



RESPONSIBILITIES OF THE POLICE TOWARDS THE VULNERABLE SECTIONS OF SOCIETY



**National Human Rights Commission
India**

RESPONSIBILITIES OF THE POLICE TOWARDS THE VULNERABLE SECTIONS OF SOCIETY



**NATIONAL HUMAN RIGHTS COMMISSION
INDIA**

Responsibilities of the Police Towards the Vulnerable Sections of Society

© 2021, National Human Rights Commission, India

Published by



National Human Rights Commission

Manav Adhikar Bhawan, C-Block

GPO Complex, INA, New Delhi - 110 023

Email : covdnhrc@nic.in

Website : www.nhrc.nic.in

Publication & Technical Assistance :

Publication Unit, NHRC

Designed & Printed by

Indu Cards & Graphics

2393/221 Vidya Market, Chhatta Shahji

Chawri Bazar, Delhi-110006

Phone : 011-23278811, 011-42281190 Mob : 9811419531

E-mail : inducards@gmail.com, inducards@hotmail.com

Website : www.inducards.co.in

RESPONSIBILITIES OF POLICE

The Police, as a custodian of law, have a special role to protect the vulnerable sections of the population, including the women, the children, the different ethnicities and minorities and the LGBTQ community. It is indeed a travesty that it has been more than seven decades since India gained independence and yet there is so much ignorance regarding human rights. There seem to be dark skies without a silver lining. Our Constitution does have certain provisions that make sure these marginalised groups do not suffer atrocities at the hands of the more privileged sections of the society.

What are vulnerable sections?

Vulnerable sections connotes those members of the society who are at the greatest risk of being exploited, victimised or discriminated against (e.g. children in households where the adults are unable to provide an adequate livelihood for the household for reasons of disability, illness, age etc.)

In India there are multiple socio-economic disadvantages that members of a particular group experience. The task of identifying the vulnerable groups is not an easy one. This is because there are multiple complex factors that need to be analysed in order to assign the status of 'vulnerable sections'. This document highlights some prominent factors on the basis of which individuals or members of groups are discriminated against in India like age, disability, caste and social standing, among others. Some socially vulnerable groups are- *Women, Scheduled Castes (SC), Scheduled Tribes (ST), Children, Old aged individuals, Disabled individuals, Poor migrants, People suffering from HIV/AIDS and Sexual Minorities*. The problem becomes more compounded for certain groups that maybe considered more vulnerable than most for example, in a patriarchal society, disabled women face two-fold discrimination, for being a woman and for being disabled.

The Model Police Act, 2006

The Model Act emphasizes the need to have a professional police 'service' in a democratic society, which is efficient, effective, responsive to the needs of the people and accountable to the Rule of Law. The Act provides for social responsibilities of the police and emphasizes that the police should be impartial and should uphold human rights, giving special attention to protection of weaker sections including minorities.

Section 58 of the Model Police Act describes the social responsibilities of the Police. It assigns special duties to the Police with regards to the vulnerable sections of the society.

- ❖ Behave with the members of the public with due courtesy and decorum, particularly in dealing with senior citizens, women, and children;
- ❖ Guide and assist members of the public, particularly senior citizen, women, children, the poor, the physically or mentally challenged, who are found in a helpless condition on the streets or other public places or otherwise need help and protection;
- ❖ Provide all possible and necessary assistance to victims of crime and road accidents, and in particular ensure that they are given prompt medical aid, irrespective of medico-legal formalities, and facilitate their compensation and other legal claims;
- ❖ Ensure that in all situations, especially during conflict between communities, classes, castes and political groups, the conduct of the police is always governed by the principles of impartiality & human rights norms, with special attention to protection of weaker section including minorities;
- ❖ Give proper assistance to the members of the public, particularly women, children, poor and indigent persons, against criminal exploitation by any person or organized group;
- ❖ Prevent harassment of women and children in public

- places and public transport, including stalking, making objectionable gestures, signs, remarks or harassment caused in anyway;
- ❖ Arrange for legally permissible sustenance and shelter to every person in custody and make known to all such persons the provisions of legal aid schemes available from the Government and also inform the authorities concerned in this regard;
 - ❖ Preserve, promote and protect human rights and interests of weaker sections, backward classes, poor, weak and the downtrodden.

Responsibilities of the Police towards ethnicities and Minorities

*Under the **Advisory on Implementation of the Protection of Civil Rights Act, 1955 and Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, the Government of India set out some guidelines to be followed by all State Governments and Union Territory Administrations for improving the criminal justice system, especially to check atrocities against vulnerable sections. The guidelines concerning the police are as following.***

These guidelines include the sensitization of police personnel in implementation of the Protection of Civil Rights Act and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. These guidelines instruct the Police to have a more empathetic approach while dealing with cases of atrocities against SCs/STs. It emphasises setting up of special cells to deal with such offences, programmes for creating awareness among the vulnerable sections of society and legal recourse open to them, identification of atrocity prone areas for prevention of crime and measures to be taken for economic and social rehabilitation of victims of atrocities. Some specific provisions are:

- ❖ Ensuring that First Information Report (FIR) is always registered by the Police Station wherever and whenever a complaint of atrocity is received by it.

- ❖ Deploying female police personnel in each police station, especially in atrocity prone areas, to record complaints of women victims of offences of atrocities.
- ❖ Reviewing police protection arrangements for the atrocities faced by the victims and their family/ families and prompt payment of relief to the victims of offences of atrocities.
- ❖ Imparting regular and effective training to the Police Officers, Special Public Prosecutors and the concerned District Administration officers in regard to the implementation of these Acts.
- ❖ Displaying the salient features of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act, 1989) on the billboards/hoardings in all the police stations, especially in the rural areas and at other selected places frequently visited by the public.

Meaning of discrimination:

Discrimination refers to the treatment or consideration of, or making a distinction in favour of or against, a person or thing based on the group, class, or category to which that person or thing belongs rather than on individual merit. Discrimination can be the effect of some law or established practice that confers privileges on a certain class or denies privileges to a certain class **because of race, age, sex, religion, nationality etc.**

Shyam, who is a dweller of village Mirapur near Lucknow, has been facing discrimination because he belongs to a Scheduled Caste. The discrimination has grown to the point where he is even refused water from the public wells and hand-pumps. He can approach his nearest Police station and register a complaint under the SC/ST Atrocities Act. The Police will launch an investigation and if found guilty, the perpetrators will be prosecuted as per the law. Right to living free from discrimination is one of the fundamental human rights and our Constitution protects said right under Articles 14, 15, 16 and 17.

Article 14: The State shall not deny to any person equality before the law or the equal protection of the laws.

Article 15: State shall not discriminate against citizens on grounds of religion, race, caste, sex or place of birth.

Article 16: There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. And no citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.

Article 17: Abolishes the practice of untouchability and enforcement of any disability arising out of untouchability shall be an offence.



A man standing and staring at the hand pump while others are using it



Afraid girl being followed by boys trying to escape

SEXUAL ASSAULT

Sexual assault involves non-consensual touching or a perpetrator coercing or physically forcing a victim to engage in a sexual act, without the explicit consent of the victim. **Rape** falls under sexual assault (Section 375, IPC) and includes acts like the penetration of a penis, any object or any part of the body to any extent, into the vagina, mouth, urethra or anus of another person; or making another person do so.

Sushma, who is 16 years old, was being stalked by Rajesh for a couple of months. One day Rajesh stopped her on her way to school and told her he loved her and wanted to marry her. When Sushma denied his proposal, Rajesh forced himself upon her and tried to rape her. Luckily, she was able to escape but Rajesh told her that he would not let this pass and she will face consequences for rejecting him. Sushma is scared for her life but belonging to a humble background, she finds it extremely difficult to explain the sexual assault to a male Police officer. She describes the ordeal to her friend Isha, who takes her to the Police station and asks for a female officer as is the requirement under both the Criminal Procedure Code and the POCSO Act. She describes the crime to the Police officer and Rajesh is arrested on charges of sexual assault against a minor.

Responsibility of the Police towards Children

As per the ***Juvenile Justice (Care and Protection of Children) Act, 2015*** or the JJ Act in short, a Special Juvenile Police Unit (SJPU) to be set up in each state for protection of rights of children in need of care and protection or children in conflict with the law. Hence Child Friendly Procedures in police stations will play an important role in better delivery of services as it will ensure a child friendly environment in a police station where a child can communicate without any fear and will also receive proper care and protection. Guidelines for establishment of Child Friendly Police Stations have been developed to guarantee ***Children's rights to Survival, Development, Protection and Participation***, especially protection in situations of crisis and difficulty. A safe environment will be made available for children, with **basic facilities like adequate drinking water and sanitation, food, clothes, recreational facilities** etc. Such police stations will not only help children file their complaints in a friendlier atmosphere, but also encourage more children to come forward to report any crimes committed against them. In addition, children who have allegedly committed offences will also be dealt with as per their age.



Some relevant legal provisions for the protection of children under the India law have been discussed hereunder:

- ❖ **Section 107 (1)** of the JJ Act mandates that “In every police station, at least one officer, not below the rank of assistant sub-inspector, with aptitude, appropriate training and orientation may be designated as the child welfare police officer to exclusively deal with children either as victims or perpetrators, in co-ordination with the police, voluntary and non-governmental organisations.”
- ❖ **Section 107 (2)** of the JJ Act provides for the creation of a Special Juvenile Police Unit in every district, to coordinate all functions of police related to children.
- ❖ **Rule 8 (3) (v)** of Juvenile Justice Model Rules 2016 provides that the police officer apprehending a child alleged to be in conflict with the law shall not compel the child to confess his guilt and he shall be interviewed only at the Special Juvenile Police Unit or at a child friendly premises or at a child friendly corner in the police station, which does not give the feel of a police station or of being under custodial interrogation. The parent or guardian may be present during the interview of the child by the police.
- ❖ **Section 19 and 24** of the ***Protection of Children from Sexual Offences (POCSO) Act, 2012***, provides that while reporting the offence and recording the statement of a child, the police officer shall follow the specific procedure mentioned therein.
- ❖ **Section 21** of the POCSO Act envisages mandatory reporting of commission of offences. Section 32 of the Juvenile Justice Act, 2015 provides mandatory reporting of a child found separated from family or guardian.
- ❖ **Section 33** of the POCSO Act provides that the Special Court shall create a child-friendly

atmosphere by allowing a family member, a guardian, a friend or relative, in whom the child has trust or confidence, to be present in the court.

- ❖ Keeping in view the provisions under *Section 19, 24 and 33 of the POCSO Act, 2012*, the *provisions of the JJ Act, 2015 and Juvenile Justice Model Rules, 2016*, every Police Station should have either a child friendly room or corner where children who are victims under the POCSO Act, 2012 can be interacted with in a sympathetic manner. States like Uttar Pradesh, Jharkhand, West Bengal, Maharashtra, Kerala, Tamil Nadu, Telangana and Chhattisgarh have already taken the initiative to create a child friendly atmosphere in Police Stations keeping in mind the local culture and ethos.
- ❖ The NCPDR developed guidelines for establishment of child friendly police stations along with other stakeholders. The 2017 guidelines will help in creating the child friendly spaces where children will feel more at ease to express their problems openly to the concerned officers.

Child Friendly Police Station is an initiative to make police and policing system sensitive to needs of young citizens. This helps in the following ways:

- ❖ To guide the police officials in addressing issue of child protection.
- ❖ Develop the knowledge, understanding, attitudes and skills of police officers so that every child who comes into contact with them is treated as they would treat their own child.
- ❖ Give police a better understanding of laws that relate to children and their practical application.
- ❖ Enable police to distinguish between a child in need of care and protection, a child who is in conflict with the law and an adult criminal.

- ❖ To help children file their complaints in a friendly atmosphere.
- ❖ To protect minor girls, ensure that only women CWPO speaks to the child victims subjected to sexual assaults and audio-visual recordings of the complainant's verbatim accounts to be preserved.
- ❖ To ensure that in case of child victims and children in conflict with the law, the identity of the children should be kept confidential and Child Welfare Committee and Juvenile Justice Board will be the authorities to be approached first in these cases.
- ❖ Create a safe environment for the children with basic facilities like adequate drinking water and sanitation facility, food, clothing, recreational facilities etc.
- ❖ Fixing accountability of Child Friendly Police Station to organise community programmes to create awareness about child abuse.

Procedures for Recording Statement of the Child under Protection of Children from Sexual Offences Act, 2012

1. The statement of the child shall be recorded **at the residence of the child** or at a place where he usually resides or at the place of his choice and as far as practicable by a woman police officer not below the rank of sub-inspector.
2. The police officer while recording the statement of the child **shall not be in uniform**.
3. The police officer making the investigation, shall, while examining the child, ensure that at no point of time the child come in the contact in any way with the accused.
4. **No child shall be detained in the police station during the night** for any reason.

The police officer shall ensure that the **identity of the child is protected** from the public media, unless otherwise directed by the Special Court in the interest of the child.



Police helping a lost boy

The Following bodies have all been created to ensure a safe environment for children. Some of their roles have been listed below-

Special Juvenile Police Unit

- The State Government shall constitute a Special Juvenile Police Unit (SJPU) in each district and city to co-ordinate all functions of police related to children
- The Child Welfare Police Officers (CWPOs) and other police officers of the SJPU shall be given appropriate training and orientation to deal with matters concerning children.
- The police officer interacting with children shall not be in uniform during such interaction and try to be

in plain clothes as far as possible. It is important that when the case involves a girl child, female police personnel be the one to interact with her.

- The CWPO or any other police officer shall speak in polite and soft tones and shall maintain the dignity and self-esteem of the child.
- Where questions that may lead to discomfort of the child are to be asked, such questions may be approached in a tactful manner.
- When an FIR is registered for an offence against a child, a copy of the FIR shall be handed over to the child victim and when the investigation is completed, a copy of report of investigation and other relevant documents shall be handed over to the complainant or any person authorized to act on his behalf.
- No accused or suspected accused shall be brought in contact with the child and where the victim and the person in conflict with law are both children, they shall not be brought in contact with each other.
- The Special Juvenile Police Unit shall have a list of:
 - (i) **the Juvenile Justice Board and the Child Welfare Committee** in its due jurisdiction, their place of sitting, hours of sitting, names and contact details of Principal Magistrate and members of the Board, names and contact details of the Chairperson and members of the Committee and the procedures to be followed before the Board and the Committee; and
 - (ii) (ii) contact details of the Child Care Institutions and fit facilities in its due jurisdiction.
- The names and contact details of the Special

Juvenile Police Unit or Child Welfare Police Officer shall be placed at a conspicuous part at the police stations, Child Care Institutions, Committees, Boards and the Children's Courts.

- The Special Juvenile Police Unit may coordinate with the District Legal Services Authority to provide legal aid to children.

The Child Welfare Police Officer:

- ❖ Is a Police Officer who is well trained in dealing with crimes committed by or against children. As per the JJ Act, every thana has a CWPO who can be approached. The CWPO reports back to the SJPU and functions as a watch-dog for providing legal protection against all kinds of abuse and exploitation of children.

Child Welfare Committee:

As per the **Juvenile Justice (Care & Protection of Children) Act**, the committee is constituted to address all cases of children in need of care and protection and performs the following functions-

- ❖ Take cognizance of and receive the children produced before it.
- ❖ Conduct inquiry on all issues relating to and affecting the safety and wellbeing of the children under this Act.
- ❖ Direct the Child Welfare Officers or probation officers or District Child Protection Unit or non-governmental organisations to conduct social investigation and submit a report before the Committee.
- ❖ Conduct inquiry for declaring fit persons for care of children in need of care and protection.
- ❖ Directs placement of a child in foster care.

- ❖ Ensure care, protection, appropriate rehabilitation or restoration of children in need of care and protection, based on the child's individual care plan and pass necessary directions to parents or guardians or fit persons or children's homes or fit facility in this regard.
- ❖ Select registered institution for placement of each child requiring institutional support, based on the child's age, gender, disability and needs and keeping in mind the available capacity of the institution.
- ❖ Take "suo motu" cognizance of cases and reach out to children in need of care and protection, who are not produced before the Committee, provided that such decision is taken by at least three members.
- ❖ Take action for rehabilitation of sexually abused children who are reported as children in need of care and protection to the Committee by Special Juvenile Police Unit or local police, as the case may be, under the Protection of Children from Sexual Offences Act, 2012.

Juvenile Justice Board

As per the Juvenile Justice (Care & Protection of Children) Act, the Board is constituted to address all cases of children in conflict with the law and performs the following functions-

- ❖ Ensure the informed participation of the child and the parent or guardian, in every step of the process.
- ❖ Ensure that the child's rights are protected throughout the process of apprehending the child, inquiry, aftercare and rehabilitation.
- ❖ Ensure availability of legal aid for the child through the legal services institutions.
- ❖ Wherever necessary the Board shall provide a qualified interpreter or translator, to the child if he

fails to understand the language used in the proceedings.

- ❖ Transfer those matters to the Committee, where the child alleged to be in conflict with law, is in need of care and protection at any stage, thereby recognising that a child in conflict with law can also be a child in need of care simultaneously and there is a need for the Committee and the Board to both be involved.
- ❖ Dispose of the matter and pass a final order that includes an individual care plan for the child's rehabilitation, including follow up by the Probation Officer or the District Child Protection Unit or a member of a non-governmental organisation, as may be required.
- ❖ Order the police for registration of first information report for offences committed against any child in conflict with law, under this Act or any other law for the time being in force, on a complaint made in this regard.
- ❖ Order the police to register first information report for offences committed against any child in need of care and protection, under this Act or any other law for the time being in force, on a written complaint by a Committee in this regard.
- ❖ Conduct regular inspection of jails meant for adults to check if any child is lodged in such jails and take immediate measures for transfer of such a child to the observation home.

District Child Protection Unit

- ❖ Maintains reports sent by Juvenile Justice Board and Child Welfare Committee.
- ❖ Arranges for individual or group counselling and community services for children.

- ❖ District Child Protection Unit maintains a list of translators, outreach officers and special educators which may be drawn upon by police officer and child welfare officers.
- ❖ Conduct follow up of individual care plan for 16-18 years of children found to be in conflict with law for committing heinous offence.

Probation Officers

The Probation Officer carries out the directions given by the Board and has the following duties, functions and responsibilities:

- ❖ To attend the proceedings of the Board and the Children's Court and to submit reports as and when required.
- ❖ To clarify the problems of the child and deal with their difficulties in institutional life.
- ❖ To participate in the orientation, monitoring, education, vocational and rehabilitation programmes.
- ❖ To establish co-operation and understanding between the child and the Person-in-charge.
- ❖ To assist the child to develop contacts with family and also provide assistance to family members.
- ❖ To participate in the pre-release programme and help the child to establish contacts which could provide emotional and social support to the child after release.
- ❖ To establish linkages with Probation Officers in other Districts and States for obtaining social investigation report, supervision and follow-up.
- ❖ To establish linkages with voluntary workers and organisations to facilitate rehabilitation and social

reintegration of children and to ensure the necessary follow-up.

- ❖ To prepare the individual care plan and post release plan for the child.
- ❖ To supervise children placed on probation as per the individual care plan.
- ❖ To make regular visits to the residence of the child under his supervision and places of employment or school attended by such child and submit periodic reports.
- ❖ To accompany children where ever possible, from the office of the Board to the observation home, special home, place of safety etc.
- ❖ To evaluate the progress of the children in place of safety periodically and prepare the report including psycho-social and forward the same to the Children's Court.
- ❖ To maintain a diary or register to record his day to day activities such as visits made by him, social investigation reports prepared by him, follow up done by him and supervision reports prepared by him.
- ❖ To identify alternatives of community services and to establish linkages with voluntary sector for facilitating rehabilitation and social reintegration of children.

District Legal Services Authority

- ❖ District Legal Services Authority to provide free legal services to the children in conflict with law and to safeguard the interest of children in need of care and protection.

Special Court

This is a special court set up for the speedy trial of offences registered under the POCSO Act. It is a sessions court notified by the State Government, in consultation with the Chief Justice of the High Court.



A crying boy surrounded by policemen

Sunny, a 7 year old who had been separated from his parents during a fete was brought in to the Police station. Already under trauma and being intimidated by the surroundings of the Police station, Sunny was unable to recall the details, such as his address or his parents' numbers. The officers then took him to the children wing of the station where Sunny spent some time playing with toys and familiarizing himself with the surroundings. Once he was calm, he was able to recall the necessary details which helped officers track his parents and unite them with Sunny.

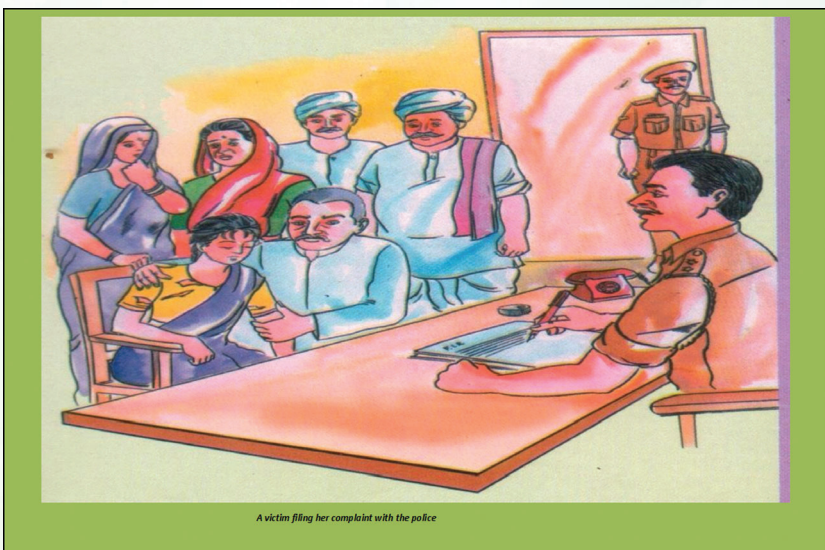
Responsibility of Police towards Women

- ❖ Code of Criminal Procedure (1973) has certain safeguards for women like obligation of a person to maintain his wife and arrest of woman by female police officer.
- ❖ To ensure that her privacy is protected, a woman who has been sexually assaulted may record her statement alone before the district magistrate when the case is under trial, or in the presence of a female police officer.
- ❖ The law gives women the provision for filing virtual complaints via e-mail, or writing her complaint and sending it to a police station from a registered postal address. Further, the SHO sends a police constable to her place to record her complaint. This is in case a woman is not in a position to physically go to a police station and file a complaint.
- ❖ An FIR that can be filed at any police station irrespective of the location where the incident occurred or a specific jurisdiction it comes under, the Zero FIR can later be moved to the Police Station under whose jurisdiction the case falls. This ruling was passed by the Supreme Court to save the victim's time and prevent an offender from getting away scot-free.
- ❖ In 2013, the Ministry of Home Affairs reiterated the target of 33% reservation for women in the police and recommended each police station to have at least three women sub-inspectors and ten women police constables to ensure women help-desks are staffed at all times.
- ❖ In 2016, the ministry proposed creating Investigative Units for Crimes against Women (IUCAW) at police stations in crime-prone districts across states. The planned 200 units comprising 15 personnel each

will be equipped with specialised investigators dealing primarily with crimes against women and at least five of them will be women.

- ❖ In 2018, Government of India launched a cyber portal for citizens to report obscene content. Cyber Crime Forensic Labs have been set up in several states to indentify, detect & resolve cyber crimes against women & children.
- ❖ In August 2020, the Ministry of Home Affairs approved a scheme to give assistance to states & UTs for setting up of women help desks in every police stations. Further, the guidelines for setting up strengthening of such help desk were also issued.

Trisha, who has been a victim of sexual assault, did not report the crime because she was scared of revealing her identity because of the social stigma attached to the sexual assault and victim blaming by the society. She talked to her aunt, who told her that she did not need to reveal her identity to register an FIR against her assaulter. Trisha's aunt then took her to the Police station and helped her file an FIR at the women's desk. The Police soon arrested the perpetrator who was found guilty on all charges and was sentenced to 12 years in jail.



A victim filing her complaint with the police

The following guidelines should be followed on Arrest of Women:

- ❖ According to **National Human Rights Commission** guidelines on arrest, **women police officers should be deployed** where women are to be arrested. That too, **arrest of women between sunset or sunrise should be avoided.**
- ❖ According to **Section 51(2)** of the Code of Criminal Procedure, 1973, when a female has to be searched, the search shall be by another female with strict regard to decency. Body searches of females should only be carried out by women and with strict regard to decency.
- ❖ The Hon'ble Supreme Court in **Sheela Barse vs. State of Maharashtra**, held that it is the duty of the police officer making arrest to see that **arrested females are segregated from men and kept in female lock-up in the police station.** In case there is no separate lock-up, women should be kept in a separate room.
- ❖ According to Provision, **Section 160(1) Code of Criminal Procedure, 1973**, Women should not be called to the police station or to any place other than their place of residence for questioning as it says that no male person under the age of fifteen or woman shall be required to attend at any place other than the place in which such male person or woman resides.

Responsibility of Police towards members of LGBTQ (LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER) Community

- ❖ **Article 15** of the Indian Constitution mentions that the State cannot discriminate against a citizen on the basis of religion, race, caste, sex or place of birth. This is necessary to bring about social equality. Every citizen of India has equal access to shops, restaurants, and places of public entertainment or in the use of wells, tanks or roads without any discrimination.
- ❖ The **LGBTQ** communities are also safeguarded by this law against discrimination on the basis of sex. The Supreme Court, in *Navtej Singh Johar v. Union of India* upheld the **right of an individual to determine his/her sexual identity and sexual preferences**, observing the same to be a fundamental right and declared Section 377 of the IPC to be unconstitutional, being in violation of this fundamental right. The Court, also directed the Government to take all measures to properly broadcast the fact that **homosexuality is not a criminal offence**, to create public awareness and eliminate the stigma members of the LGBT community face, and to give the police force periodic training to sensitize them about the issue.
- ❖ It is a travesty that it has taken us so long to remove the regressive **Section 377 from the IPC** which has caused pain to countless individuals. It is being said the future looks promising for the LGBTQ communities in India. While the judiciary still has not laid down any structural framework defining the rights of members of LGBTQ community specifically, efforts are being made to sketch out a comprehensive bill for them.



In 2011, a Haryana court granted legal recognition to a same-sex marriage, involving two women. After marrying, the couple began to receive threats from friends and relatives in their village. **The Police played a vital role in providing protection to the couple and upholding the Court's decision.** Their lawyer said the court had served notices to 14 of Veena's relatives and villagers who had threatened them with "dire consequences". Deputy Commissioner of Police Dr. Abhe Singh told *The Daily Telegraph*: "The couple has been shifted to a safe house and we have provided adequate security to them on the court orders. The security is provided on the basis of threat perception and in this case the couple feared that their families might be against the relationship."

On 5th November 2015, **K. Prithika Yashini** became the first transgender police officer in the state of Tamil Nadu. At the time, the Tamil Nadu police had three transgender constables, but **Yashini** became the first transgender person to hold the rank of officer in the state.

In 2018, the NHRC constituted its first Core Advisory Group on (LGBTQ) issues. Since its constitution, representations from these communities has helped the commission in issuing advisories guidelines to protect the rights.

On 17 January 2021, Bihar Police has given nod to appoint members of transgender community through recruitment

Community Policing

A **community** refers to a social unit in a geographical area which shares common values, cultures and concerns with community participation or engagement.

John Angell (1971) coined the term “**democratic policing**” to describe community policing. Community policing, simply put, is a new philosophy of policing. Community partnerships, Problem solving and Organizational transformation are the basic elements of community policing.

Concept of community policing is based on the notion that community interaction and support can help in controlling crime. Community policing requires partnering of police with citizens. Belief behind this concept is that the law-abiding members of the community deserve participation in policing processes. Strategies like foot patrol and problem solving at the neighbourhood level are adopted.

Rajiv is a trader but that won't be the first thing you learn about him when you visit him at his office in North Delhi. A nameplate outside his office instead identifies him as a 'police mitra'. A photograph on his desk shows him wearing khaki, and can lead one to believe that he is an actual policeman. Technically he is not a policeman. He hasn't been trained in rules, laws, and procedures like police personnel have and doesn't draw any salary like police officials. But he has an arm-band and an ID-card that lets him act like the police. He manages crowds during Muharram or Kanwar processions, pacifies mobs, and, unlike common civilians, is also occasionally part of police-patrolling.

This is not a new concept. It has been practiced in India for long time, especially on festivals and mass events. States like Delhi, Karnataka, Kerala and Tamil Nadu have made remarkable efforts in this direction. In Uttar Pradesh too, the concept of *MITRA POLICE* is becoming quite popular.

As this concept focuses on building ties and working closely with members of the communities, interactions with local

agencies and members of the public, it has been helpful in reducing crime. It is also important because such efforts not only develop a sense of social bonding among policemen but also improved their image among the people. The overall assessment of community-oriented policing is positive, as both officers and community members attest to its effectiveness in reducing crime and raising the sense of security in a community.



RESPONSIBILITIES OF THE POLICE TOWARDS THE VULNERABLE SECTIONS OF SOCIETY



NATIONAL HUMAN RIGHTS COMMISSION, INDIA
Manav Adhikar Bhawan, C-Block, GPO Complex
INA, New Delhi - 110 023
Email : covdnhrc@nic.in Website : www.nhrc.nic.in

**National Human Rights Commission
India**



RESPONSIBILITIES OF THE POLICE TOWARDS THE VULNERABLE SECTIONS OF SOCIETY



**National Human Rights Commission
India**

WALDEN IS BEHIND SOCIAL MANAGEMENT
A WISDOMY ACT AND FORM OF REVOLUTION

National Human Rights Commission
India

RIGHT TO FOOD
AND
RIGHT TO SHELTER

National Human Rights Commission
India

RIGHT TO SANITATION

National Human Rights Commission
India

KIDNAPPING/ABDUCTION,
TRAFFICKING (ITPA AND IPC);
WRONGFUL CONFINEMENT

National Human Rights Commission
India

RESPONSIBILITIES OF THE POLICE
TOWARDS
THE VULNERABLE SECTIONS OF SOCIETY

National Human Rights Commission
India

THE EMPLOYER'S RESPONSIBILITY AS PER
THE MINIMUM WAGES ACT,
THE PAYMENT OF GRATUITY ACT,
THE PENSION ACT

National Human Rights Commission
India

RESPONSIBILITIES OF THE POLICE
(MCDLRA ACT, 1976)
AND
THE RIGHTS OF THE VULNERABLE
AND MARGINALISED GROUPS AND
THEIR SEXUAL RIGHTS

National Human Rights Commission
India

Constitutional and Civil Rights
to Persons Scheduled Caste And
Scheduled Tribes. The role of
the Law against Untouchability

National Human Rights Commission
India

RIGHTS OF SENIOR CITIZENS

National Human Rights Commission
India

RIGHT TO WATER

National Human Rights Commission
India



NATIONAL HUMAN RIGHTS COMMISSION, INDIA

Manav Adhikar Bhawan, C-Block, GPO Complex
INA, New Delhi - 110 023

Email : covdnhrc@nic.in Website : www.nhrc.nic.in