiah; Malimath; Draft Model Police Act, 2006.