

# PUSH FOR MORE WOMEN, THIS TIME IN THE POLICE

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At the Kerala Police Academy | Photo Credit: NAJEEB K.K.

In a few years from now, women lawmakers will form at least 33% of all lawmakers in India. The Constitution (One Hundred and Twenty-Eighth Amendment) Bill, 2023 has been passed by both Houses of Parliament. This Bill provides for one-third of total seats in the House of the People, the Legislative Assembly of every State and the Legislative Assembly of the National Capital Territory of Delhi to be reserved for women for 15 years. Additionally, this reservation will also extend to seats reserved for Scheduled Castes (SC) and Scheduled Tribes (ST) in the Lok Sabha and State Legislative Assemblies. The representation of women Members of Parliament in the current Lok Sabha is about 14.4%, compared to 4.9% in the first Lok Sabha in 1952.

The purpose of this amendment is to increase women's participation in policymaking. However, as the amendment has caveats, experts are of the view that the earliest this amendment can be implemented is the general election of 2029, provided Census 2021, which is pending, is taken up soon and the process of delimitation is carried out without delay. Otherwise, implementation will be delayed till the general election of 2034. While there is no direct link between the number of legislators and the strength of law enforcement agencies, the number of women in these gives a fair idea about how representative these institutions are of the society they represent.

Most States have a policy to fill up 30% or 33% of the vacant posts (of direct recruitment) with women in their police forces through horizontal reservation — i.e., if the minimum reserved vacant posts are not filled up in each category of the SC, ST, Other Backward Classes and unreserved with women on merit, women candidates are pushed up in the list to make up for the gap. The reservation for women in the State armed police forces is restricted to 10% in some States. Women are generally recruited against notified vacancies after permission is granted by the government to fill up vacancies.

The 'Data on Police Organizations', a publication by the Bureau of Police Research & Development (BPR&D) shows that while the total available strength of the State police forces increased by about 7.48% in the last five years, i.e., from about 19.26 lakh as on January 1, 2017, to about 20.70 lakh as on January 1, 2021 (against a sanctioned strength of 24.64 lakh and 26.31 lakh, respectively), the representation of women in the State police force increased from 1,40,184 to 2,17,026 in the same period, which is about 7.28% and 10.47% of the total available force, respectively. Though the data for the year 2021 (as on January 1, 2022) has not been published, the Minister of State of the Ministry of Home Affairs (MHA) informed the Rajya Sabha in February 2023 that the representation of women in the police force (as of January 1,

2022) remained at 11.7% of the total State police force.

According to the details published by the BPR&D (as on January 1, 2021), a few States such as Kerala, Mizoram and Goa do not have a policy of reservation for women in the police force, but women's representation in these States varies between 6% and 11%. Bihar provides for 35% reservation for women and 3% for backward caste women, but the actual number of women in the force is about 17.4%. Chandigarh has a maximum percentage of women (about 22%) in the police force, while Jammu and Kashmir has the minimum (about 3.3%). Himachal Pradesh has not notified reservation for women, but 20% vacancies of constables are filled up by women. Though the MHA has repeatedly asked States to increase the representation of women in the police force to 33%, the actual availability remains low. Many States do not have a permanent police recruitment board and do not have a free hand to undertake recruitment at regular intervals.

Assuming that the attrition rate in the police forces is about 2.5% to 3% and the annual sanction of new posts to be about 1.5% to 2%, recruitment is done only against about 4% to 5% of the total posts. Thus, going by the past, it would take not less than 20 years to increase women's representation from 10% to 30% in the entire police force.

With 'criminal law' and 'criminal procedure' on the Concurrent List, the central government has made various amendments in these laws; certain reports and statements are to be mandatorily recorded by a woman police officer. Arrest and search of a woman accused must be done by a woman police officer.

According to National Crime Records Bureau data, about 10% of the total crime defined under the Indian Penal Code was committed against women and about 5.3% of total arrested persons in 2021 were women. Therefore, the available women force is insufficient even in dealing with cases that are related to women. Women are also needed for law-and-order and day-to-day duties. The Protection of Children from Sexual Offences Act has further enlarged the scope of women recruitment in the police force.

It is undisputed that women can handle any assignment in a police institution. They have already proved their mettle in most police duties. In a democratic country, every institution needs to be truly representative of its populace to win their trust.

'Police' being a 'State' subject in the Seventh Schedule to the Constitution, the implementation of 'police reforms' remains primarily a concern of the States. The MHA began providing financial incentives from 2018-19 (by reserving 10% in the first year and 20% of total modernisation funds thereafter) to States that implement police reforms to a satisfactory level. Merging women police with the regular police was one such reform. Similarly, though the establishment of the Police Recruitment Board was another such reform, many States were not enthusiastic about implementing this, and, consequently, did not get this benefit. The 'satisfaction level' with family quarters (as on January 1, 2021) was only about 30%. The MHA also provided a special grant to encourage States to establish a 'women desk' in every police station. But there are not enough women personnel to handle them in the districts. The MHA also has a special provision in the modernisation plan to build separate toilets for women staff, and ensure crèche facilities for children in every police station which is sanctioned thus.

Efforts should be made to encourage more women to join the police force — for this, a conducive environment and basic infrastructure are a minimum necessity. A uniform Police Act for the entire country may help the Centre frame uniform standards for women police also. Every State should have a recruitment board to ensure recruitment on a regular basis. Taking a step forward, a special drive should be launched by all States and Union Territories to recruit more

women and increase their representation in the police force, just as the Constitutional 128th amendment for women in legislatures would do in the near future.

***R.K. Vij is a retired Indian Police Service Officer. The views expressed are personal***

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