



ROLES, DUTIES AND RESPONSIBILITIES OF POLICE IN INDIAN CRIMINAL JUSTICE SYSTEM

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Abstract: *The police are said to be the protectors of the people. Although the word police has not been defined in a meaningful way but it has been included in the Police Act, 1861. The word Police comes with various types of roles, duties and functions under many enactments. Police are said to be the most helpful organization in the society. In this article, we present a detailed description of how police perform their roles and duties. One of the main purpose of police is prevention and detection of crime and conducting investigation to find the true criminal. How it is necessary for the police to take the help of intelligence for the investigation process to find out the real criminal. Therefore police are the most approachable unit in the difficult time and have endless roles and duties to fulfill and protect the rights of human beings.*

Keywords- *Police roles, duties & functions*

I. INTRODUCTION

When we are in trouble or any difficulty of criminal nature the first thing which comes to our mind is to take the help of police. Although the word police is not defined in a significant way but the literal meaning of “**Police**” is that body responsible for the prevention and detection of crime and maintaining public order in the society.

According to Black Laws Dictionary the meaning of Police is-

Police is the function of that branch of the administrative machinery of government which is charged with the preservation of public order and tranquility, the promotion of the public health, safety and morals, and the prevention, detection and punishment of crimes.

According to the Police Act, 1861, the definition of police is inclusive in nature which says the officers who will enroll under the Act they only will be called as Police.

Police are the subjects of State List of the Indian Constitution coming under the Seventh schedule, hence the police are the law enforcing agencies of the state. They are responsible for protection of human rights, implementing the laws and regulations and ensure public safety.

II. ROLES, RESPONSIBILITIES AND FUNCTIONS OF POLICE UNDER DIFFERENT LEGISLATIONS IN INDIA

a) Duties of Police According to Section 23 of the Police Act, 1861:

- The police are duty bound to obey and execute all orders and warrants lawfully issued to him by any competent authority.
- To collect and communicate intelligence affecting the public peace.
- To prevent the commission of offences and public nuisances.
- To detect and bring the offences to justice and to apprehend all persons whom he is legally authorized to apprehend and for whose apprehension sufficient grounds exists.
- The Police can enter and inspect without warrant any drinking shop, gaming house or other place consisting of disorderly characters.

b) Duties of Police According to Code of Criminal procedure, 1973:

- According to Section 41, 41 A, 41 B, 41 C, 41 D the procedure for arrest has been provided.
- In the case of **D.K Basu v State of West Bengal**, the SC provided guidelines for the police about arrest procedure, custodial deaths, torture etc.
- After that the Criminal Law Amendment Act, 2008 came and the above sections were inserted.
- The Police are bound to file **F.I.R under sec 154**.
- There are many duties of police but the important one is conducting crime investigation which is provided from sec 154-176.

c) Duties of Police According to Sec 57 of Model Police Act, 2006: Some of the important roles, functions and duties of police are-

- To uphold and enforce the law impartially, to protect life, liberty, dignity, human rights of the people.
- To promote and preserve public order.
- To prevent and control terrorists activities.
- Taking preventive action and ensuring non commission of crime.
- To file F.I.R.
- To aid people, who are in danger of physical harm etc.

III. ROLES, DUTIES AND FUNCTIONS OF POLICE IN GENERAL

1.Prevention and Detection of crime:

- To conduct patrolling and detecting individuals affecting public peace.
- Under Sec 151 of CRPC, 1973, the police can arrest persons to prevent the commission of cognizable crimes.
- When Sec 144 of CRPC is implemented the duty of police is to maintain public peace in the particular area.
- To check CC TVs and detect criminals.
- For detection of crime investigation is carried on by police.

2.Collection of Intelligence: To ensure the crime and criminal are both identified by ways collection of intelligence.

- The intelligence is collected for various purposes like intel on terrorist attack, intel on VIPs and VVIPs programs to ensure smooth functioning of the high level meetings or functions. There are close protection teams consisting of personal security officers not less than rank of sub inspector to protect VVIPS.
- Collect intel on any disorderly activities or terrorist attack during festivals of India like Rath Yatra, Dussehera Puja etc.
- There are different intelligence departments in India which collect intelligence and prevent crimes such as-

- District intelligence Bureau which collects intelligence on possibility of terrorist attacks during any event in India.
- Central govt. Intelligence Bureau ensures collection of intelligence within India and planning how they can be prevented.
- The special Branch under director intelligence collects data secretly to complete their operation successfully without any interruption.
- Collection of intelligence is also done to prevent any activities which are affecting the public peace.

3. Investigation of Crime: To find the prima facie evidence against the accused, so that the accused can stand trial and to give justice to the accused and victim with a fair trial. The help of intelligence is also taken for the investigation process to find the true criminal. While doing investigation the police follows Section 154-176 of CRPC.

4. Maintenance of public order:

- The main responsibility of police is to ensure the law and order are implemented fairly and see to it that people do not break the laws.
- Sometimes the police itself break the laws by taking bribes (For e.g. taking money from people to not write a ticket for traffic violation, not registering the F.I.R of victims because they will get money from the accused side, etc), then the maintenance of public order itself gets corrupted from this. Therefore to make sure that the police conduct is not bias and should be impartial.

5. Assistance in Criminal Trial:

- Proper investigation should take place like taking into account all the parameters of the accused.
- Victim's name shouldn't be disclosed, etc.

6. Providing Security to Vital Installations and coverage to important persons:

- The police should give security to vital installations like manufacturing plants, nuclear reactors, thermal plants, etc. The Hirakud Dam is protected & controlled by OASAF.
- The police gives extra coverage to VIPs and VVIPs (ex: President, Vice President, Other heads of different nations, Chief minister, governor)
- According to the yellow book Y+ and Z+ security are provided to the chief minister and the governor.
- According to the SPG category security is given to Prime Minister and Ex-Prime minister and their family members.

7. Service Oriented Functions: It means police giving protection to state's treasury.

8. Action of Police in disaster management:

- To save lives & property in conjunction with other emergency services (ex: NDRF).
- The collection and dissemination of casualties information.
- Identification of victims and handing them over to their families.
- Restoration of normalcy at the earliest opportunity.
- Providing relief materials such as food and water to the victims.

9. Assisting in conducting elections:

- The Ballot Box is kept in the police custody for smooth functioning of elections.
- To prohibit political parties members or other people to enter the voting premises on the voting day and forcing people to vote for their party and they will provide some money to them.

10. Traffic Control:

- The traffic police ensures all the vehicles on the road are following traffic rules.
- They monitor all the vehicles from the cctv's installed at every check point and if any vehicle have violated the traffic rules they are awarded with prescribed fines.
- To control traffic while VIP and VVIP's visit.

11. Providing assistance to other agencies:

- Providing assistance in examination centers.
- Providing assistance to the revenue department for collection of taxes.
- Providing assistance in emergency duties, etc.

12. Handling Unlawful assemblies: In protest people sometimes agitate and behave in a disorderly manner then police control them by lathi charge, spraying water on them and also applies other methods.

13. Verification of Criminal antecedents: To prevent crime and criminals their backgrounds are checked by police such as their passport, previous job, document verification etc for future reference.

