



INTERNATIONAL JOURNAL OF CREATIVE RESEARCH THOUGHTS (IJCRT)

An International Open Access, Peer-reviewed, Refereed Journal

Indian Police & ICT: An Exploratory Insight

- Dr. Samrat Datta¹ and Aindrila Bag²

- ¹ Assistant Professor, Seedling School of Law and Governance, Jaipur National University, Jaipur.
- ¹ Advocate, High Court of Calcutta, Kolkata and Visiting Faculty, Brainware University, Kolkata.

Abstract

The police organisation is an essential requirement of any civilised democracy. Police is considered as the watchdog of the society and also a limb of the criminal justice organisation entrusted with the task of maintaining peace and harmony. However, it must be noted that the Indian Police lacks the necessary infrastructure for crime detection. Police in India is always subjected to public scrutiny. It is this continuous struggle for building a better image that has led the police to change their traditional and stigmatised outlook and has become innovative in both investigation and the process of policing as a whole. The world witnessed a rapid change in twentieth century with the introduction of digitalisation of the country. The introduction of Information and Communication Technologies (ICTs) have greatly changed the public viewpoint and the symbiotic relationship between the police and the world at large has catered to various reforms in policing with the help of ICTs. Information Technology has improved the effectiveness and efficiency of the police at large and the capacity to process data. The intelligence and investigative capabilities have been increased to such an extent that criminal records are easily accessible, databases have been created to track criminals and the traditional methods of crime charts have been replaced by modern methods of crime detection. ICT has become the need of the hour in the globalised world today. Indeed, it is one of the most effective tools to detect the global pandemic of cyber-crimes and the police today being equipped with various ICTs are making it a point to look into the various possible solutions and tackle such menaces. Indian Police has restored to proactive policing and therefore the means to incorporate these tools in crime detection has indeed become a pertinent cause to detect crimes. The paper seeks to give an insight into the task of policing as a whole along with the development of a police force for the betterment of the nation.

Keywords: Police, Policing, Technology, Crime, Detection

¹ Assistant Professor, Seedling School of Law and Governance, Jaipur National University, Jaipur.

² Advocate, High Court of Calcutta, Kolkata and Visiting Faculty, Brainware University, Kolkata.

Introduction

The word 'police' is derived from the Greek word *politeia* and is equivalent to the Latin word *politia*, which connotes state or administration.³ In this sense, the term police may mean a body of civil servants whose primary duties are preservation of order, prevention and detection of crimes and enforcement of law. In the words of Earnest Fround, police functions generally relate to promoting public welfare by restraining and regulating the use of property and liberty of persons.⁴ The role of police in the modern times extends to police as a social service organisation in a modern welfare state and the paradigm has shifted from the ancient notion of the watchdog agency. But before dwelling into the domain of police in the modern age, we should concentrate on the past and the development of police during that time. Police may be defined in a wider and generic sense managerial of internal economy and enforcement of government regulations of a country.

According to **Oxford Dictionary**, the term police mean a system of regulation for the preservation of order and enforcement of law; the internal government of State.⁵ The term broadly refers to purposeful maintenance of public order and protection of persons and property, from the hazards of public accidents and the commission of unlawful acts. It refers to civil functionaries charged with maintaining public order and safety and enforcing the law including the prevention and detection of crime.

Information Communication Technology (ICT) denotes a range of technologies for gathering, storing, retrieving, processing, analysing, and transmitting information. It may also be defined as the umbrella which includes any communication device or application like radios, televisions, computer networks, and satellite systems and the various services and applications associated with them. The police force makes use of ICT in many areas of its operation such as records maintenance, surveillance through the CCTV technology and traffic through the speed cameras that are usually mounted on the police cars. The use of ICT in the police force has greatly enhanced service delivery to public.

Statement of the Problem

Indian Police Laws are modelled on The Metropolitan Police Act of the United Kingdom. This Act was progressive in nature but had failed to provide adequate insight into the legal concepts underlying the domain of police law. This created major problems as post-colonial rule police became a state subject. the use of technology has become a great hindrance to the police as the senior officials are technology shy and tend to drive away from the use of technology. Use of outdated technology and also the lack of infrastructural facilities adds on to the hindrances of the police. However, today, Indian Police has come ahead with alternatives to the traditional technology and is using the modern technology for the betterment of the society and crime prevention.

³ Brogden, M. (1982) *The Police: Autonomy and Consent*, Academic Press, London p. 498.

⁴ Swamy, N. Maheshwara, (2009) *Criminology and Criminal Justice System*, Asia Law House: New Delhi (1st Ed.) p. 251.

⁵ (1984) The Emergence of Police: The Colonial Dimension, *British Journal of Criminology* Issue 27, Vol. 1, pp. 4 – 14.

Research Questions

1. Whether New Technology has any role to play in Indian Police?
2. What are the barriers and advantages of using New Technology in Indian Police?
3. Whether there is any awareness among the police personnel about new technology and their use in Indian Police?

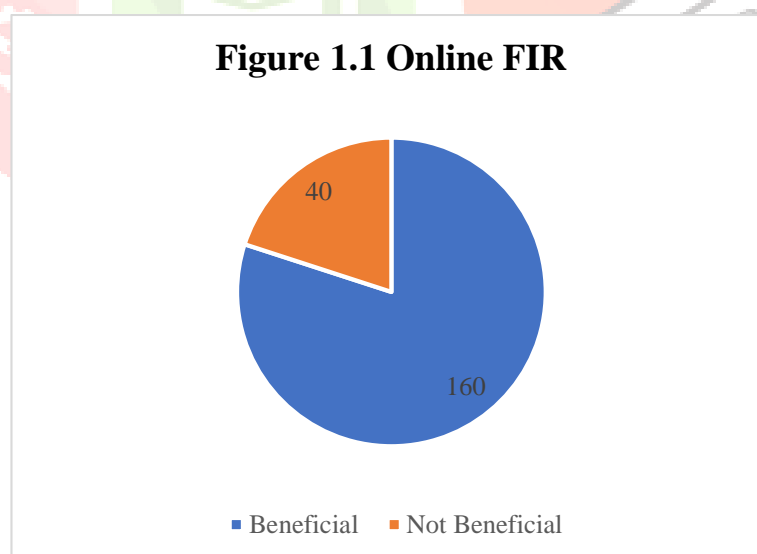
Methodology

The Researcher has interviewed police officers including male and female police officers and both in the rank of IPS and non IPS officers. The researcher has adopted both doctrinal as well as non-doctrinal method of research for the completion of this research work. The doctrinal research process involves national legislations, rules, consultation papers, government reports, reports of international organisations and case laws. The non-doctrinal research process involves an analysis of the interviews collected from the field work as the study is based on intensive field work. Both quantitative and qualitative information was collected for the study along with the analysis of the primary and the secondary data as well. Secondary source of data includes the available literature on police law and new technology through various textbooks, digests, archival sources, web resources etc. Primary data has been collected from the police officers of various ranks and both males and females through face-to-face interview of the respondents. The sampling techniques for used is non-probability purposive sampling and snow ball sampling. Structured questions and personal interviews have been used to collect information personally using questionnaire and interview techniques having both open and close end questions. The narratives of the police officers have also been a helpful source of data.

ICT and Indian Police

Online FIRs

Figure 1.1 Online FIR

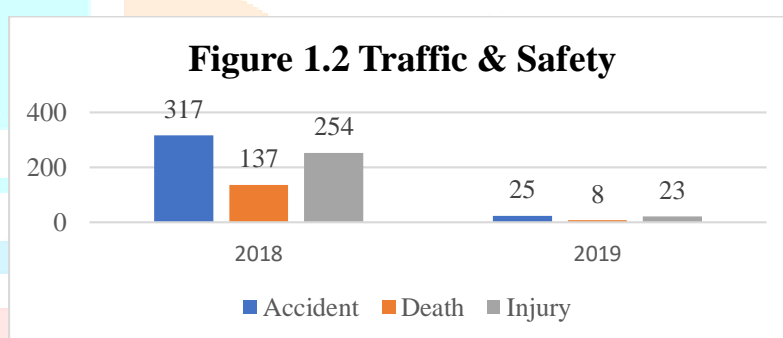


Lodging online FIR is welcomed in the Indian Police and is gaining importance as well. The online portals have been made citizen friendly and it is indeed helping the public at large. Moreover, the public are having easy access and it is catering to timely recording of offences and the object of FIR that is the first information at any point of time has been categorically achieved. However, only 20% of the officers feel that the rural people don't have easy access but efforts are being made to ensure that even they have better access to these amenities.

The most used device is CCTV which is one of the most widely used device to track the road offences. Mobile cameras also play an important role in tracking the offences on road but it is observed that CCTVs have better usage and mobile cameras are generally used only in the police vehicles. Also, Electronic Breath Alcohol Test is one of the major devices to track road offences as in most metropolitan areas⁶ and also on the highways, it is quite common that these people in inebriated state drive vehicles, over speed and such instances lead to the death of people. These instances need to be reduced.

Traffic & Safety

Another important aspect covered within the domain of ICT is that the use of cameras to monitor the speed of vehicles. Well, in the various Indian states, the mobile cameras have been effectively used to combat road accidents and prevent them as well. The data below shows a gradual decline in the death rate and accidents in the year 2018 and 2019. If we analyse, it is evident the police are playing a proactive role in curbing the menace of road accidents. Also, it has been observed that in many of the flyovers of the city, two wheelers at night have been banned so that the bike races can come to a standstill which is indeed very necessary today.



The data⁷ depicts the fact of the efficient traffic management which resulted in the gradual decline in the rates of accidents, death and injury within the various Indian cities and it is indeed a result of sheer dedication and service of the traffic police force of various Indian cities have achieved such low crime rate with the effective implementation of ICTs.

In the modern era, manual data tends to be deleted very frequently adding to various problems to the police as well as the general public. The need of the hour is to preserve the data in soft copy than in hard copy so that it can be easily accessible in terms of need. Moreover, the information can be even retrieved from the various hard drives if it is deleted in any form. Thus, soft copy is very helpful and even easy to be used. However, the

⁶ Section 8 of The Code of Criminal Procedure, 1973: (1) The State Government may, by notification, declare that, as from such date as may be specified in the notification, any area in the State comprising a city or town whose population exceeds one million shall be a metropolitan area for the purposes of this Code. (2) As from the commencement of this Code, each of the Presidency-towns of Bombay, Calcutta and Madras and the city of Ahmedabad shall be deemed to be declared under Sub-Section (1) to be a metropolitan area. (3) The State Government may, by notification, extend, reduce or alter the limits of a metropolitan area but the reduction or alteration shall not be so made as to reduce the population of such area to less than one million. (4) Where, after an area has been declared, or deemed to have been declared to be, a metropolitan area, the population of such area falls below one million, such area shall, on and from such date as the State Government may, by notification, specify in this behalf, cease to be a metropolitan area; but notwithstanding such cesser, any inquiry, trial or appeal pending immediately before such cesser before any Court or Magistrate in such area shall continue to be dealt with under this Code, as if such cesser had not taken place. (5) Where the State Government reduces or alters, under Sub-Section (3), the limits of any metropolitan area, such reduction or alteration shall not affect any inquiry, trial or appeal pending immediately before such reduction or alteration before any Court or Magistrate, and every such inquiry, trial or appeal shall continue to be dealt with under this Code as if such reduction or alteration had not taken place.

⁷ Source: <https://uttarakhandpolice.uk.gov.in/files/data1.pdf> (2018) and <https://uttarakhandpolice.uk.gov.in/files/data.pdf> (2019) visited on 25.07.2019.

question that arises is that in the opinion of Indian Police which is the most appropriate device to record and store the information.

Curbing Cyber Crimes with ICTs

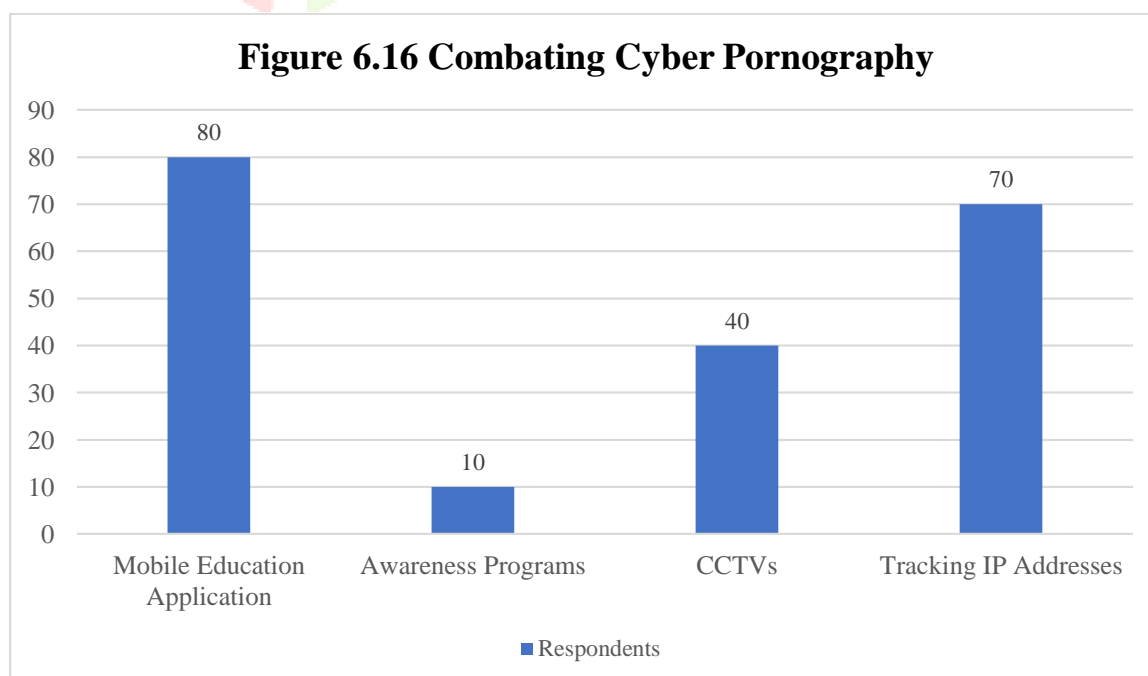
| CRIME | ICT |
|-----------------|--------------------------------|
| Phreaking | Telephone Tapping |
| Spamming | Wireless Internet |
| Cyber Stalking | Ethical Hacking |
| Computer Damage | Ethical Hacking |
| Mouse Trapping | Global Positioning System |
| Phishing | Radio Frequency Identification |
| Identity Theft | Global Positioning System |

Table 1.1 Curbing Cyber Crimes

The table shows that how the menace of various cyber-crimes can be curbed. It is important to note that these things can be stopped or curbed only with the help of devices which can trace the origin of the crime and the extent till which the crime was committed. These devices play an important role in curbing crime and also protection of public at large. Such instances are prevalent in day-to-day life and the menace can be reduced effectively.

Cyber Pornography

The menace of cyber pornography is ever increasing today. It was observed that people are involving themselves at a vital extent in such acts most of which are college goers or teenagers. However, keeping a track record of this is indeed difficult. It was observed by some of the officers that using technology to track IP addresses and CCTV cameras in the cybercafé and other computer centres and spreading awareness about the same in schools and colleges and even designing the applications to promote healthy education by educating the mass about the menace would suffice the cause.



The figure indicates the use of technology to combat cyber pornography and majority of the officers believe that using Mobile Applications to educate about the menace and punishments for abusing the technology would ensure that the youth do not get involved in such activities. Since the major population is youth Mobile Applications are more desirable than any other technology.

Cyber-crime⁸ is a menace of the recent decade. Until the past decade, this crime not identified as a crime but now it is all pervading. Therefore, in the era where people are prone to using the internet very conveniently, the police officers must be well trained to combat the perpetrators and not be a victim of their abuse.

It has been categorically analysed that the Global Positioning System, Geographic Information System, Wireless Internet and CCTVs are the most effective devices to combat cyber-crimes. It is important to note that these devices help in proper detection of cyber-crimes and are used by the police than any other device. Almost 40 – 50 police officers are of the view that these devices are best suited to combat crimes.

On talking about the mobile printers as a form of Information and Communication Technology (ICT) it is viewed that this device is not a very effective mode among the Indian Police. There can be reasons of police being technology shy, but the survey has revived that this device is not a very effective mode to track the criminals and at the same time it is very remotely used in the Police Service.⁹ It has been often observed that a using any technology reflects a particular model of policing. It is interesting to note that officials of Indian Police believe that both proactive and repressive model of policing is required for a crime free society and so the police is trying their best to ensure the same. However, the models differ from officer to officer and jurisdiction to jurisdiction. The figure below depicts the views of Dehradun Police on the models of policing using ICT.

Among 200 police officers, 60 police officers, that is, 30% of the officers believe that while using the new technology or Information and Communication Technology, repressive policing is better because this type of policing creates a fear in the mind of the public and acts as a deterrent effect because apprehension of punishment tends to prevent criminal actions. On the contrary, 140 police officers, that is roughly 70% believe that proactive model of policing would be beneficial as police here not only acts as crime fighters but also social engineers and using ICTs, when police go ahead in punishing the criminals, they also create a database of the most wanted perpetrators and then accordingly, can make the public aware of the menace prevailing and in a way tackle and reduce crime rate.¹⁰

⁸ Cybercrime, or computer-oriented crime, is a crime that involves a computer and a network. The computer may have been used in the commission of a crime, or it may be the target. Cybercrimes can be defined as: "Offences that are committed against individuals or groups of individuals with a criminal motive to intentionally harm the reputation of the victim or cause physical or mental harm, or loss, to the victim directly or indirectly, using modern telecommunication networks such as Internet (networks including chat rooms, emails, notice boards and groups) and mobile phones (Bluetooth/SMS/MMS)". Cybercrime may threaten a person or a nation's security and financial health. Issues surrounding these types of crimes have become high-profile, particularly those surrounding hacking, copyright infringement, unwarranted mass-surveillance, sextortion, child pornography, and child grooming. (Source: Wikipedia)

⁹ Alpert, G. (2004) *Understanding the Police use of Force: Officers, Suspects and Reciprocity*, New York: Cambridge University Press, pp. 569 – 570.

¹⁰ Paranjapayee, N. V. (2006) *Criminology and Penology along with Victimology*, Central Law Publications: Allahabad (15th Ed.) p. 338.

In order to combat target specific crimes like spamming, spoofing, cyber stalking, unauthorized entry and also the conventional crimes like robbery, dacoity, murder and rape, it is desired that certain devices can be used which would be beneficial and also cater the serve the purpose of crime prevention. Now, it is viewed that various devices are there which serves the cause but the most used and widely accepted ones by the Indian Police have been categorically recorded in the bar graph below which gives an overview of the usage according to the need of the hour. CCTV and Mobile Cameras are the major device to track target specific crimes.¹¹

Indian Police provides an efficient model for the senior citizens so that they can access their rights and in cases of violation, the mechanisms are simply but training is essential as without training, it is not possible for them to address their grievances. It has been viewed that all the offences committed against the senior citizens are generally by the domestic servants and the Indian Police has elaborately mentioned the procedures to be followed¹² while employing them. Inference is observed that most of the police officers are of the view that Door to Door Awareness among the senior citizens is something which needs to be undertaken.

The Indian Police in order to regulate domestic help in the household and ensure that no malpractice is in the pipeline, have initiated various processes on the portal of Uttarakhand Police where they can verify these people.¹³ These are the online verification mechanisms where the public need to post relevant documents pertaining to the domestic help they are employing. Once the documents are uploaded, the police keep a constant vigil on this help any if they involved in any criminal activity the tracking becomes simple with the help of this portal¹⁴, provided that the information recorded is true and to the best of the knowledge of the employer.¹⁵

The common question which has probed the minds of various people and even has pondered the mind of the researcher while completing the research is the most effective tools in the local jurisdiction of the police officers which help them in combatting day to day crimes. The result varies from the various police stations, however, coming to a common conclusion, it had been observed that the most widely used ICTs or devices with the help of ICTs are very few in number. The citizen portal service and the various other online applications are one of the most used technology helping the police to combat with the public at large.¹⁶

CCTN is the acronym for Crime and Criminal Tracking Network Systems (CCTN/CCTNS) is a project initiated by the National Crime Records Bureau, under the government of India to create a comprehensive and integrated system efficient policing through e-Governance. The process includes nationally online tracking system by combining 14,000 police stations across the country.¹⁷ The interview with the police officers in the city of Indian shows that the rate of effectiveness of CCTNS in some areas of the city of Dehradun is excellent whereas in some it is not up to the mark as it should be. 70% of the respondents believe that it is a measure which is indeed beneficial for the public. However, in certain areas, roughly around 30% the use is not very effective in

¹¹ Dogra, S. K. (1990) *Criminal Justice Administration in India*, Deep and Deep Publications: New Delhi Pvt. Ltd. p. 256.

¹² <https://uttarakhandpolice.uk.gov.in/pages/display/149-senior-citizens> visited on 12.12.2018 at 4:10 pm.

¹³ <https://uttarakhandpolice.uk.gov.in/pages/show/305-citizen-service> visited on 12.12.2018 at 4:12 pm.

¹⁴ <http://policecitizenportal.kp.gov.in/Citizen/login.aspx> visited on 12.12.2018 at 4:15 pm.

¹⁵ <http://policecitizenportal.mps.gov.in/Citizen/AboutEmployee.aspx> visited on 12.12.2018 at 4:18 pm.

¹⁶ Curry, John Court (1979) *The Police in India* with a Preface by Lord Lyod of Dolburn Manu Publications: Allahabad p. 578.

¹⁷ https://en.wikipedia.org/wiki/Crime_and_Criminal_Tracking_Network_and_Systems visited on 12.12.2018 at 5:00 pm.

tracking criminals. This may be due to the improper use by the police force as very senior police officials are not technology friendly or savvy. The police are vigilant enough to pay homage to martyrs. Such instances are very common and the police force of Indian has never failed to acknowledge the contribution of the martyrs.¹⁸

It is viewed that 60% of the police force have encountered fake cyber-crime complaints and misuse of cyber-crime portal and 40% says that they have not witnessed any such incidents. The variation in the experience is due to the location of the police stations as well as some police stations are remotely located and some in the areas close to education centres where instances like the hacking and unauthorized access is pretty common which adds on to the dilemma of the police. However, the trend is slowly dying away these days.

It is important to take into account the fact that witness protection has been the bone of contention of both the police and the public, along with the legislature and the judiciary, but till today there is no uniform law on the subject which caters to the protection of the witnesses. Use of technology to combat cyber pornography and majority of the officers believe that using Mobile Applications to educate about the menace and punishments for abusing the technology would ensure that the youth do not get involved in such activities. Since the major population is youth Mobile Applications are more desirable than any other technology. It was revealed by them that most of the officers that around 80% officers believe that this Section 65B is very elaborate in nature and doesn't require much procedural discussion.

Conclusion

60% of the police officers are of the view that social media is not a hindrance but a boon for the police department. 40% of the officers believe that using social media platforms will not serve as a benefit but be disastrous in the future as it may hamper the privacy of the department. The data¹⁹ available on the website of the Uttarakhand Police, Mumbai Police, Kolkata Police and Delhi Police depicts the fact of the efficient traffic management which resulted in the gradual decline in the rates of accidents, death and injury within the Indian cities and it is indeed a result of sheer dedication and service of the police force of India to have achieved such low crime rate with the effective implementation of ICTs. Well managed work of the Indian Police can only be attributed to efficient usage of the available technology. However, the fact remains that technology can be both a boon and bane. In order to ensure smooth and proper functioning of the entire police department as a whole, it is predominantly necessary that there be certain changes in the mode of operation with the advancement in technology. India has come a long way, but still more needs to be achieved in order to ensure better facilitation.

¹⁸ Deb, R. (1997) *Police Investigation: A Review* 39 J.I.L.I. p. 456.

¹⁹ Source: <https://uttarakhandpolice.uk.gov.in/files/data1.pdf> (2018) and <https://uttarakhandpolice.uk.gov.in/files/data.pdf> (2019) visited on 25.07.2019.