

Plainclothes Policing: Legal Position and Accountability Concerns in India

July 23, 2026 • vajiramandravi.com



Plainclothes Policing

Plainclothes Policing Latest News

- Videos from the July 20 “Sansad Chalo” protest in Delhi showed police and Rapid Action Force (RAF) personnel in civilian clothes, or in uniform without visible nameplates.
- This has triggered a debate on the legality of unidentified policing during crowd control situations.

What Triggered the Controversy

- Protesters organised by the Cockroach Janata Party (CJP), demanding action over the NEET paper leak and the resignation of the Education Minister, marched towards Parliament.
- Police lathi-charged the swelling crowd, leading to violent clashes and injuries on both sides.
- Social media videos allegedly showed **unidentified men in civilian clothes** using police-style lathis against protesters, while **uniformed personnel without nameplates** ignored questions about their identity.

- Delhi Police has not officially responded, but has reportedly directed personnel at the protest site to report in uniform going forward.

Is Hiding Identity Legal?

- Certain operations — particularly intelligence gathering — genuinely require concealment of identity or even impersonation.
- However, **routine policing** is bound by statutory procedure and judicial guidelines, which generally **require identifiability**.

Statutory basis

- Maintenance of public order is governed by Chapter XI of the **Bharatiya Nagarik Suraksha Sanhita (BNSS)**, **Sections 148-160** (earlier Chapter X of the CrPC, formerly Chapter IX).
- While the law does not explicitly mandate identification, **only a magistrate or a “police officer”** is empowered to order a crowd to disperse — implying that the officer issuing such a command must be identifiable.
- Legal experts argue that an unidentifiable person cannot lawfully exercise this statutory power.

Judicial precedent

- In *DK Basu vs State of West Bengal* (1997), the Supreme Court mandated that arresting officers must carry clear, visible identification.
- Though this ruling concerned arrests rather than crowd control, it reflects the judiciary’s broader expectation that police be identifiable while exercising coercive authority.
- In August 2025, the Andhra Pradesh High Court questioned how citizens could recognise plainclothes personnel as police while they discharged official duties, in a case involving a YSRCP MLA accused of obstructing police work.

Why Police Avoid Identification

- **Security concerns:** The practice reportedly originated in conflict zones like Jammu and Kashmir, Punjab, and Chhattisgarh, where personnel avoided nameplates and rank insignia to reduce the risk of being targeted by militants.
- **Personal safety in routine duty:** Officers argue visible identification can expose them to prolonged litigation, online harassment, and threats to their families.
- **Practice has spread:** What began as a conflict-zone safeguard has gradually extended into routine law-and-order policing, a trend experts describe as contentious when applied outside genuine security threats.
- **Logistical compulsion:** When additional personnel are urgently summoned to a protest site, all available officers from a unit — including those in plain clothes — are required to report, often due to overwhelming crowd size rather than deliberate strategy.

Acknowledged Ambiguity

- While the law does not strictly bar deploying plainclothes personnel, senior officers concede the practice introduces ambiguity into already volatile protest situations.
- However, they argue such deployment remains important because anti-social elements can infiltrate protests and trigger violence or arson — special branch personnel are specifically tasked with blending into crowds to gather intelligence and monitor troublemakers.

Conclusion

- The plainclothes policing debate captures a real tension between operational security concerns and democratic accountability.
- While Indian law does not explicitly bar unidentified policing, statutory logic and judicial precedent point toward identifiability as essential to the legitimate exercise of police power — making transparency, not anonymity, the constitutional default for routine law enforcement.

Source: IE | Tol

Source: <https://vajiramandravi.com/current-affairs/plainclothes-policing/>

© Vajiram & Ravi. For personal use only.