

**RESPONSE OF THE POLICE FORCE TO SOCIAL CHANGE
IN INDIA : AN ASSESSMENT AND EVALUATION OF
EXISTING LITERATURE**

by

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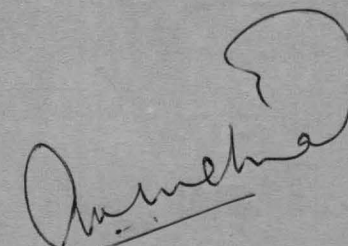
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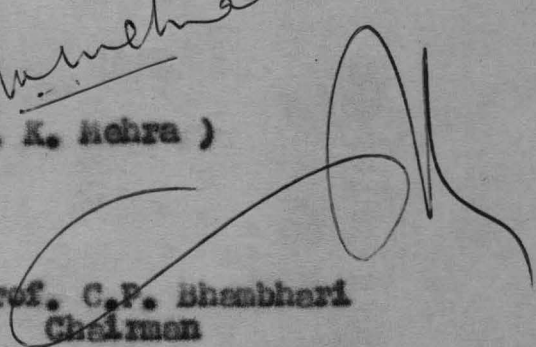
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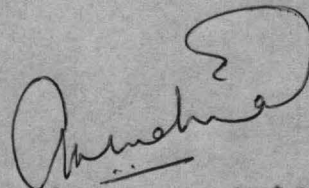
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New Delhi,
Dated, December 27, 1976.


Ajay Kumar Mehra

"That it is the first thing to remember that in a democratic state the police are different, in a sense, from the police in a state that is not democratic."

Jawaharlal Nehru

(Speech to IFS Probationers at Mount Abu
on 18th October, 1953)

I Introduction

I. Introduction

Every society needs some sort of law enforcing agency to see that the laws made by the sovereign are properly enforced and there is no breach of law. A law enforcing agency is also needed to keep constant vigilance on, and control over, criminal activities. Though the present Indian police draws its legacy from the Police Act of 1861, this does not mean that pre-British India did not have a policing agency of any kind. Some kind of police administration system existed in India even in the early days of Indian civilisation. We find references of the establishment of magnificent and vast cities like Ayodhya, Mithila, Hastinapur, Vaishali, Pataliputra, etc., in the different periods of Indian history. The rulers must have faced the problems of maintaining law and order in those cities, as we face now (Aiyangar, 1972:21), and this would have necessitated creation of some kind of governmental agency.

There is no particular documented evidence of the existence of a separate agency for maintaining law and order during the pre-British period, but scraps of information here and there in different classics of the country point to the existence of police. There are, for example, references in Mahabharata and Ramayana to the existence of police administration

in those periods. Manu, the great law giver, also prescribes such an organisation for the society. A careful study of old classics will give vivid but interesting picture of police administration in ancient period. Krichchhakatika ("The Little Clay Cart") of Sudraka and Abhivanshakuntala (Shakuntala) of Kalidas give some picture of police force at work.

Krichchhakatika also gives an account of court proceedings at that time. We also find an account of the Intelligence or Detective department in old classics (spy Prasanna in Hamayana). Some ancient names for police personnel still continue - Chaukidar, Katta-Pai, later became Kotwal and now is known as Kotwal (Chatterjee, 1961, 12-5).

(Early Aryans had a well-organised administrative system. Excavations of Mohenjo-Daro and Harappa (2400-2100 B.C.) reveal this fact (Cramer, 1970:5). Excavations at Mohenjo-Daro and Harappa reveal that life in those cities was very systematic and regulated. The cities were well planned and their administration was well-organised. These two cultures had trade links with various other civilizations. Though, definitely, the administration was not as differentiated as it is today. The system of defence was well-organized and towards the end of the Harappa culture it was further strengthened (Banham, 1967:10-15).

One can also find references to police administration system during the Gupta and Chola periods. The Guptas adopted the Mauryan system with slight improvement. The police system

under Guptas was efficient enough to preserve complete peace and tranquility (Misra, 1970:7), though the system, in those days was not as highly differentiated as it is today (Report of the Bihar Police Commission, 1961:156). During the Chola period, for example, the administration of criminal justice was entrusted to village communities, which were assisted by paid officials in the detection of crime, while the judgement was pronounced by "Nayansaffers" (Judicial Committees). However, the final authority of inflicting punishment was vested in the king (Aiyangar, 1972:21). The reports of Megasthenes and Kautilya's Arthashastra are the two authentic sources which give details of administration in Mauryan period (towards the end of the fourth century B.C.). In Mauryan times every aspect of the life of the individual was watched over and, as far as possible, controlled by the government. The government regulated even economic life of the subjects (Basham, 1967:102). Kautilya's Arthashastra reveals that the general administrative system was built around the collection of revenue. The Collector General used to be the Chief Executive Officer of the State, responsible for nearly all departments of administration, with three Commissioners under him. Under the Commissioners were the Nagarikas or Eurnalas (later known as Kotwals) in larger cities. There were a few other officials responsible for what could be regarded as police duties. The village organisation was less elaborate and a good deal of responsibility was thrown on the village community. Nevertheless,

there was a small administrative organization, with Sthanikas (somewhat similar to our Commissioners of Divisions or Dy. Commissioners of Districts) at the head, while a Qona was in charge of each group of villages (Griffiths, 1971:8-10; Report of the Bihar Police Commission, 1971:8-10, and Basham, 1967:104-5). This system continued, without much change, until the advent of Muslim rule.¹

There is not much available evidence about police administration during the Muslim period. The first piece of information appears in the fourteenth century when the Delhi Sultans ruled parts of South India. There the official at the apex was the Amir-Uda or Viceroy. But the person entrusted with the responsibilities of police administration was the Kutabshah. He was an Inspector General of Police, a Chief Engineer of Public Works, as well as an Inspector of Morals. He used to delegate police duties in the cities to the Kotwals. During the Mughal period, the first account of administrative system is found in Akbarname (Ain-i-Akbari). Policing then was linked, on the one hand, with the army and, with the department of justice on the other hand. There were territorial divisions, each ruled by a Kuzdar, who was equally responsible for external defence and action against rebels. In criminal cases, justice was the joint responsibility of the Sar, who was responsible for investi-

1 For a detailed study of administration under the Mauryas, see Basham (1967:96-108).

getion, and the Mir Adil, who carried out the findings. In the towns the responsibility for police functions lay on the Kotwal. Rural policing was in the hands of Chaukidars under the overall supervision of the Patwardar (See Griffiths, 1971: 13-17 and Misra, 1970:10). After the death of Akbar in 1605 the authority gradually passed on to the local jagirdars.

(The British came to India in 1609 with commercial interests and their commercial interest involved them in local politics which, finally, resulted in the colonisation of India by Great Britain. The consolidation of British position in India laid the foundation of the present day Indian police force. The need for a policing agency was felt first in 1792. By that time the East India Company had established itself fully in the three presidency provinces of Bengal, Bombay and Madras. Lord Cornwallis, Governor General of India, took police administration from the hands of the large Zamindars in the three presidency provinces in the same year. He divided districts into parts and a 'darecha' was placed in charge of each of the parts. The 'darecha' was made responsible to the district judge. In towns the responsibility of police administration was left with the Kotwal. This arrangement did not make a major departure from the system already existing in many parts of India. But the system did not succeed and was abolished in 1814. The Company retained the traditional village policing system (see Garkar, 1961:19-28 and Misra, 1970:11-5).

Sir Charles Napier conquered the territory of Sind for the Company in 1843. Since there was no police system in Sind, Napier had to create a new machinery and used Royal Irish Constabulary as a model. There was an Inspector General of police for the entire territory, with Superintendents in each district. The Superintendent was responsible to the Inspector General as well as Collector.² This experiment was successful and 'bits and pieces' of this experiment were adopted in other parts of India. Some experiments were attempted in the cities of Calcutta, Madras and Bombay too (see Misra, 1970:16 and Bayley, 1969:43-4).

The Mutiny broke out in 1857. It for the first time forced an awareness upon the British of imperial domination in such a vast territory. The British felt the necessity to create a strong civil constabulary to meet internal disturbances and to protect the British people and their property from violent sections of the 'native population'. Thus, on the basis of the report of the police commission (1860) a police administration was designed for British India.³ The Police Act of 1861, passed by the British Parliament, created the present police system in India (Bayley, 1969:36-50; Griffiths, 1971:Ch.7; K. V. Narayana Rao 1972:42-3).

The Police Act of 1861 was the first attempt to introduce a law enforcing agency with uniform structure in

2 The District Superintendent is responsible to the District Collector even in the present system. Except for day to day affairs of the department, he is under overall surveillance and control of the District Collector.

the greater part of India; i.e. British India. As we know, even then, and more so before that, India was fragmented into several big and small independent kingdoms. For the first time after the passage of the Act, large parts of India came under one rule. The Act was, therefore, a major departure from the old system. The Act too retained some of the features of the old policing system. The 'darogha', for example, was retained but with a new name, the Sub-Inspector of police. Even today a Sub-Inspector of police in the village is popularly known and addressed as darogha. Kotwal was retained in some of the cities, usually belonging to the rank of the Dy. S.P. No significant change in the structure of the police in India has taken place. The police structure established by the Act of 1861 has been retained in independent India (Hooja, 1961: 63-76; Misra, 1970: 21-8).

(The Constitution of India makes police a state subject (The Constitution of India, Seventh Schedule, List - II). The states have exclusive power over their control and regulation. The Central Government may, however, enter the police field only in connection with establishing and maintaining a Central Bureau of Intelligence and Investigation (The Constitution of India, Seventh Schedule, List I).) The broad structural framework of police administration in most of the states is the same with slight local variations. (There are two types of police cadre. One is the state-cadre on which the respective states have full control. They recruit

persons, fix the necessary qualification and decide their service conditions. The other is the Indian Police Service, a superior officer cadre (an elite cadre in the police department). It is an all-India cadre. The Central Government fixes the qualification, mode of recruitment and recruits personnel with the help of the Union Public Service Commission. They are trained by the Centre and allotted to various States. Their service-conditions are also decided by the Central Government.

Personnel coming from the State-cadre are on different ranks, the highest being the Deputy Superintendent of Police, followed by the Circle Inspectors, Sub-Inspectors, Assistant Sub-Inspectors and Constables. A fixed percentage of Dy SPs are promoted to the rank of District Superintendant of Police and absorbed in the IPS cadre. At the head of the police department is Inspector General of Police, a senior IPS officer, assisted by Dy. Inspector General in ranges and Superintendents in the districts.

The British rule in India designed the police to serve their own colonial interests. The police, thus, came to be recognised as a repressive force and a gulf was created between them and the society at large. This gulf widened as the national movement gained momentum, as the police consisting largely of Indians, were used against their own people.) The police were equally repressive even in earlier periods because none of the governments were responsible or accountable to the

people. As we know, Indian history has been a history of conquests, of consolidation and liquidation of empires and none of the empires were much concerned about the welfare of the people at large. All of them were primarily concerned with exploitation of men and material. Besides, before the Police Act of 1861, police in all the periods were not separate from the army. The Act of 1861 for the first time entrusted the policing functions to a civil constabulary, thus, eliminating military police.

The fact that the need for a separate policing agency was felt after the mutiny of 1857 speaks of the nature of the police in British India. The Government of India Act (1858) closed an old chapter which started in 1757 with the end of the battle of Buxar and the emergence of the British as a dominant force in India. The fall of Sirajuddaula after the battle of Plassey had, for the first time since coming of the British in India in 1600, helped the East India Company to acquire a share in the governance as they were entrusted with the rights of Diwani in Bengal. After the mutiny of 1857, the governance of British India was taken over by the Queen in Parliament. Now, they needed a strong force, separate from the military, to meet the internal disturbance and safeguard the interests of the British in India. Thus, the foundation was laid for a strong, repressive police force in India.

(The Police Commission set up in 1902 by Lord Curzon,

Viceroy of India, opined:

The police is far from efficient; it is defective in training and organisation; it is inadequately supervised; it is generally regarded as corrupt and oppressive; and it has utterly failed to secure the confidence and cordial co-operation of the people. (Quoted in Bayley, 1969:47)

The word "oppressive" used by the Commission is noteworthy. It shows that the British realized the fact, as also the implications of, having such a police. Still they did not (or one could say 'could not') try to change the nature and image of the police force in British India. They could continue with it because they had no responsibility and accountability towards the people of India, their sole purpose was extraction of raw materials and to maintain a market for growing British industry. This is one of the reasons behind still continuing hostile public attitude towards the police. The other public grievances against the police during the British period, as expressed by the Commission, are also still continuing grievances. This explains that the police in India have not been able to shun the image acquired during the colonial regime.³

The police department has various branches and sections. There is a general branch to deal with crime and other

3 The police were feared even in ancient India. It was probably due to this fear that their entry was banned to any village granted to scholars (Chata-Bhata-Pravasa) (Chatterjee, 1961:17).

day to day law and order problems. The policemen we come across in police stations usually belong to this branch and they are generally unarmed. Then there is the District Armed Police to help them on difficult and grave occasions (in case there are chances of riot or other disturbances).⁴ The department also has a Criminal Investigation Branch to investigate cases which cannot be solved easily. Nowadays, with the people becoming increasingly conscious of their independent political rights, cases of political agitations organised by opposition parties are also encountered. Some of them turn into violent riots. Some States have, therefore, created a riot control wing to tackle such situations. Thus, some states also have an armed constabulary on the lines of the army (a sort of para-military force) such as the Bihar Military Police in Bihar, the Provincial Armed Constabulary in Uttar Pradesh, and the Special Reserve Police in Karnataka, etc. Furthermore, the states can create special wings to deal with particular kinds of situations. The states also have a police research wing. This is the broad structural framework of the police departments in the various states.

The Union Government also possesses police forces of its own. One is the Central Reserve Police, created in 1949. The Central Reserve Police is directed by a Director General in the Home Ministry, New Delhi. The second police

⁴ In Bihar, unlike in other States, a constable has to serve in District Armed Police for five years before being posted to a police station as unarmed policeman (Report of the Bihar Police Commission, 1961:34).

of the Central Government is the Central Bureau of Investigation, established in 1963.⁵

India attained freedom in 1947. The Government of free India retained the administrative machinery of British India. No significant change was made either at the initial stages or later. Whatever changes were brought about later were effected within the broad structural framework established under the British.

The evolutionary changes in India, set in motion after independence, and their broad patterns generate new demands and expectations from the government. Because the government functions through its different agencies, the governmental agencies have a radically different role to play in society. During the British regime these agencies were mainly expected to enforce the rules and pursue the policies to benefit the colonial objectives of maximal and effective exploitation of country's resources. The change in the socio-political situation with India's freedom from centuries-old colonial rule and her passage from a traditional, authoritarian form of governance to a democratic set up requires a change in the structure and functioning of the administrative machinery and the attitudes of the officers who run these

5 The Centre also has some armed police forces under its control. The armed forces under central control are: Central Reserve Police Force, Border Security Force, Industrial Security Force, Assam Rifles, Indo-Tibetan Border Police, and Railway Protection Force. Of these forces, the Central Reserve Police Force and the Railway Protection Force have been most controversial. The CRPF aroused controversy because of its deployment in the states. The states considered it an infringement on their autonomy. The issue has

machineries. Thus, in the changed situation all the administrative organs of the government require adaptive changes in greater measure to reorient themselves to the new social, political and economic realities that are emerging in contemporary India. The police being one of the important administrative organs of the government require these changes and reorientation in more than any other governmental organ (Singhvi, 1971, 495).

The spread of democratic ideas throughout the world has changed the role of the state. The state in democratic countries today has to seek social consensus for 'legitimate use of sovereign authority'. The state exercises authority with the help of institutionalised agencies. The police, one of such institutionalised agencies, are entrusted with the task of maintaining 'the legitimacy of the state authority'. Hence, there is an organic link between the state, the police and society. Thus, being organically interlinked with both the state and society, the police are in a crucial position. The changes in the governmental structure create demands for the police to reorient their functions and organization. A consensual government cannot be autocratic and, therefore, a police under such a government cannot be oppressive and exploitative.

been a controversial one in the sphere of Centre-State relations. On the other hand, the controversy relating to NPF is with regard to the jurisdiction of the GIP and the NPF.

Change in the ideology of the government is another source of change in the police system. In a democratic polity there is always a possibility of change in the ideology of the party forming the government. This change can emanate from two different sources. A change in governmental ideology can occur if the government of the day (which, in a democratic polity, is led by some political party), with the shifts in the demands of the people, brings changes in its ideology. Secondly, a change takes place if the party in power fails to get popular mandate, which legitimizes its claim to continue in power and govern the people, and some other party with a different ideology comes to power. The police, as well as other organs of the government, then have to work under this changed situation and have to pursue the changed policy even if on principle (i.e., personally) they are opposed to such an ideology and policies based on it or to the political party itself for that matter.

In Asian and African countries the change in the sources of state's legitimate authority came much later than in the West because of their political subjugation. This also delayed the changes in social and economic spheres. Political subjugation also crippled these nations economically, creating problems for their later economic development. Socio-political development lagged far behind. Achievement of new nationhood and a new independent national identity brought desire for social and economic modernization. The resources, social, economic and human, lag far behind the extent of rise in

aspirations (Kothari, 1970:4; Sharma, 1971:754; Bowman and Anderson, 1963:278-9). This puts an extra responsibility on the states to meet the demands and aspirations of the people by introducing radical and relevant changes in social, political and economic spheres and by gearing up the forces of development. The role which was performed in most of the western nations (which did not face any kind of political subjugation) by social movements has to be performed in the under-developed world of Asia and Africa by the Government itself. This creates a new area of responsibility for governments; i.e., to take care of social evils through legislation. The police, as a law enforcement agency of the government, has to play a significant role amidst state's changing mode of authority.

India also faces the situations and challenges mentioned above, and so do Indian police. The functions and responsibilities of the state are constantly on the increase because of fresh demands cropping up in all spheres of human life. The government has to keep pace with industrialization and economic development of other nations, specially developed and industrialized nations; it has to look into social problems and respond to political demands generated through social grievances. Development in all fields create new problems for the police and requires them to respond to them in a new fashion. Economic development and industrialization, for example, lead to rapid urbanization and put greater

pressure on already crowded urban industrial centres. Increase in urban population leads to several complications. Rapid urbanization is accompanied by growth of slums, slums generate new crime-areas, and this is accompanied by violence processes. Better transport and communication facilities help criminals. Social problems arising from a new social and political consciousness create new tension areas. Enforcement of social legislation also needs careful handling. The police has to deal with these new problems and their old attitude and value-structure are not helpful.

The question, therefore, arises: what should the police in this changing society be like? It is very difficult to give a definite answer to this question, but it is clear that there is a constant increase in the duties and responsibilities of, and expectations from, the police.⁶ But one can easily say that the police should not be like. As pointed out earlier, an oppressive and passive role for the police cannot be tolerated by the people in a democratic society. They are no more masters of the people. They are now public servants. Thus, they must show an attitude of 'service to the people' instead of exhibiting rude behaviour

6 Henry Feraud, writes about the expectations people have from the police in following words, "he should have a little of the missionary in him, and something of Solomon; he will have to be, by turns, diplomat, confessor, super-man; he will need the Machiavellian touch and the good samaritans; he must share the powers both of an extraordinary clairvoyant and of Sherlock Holmes. And this monster must have a memory as efficient as computer." (Cited by S.K. Ghosh, 1972:6).

while dealing with the public. There is, thus, a need for a complete reorientation of police duties, role and behaviour. ,5

Has any attempt been made to reorient the police?

This will be the succeeding question; once we decided what is the nature of the police in a changed society. The answer is in affirmative. The government has made attempts to train and equip police to meet the new demands and responsibilities. The law and order, under the Constitution of India is a state subject, hence various state governments have set up commissions from time to time in order to find out what changes are required in the structure and training of the police. , Still, looking at the steps taken by the state governments and the union government and the change that has taken place in the police, one can say that it leaves much to be desired. What, then, are the deficiencies in the steps taken so far? What are the hinderances that have restricted complete reorientation of the police?

No single factor can be said to have put hurdles in the way, the factors are many. The first and main factor which has hindered the desired change is the attitude and pre-dispositions which both the policeman and the people have carried over from the pre-independence days to the present day. It is difficult to indicate whether the public hostility towards the police is the cause of hostile police attitude towards the public or vice-versa. Some studies confirm the first hypothesis (see Westley, 1970: xv; G. Chinnappa Reddy,

1972:2). They indicate that a large number of the people who were critical of the police have never had an opportunity to come in contact with them (Bhambhari and Mathur, 1972:13; Bayley, 1969:Ch.4)⁷ and that those who have come into contact with the police have better image of them than those who have not (Grivastava, 1972:243-63). Still one can say that this image of the police can be changed by the police through better behaviour. A hostile response to hostility can only help in confirming the prejudices people have about the police, though there is no denying the fact that police-public cooperation is a two way traffic. It is for the government to ensure that the policeman becomes more courteous while discharging his duties by giving him better training. This also requires raising the standard of recruits and narrowing the difference in the training given to the officers, the junior level officials and the constables. Some studies recommend that less emphasis should be put on physical training and police should be made acquainted with human psychology (B. Sreekanth Reddy, 1972:147; and O. Chinnappa Reddy, 1972:11). People who get a harsh and discourteous treatment from a policeman do not take into consideration his rank and analyse factors behind

7 G. Venngopal Rao supports the other hypothesis. To quote him "Perhaps the fault lies on the police themselves who have preferred to keep their administrative problems to themselves and even cloak them in a shroud of secrecy, due to certain traditional factors which can be traced to the historical development of the police in our country". (Venngopal Rao, 1972:27).

such a treatment. A rude behaviour, whether of a constable or of the Inspector-General of Police will bring criticism and even bad name for the entire department (Saraswati Srivastava, 1972:242-63). Thus, there is an immediate need to improve the staff which is taken into the police department, specially in the constabulary.

There are some external factors which also influence the working of the police and create a bad image of the force. A policeman is at times forced to oblige the politicians who can create troubles for him and harm his career if he refuses to go with them (Chohri, 1972:106; Venkaterangaiya, 1972:16; Report of the Bihar Police Commission, 1961:81). As a result, the policeman loses the sense of duty gradually. Finding that others are getting benefited by the powers he possesses, he tends to misuse them for his own benefit. It is human psychology and such a situation is not peculiar to a policeman. Besides, the police are under a political executive and as such they are not responsible for what purposes they are used. If the police are asked to control a group of political demonstrators in a particular manner, there is no way out for them but to obey the orders. Similarly, if the police are asked to make arrests of members of a particular political party, it is their duty to carry out the orders, however innocent the persons may be. But when a controversy arises about unlawful arrests, it is police who come under attack first.

If the police refuse to make such arrests they will be inviting trouble for themselves. Thus, it becomes necessary to make people aware of the role, functions and position of the police as an organ of the government. It is for the government to see that the police are used for positive and creative purposes.

It is, thus, clear that in a developing society the police have a positive and constructive role to play. The task becomes difficult when the police have been acclimatized to a different environment and have been playing a different role altogether since their inception. They are human beings. Therefore, they face the problem of adjusting to a changed situation like others and one cannot expect them to shun the values and attitudes they have acquired overnight. Particularly in a society like India, having contradictory pulls and pressures, a policeman may face emotional ambivalence in the choice of alternatives in decision making and role performance. The remedy can only be a carefully planned attempt to understand the changes and their implications for police role and reorient the police accordingly.

The aim of this brief study is to attempt an appraisal of the changes which the police are required to undergo in the context of the emerging social scene in India and to assess the difficulties that have stood in the way of their reorientation. In order to provide a background to the understanding of the changes the police are required to undergo

in the face of the new social situation, the study focuses first upon those socio-economic changes which have a bearing upon the police role in contemporary India. Subsequently, it discusses the way police look at those changes and the extent to which they have been able to respond to those changes. The discussion is based on a survey of available literature on the structure and functioning of the police force in India.

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"Things changed in many ways when Independence came to India. That change was not apparent, because there was continuity, because many things appeared to go on as they had been going on previously."

Jawaharlal Nehru

(Speech to IPS Probationers at Mount
Abu on 18th October, 1958)

II. Social Changes

II Social Changes

Society is not a static phenomena. It develops, changes and grows, and this is made possible by the dynamics of social change. It is the process of change which has enabled mankind to travel its way from stone age to space age. The process has no end. Thirst for newer and newer innovations is not yet quenched. One achievement encourages mankind for and leads to another, and thus, this unending process, which has kept the society going, continues.

Change is not limited to one area of human life or to any particular society; it embraces the entire world. No state, no society today is in a state of absolute stagnation. The degree of change, however, varies. Some societies have had the unfortunate experience of being subjugated by others, which has slowed down their growth and development. As the era of colonialism came to an end, the old, under-developed societies emerged as new nations and in all such societies forces of development were unleashed. These underdeveloped, new, developing societies are engaged in the crucial and important task of nation-building (Weiner, 1963:1-2). The task has been made increasingly difficult by their centuries old colonial experience. Economic exploitation has, on the

one hand, created some degree of political instability and, on the other hand, retarded their development (Sharma, 1971: 754). The introduction of democratic processes has further complicated the matter by enhancing aspirations of the under-privileged sections of society. The inability of the government to fulfill the mounting expectations has endangered the very survival of the democratic system itself. As Bowman and Anderson point out, transformation in society 'entails conflict and requires major adaptations and adjustments by the individuals and groups who make up a society' (Bowman and Anderson, 1963: 278-9). And failure to adapt or to adjust results in conflict and tension in society.

India attained independence from two hundred years of colonial rule on 15th August 1947. India faces all the problems faced by a developing nation and many more, which are characteristically a product of the Indian social environment. Indian society is pluralistic in nature. Before the British rule was firmly anchored, India had never in its history been a political unity. Nor did it have social unity. The Indian scene had been characterised by many languages, many religions and many life-styles. This is the reason why many sociologists today refuse to accept the existence of an Indian culture in the true sense of the term. Customs, life-style and language vary from one part of the country to the other. And these social groups do not always live in harmony. Besides, there is a social cleavage in existence in

the form of the caste-system. The traditional and primordial sentiments of the people have not died down with the process of change.⁸ They are still deep rooted in the society, though their transformation has no doubt taken place. Tradition and modernity exist side by side in India. The introduction of mass suffrage and modern political processes, for example, have not eliminated caste-consciousness, but politicised the castes (Kothari, 1970: 1-19). India, thus, presents a unique example of its own.

Indian society has experienced continual changes in history. Indian history has been a history of conquests, of consolidation and liquidation of empires. Each stage has brought some amount of change in the structure of society. From the arrival of the Aryans to the British rule several rulers and dynasties ascended the throne and were thrown away by the tide of the time, leaving remnants of their rule and period behind. But the most outstanding of these changes has followed independence and as a consequence of the emergence of India as a democratic polity, as a single political union. This development has a direct impact on the role of the police in India. The police are now working in a different environment. With the British their role was to safeguard the

⁸ Geertz points out that the new states are abnormally susceptible to serious disaffection based on primordial attachments - kin, connections, religions, community, language and social practice (Geertz, 1963: 109).

colonial regime from internal uprisings. They were serving a government which was not accountable to the people of India, which was not concerned with the development and welfare of India and its people. Exploitation breeds rebellion and they were to crush any such movement which was a threat to the colonial rulers. The changed situation demands a responsible behaviour from the representative government and its agencies. Thus, a change in attitude and behaviour of policemen and other public servants is required.

A Constitution was framed for the Indian polity with the aim to secure to all Indians social, economic and political justice, liberty of thoughts and expression, equality of status and of opportunity. And in order to safeguard individual liberty from being tampered by the government a set of fundamental rights together with guarantees against their violation were provided by the framers of the Constitution. A possibility of the interests of the people being flouted by dominant sections of the society was also visualised and guarantees were provided against it. The police being the keepers of law and order have to see that constitutional norms are strictly adhered to.¹⁹

The Constitution also aims at a social and economic reconstruction of the country, and it clearly lays down the objective that are to be achieved. Since these are not in

¹⁹ The discussion relates to the period before 44th Amendment of the Constitution.

conformity with the existing socio-economic conditions, this creates new constraints and responsibilities for the police. They cannot remain passive onlookers to it. The constitutional declaration of social and economic goals and governmental efforts to achieve these goals affect the police in two ways. In the first place, they define the constraint within which the police force must operate in modern India. It requires the police to be more responsible to social grievances. They must operate within the framework of the Constitution and try not to be arbitrary and authoritarian. Secondly, the governmental efforts towards social reconstruction requires the police force to be more responsible to the needs of the people and to contribute their share to the tasks of nation-building and economic and social reconstruction.

The existence of more than one political parties is an essential prerequisite for the successful functioning of a democratic political system. Political parties perform the important function of interest articulation and political socialization. Moreover, more than one political party is also necessary to provide a national alternative to the ruling party. In case the ruling party fails to fulfil its promises and cannot run the government properly, the people should be able to choose an alternative from among other political parties operating in the system. A broad ideological and policy difference is also a necessity, so as to provide an alternative choice even in case of disagreements of the people on the ideology and policies of the ruling party.

The Indian political system presents a peculiar combination of a single dominant party and a multi-party type of political system. Though there are in India many political parties at national and regional levels, none of the parties is in a position to present an alternative to the ruling party, the Indian National Congress. The Congress is the single largest party and it alone has remained in power for the last twenty nine years. Though a coalition of opposition parties came to power in several states between 1967 and 1971, most of the political parties (except the Congress), enjoyed very little popular support. The Congress has the widest support base of all. Another significant feature of the Indian party system is that most of the political parties, except the leftist parties, were a part of the Congress and defected from it either due to ideological differences, or due to conflict between a factional leader and the main leadership. In many cases personal interests of the factional leader played an important part.

The multiplicity of political parties, the nature of these parties and the kind of political processes they have encouraged have serious implications for the role of the police in India (Venkatragaiya, 1972:13). Venkatragaiya feels that the rule of law has lost its meaning due to this. These political parties try to bring each governmental and administrative decision into the web of political debate and controversy, thereby affecting the efficiency of the public

servants. Since factional and sectional interests are involved in creating such a situation, it often leads to protests and demonstrations organized by political parties. Such demonstrations go violent most of the time and threaten public peace. At this juncture the police have to make an entry.

A political party follows a particular ideological stream. The multiplicity of political parties, therefore, will result in various shades of opinion and various ideological streams. Generally the broad (and ambiguous) classification of ideologies used for political parties is right, centre and left. In India all the three streams exist. It is very difficult to characterise the ideology of the rightist parties. They are, normally, associated with conservatism and revivalism. Such parties do not hesitate in using violent techniques for pressurizing the government. Their insistence upon tradition and old values and resistance to change brings them in conflict with the government. The centrist parties usually believe in a constitutional form of opposition (though not all the centrist parties can be said to have followed the constitutional form of opposition). Such parties believe in peaceful transformation and contesting elections for capturing power. At the other end, there are extremist left-wing parties which advocate a radical and violent form of politics. These parties do not accept the present political system and the constitution of India. They believe, that the present government (and system) is dominated by the bourgeoisie and serves the interests of the

capitalists, while the 'have nots' suffer due to exploitation, hence, they want to overthrow the present 'bourgeois regime' through armed insurrection. They are committed to the promotion of a socialist order and a careful and selective elimination of 'class enemies'.

Right wing parties, unlike their leftist counterparts, do not aim their struggle against the structure of the state and those dominating politico-economic power. The right wing violence is usually directed either towards erosion of old redundant values or towards specific ethnic and social groups. Their over-insistence on the preservation of old values and customs generates a resistance to change, and over-sensitiveness results in violence. The murder of Mahatma Gandhi was the result of such a sensitiveness. Protests against Hindu Code Bill and cow-slaughter are examples of attachment with old values. In pre-independence days the call of the Muslim League for direct action against Hindus and in post-independence India, Singh Sabha and Akali movements in the Punjab and the Dravidian movement in Tamil Nadu by Dravidan Munetra Kazham are examples of right wing movements. An example of the violence perpetrated by right-wing parties will be the activities of the numerous senas in different parts of Assam, Maharashtra, Mysore etc.

Violence from the left-wing parties has also not been uncommon in India. The Indian democracy, while still in its infancy, had to face a left-wing insurrection in Andhra Pradesh

and West Bengal. Later the Communist Party of India was deradicalized (to a degree), but a still radical section defected and the Communist Party of India (Marxist) came into existence. Later the most radical section formed a separate party, the Communist Party of India (Marxist-Leninist), popularly known as the Naxalites. Their attempt to overthrow the present regime created a problem for the government. Naxalite violence took a serious turn in the late 1960s and early 1970s in Bengal, Bihar and some parts of Andhra Pradesh. The Naxalites had been active in Bihar till recently. They regarded Indian independence a 'sham independence' and only 'a replacement of the colonial and semi-feudal set-up with a semi-colonial and semi-feudal set-up'. They rose against the Congress regime because it represents 'the interests of the Indian feudal princes, big landlords and bureaucratic-compradore capitalists' (Dasgupta, 1974:116-7).¹⁰ This has been a major law and order problem in recent years, but conflict and violence from the left has involved other groups as well. But left-wing violence did not always, and not necessarily, emanate entirely from ideological causes; other, more relevant supporting factors may often lie at the root even of ideologically inspired violence.

Though there has not been any danger of violence from centrist parties, still processions, demonstrations and

¹⁰ Biplob Dasgupta gives a comprehensive study of the Naxalite ideology, thinking and movement in his book "The Naxalite Movement".

public meetings arranged by such parties have turned violent and threatened public peace. Agitational politics and mass direct action are the two instruments for pressurizing the government that independent India has inherited from her national movement. The political leaders did not give up these tactics after independence. It has been an effective instrument in the hands of the opposition parties even after independence. The opposition resorts to agitational politics against governmental policies and legislation. Such political parties indulge in agitational politics not only with the help of their own party cadre, they do not hesitate to provoke other sections of the society too. They look for the opportunity when they can exploit dissatisfaction among a section of the society. This is done in order to win the support of the group for future elections. Since agitational politics - so says the experience of the independence movement - is more effective in getting one's demands fulfilled, political parties prefer it to constitutional forms of opposition within the legislature. This has also become a means to point out failures of the ruling party. If a demonstration is organised and it results in violence, the police will also have to resort to violence to control it. Arrests of the opposition leaders will follow. The opportunity will be used (or misused) to show, if strong action is taken, that the government is repressive in nature and if the

reaction is mild, to point out the inefficiency of the government to maintain public order. There are, therefore, two aspects of the opposition movements.

With such a feeling, the incidence of agitational politics resulting in violence has been rising steadily in recent years (Sharma, 1971:759), reaching its peak in the year 1975, resulting, ultimately in the proclamation of the emergency. Though there has been an increase in all types of political agitations, but the increase is remarkable in the case of violent agitations (see Table I).

TABLE I

Year	Incidents			Percentage		
	Total	Peaceful	Violent	Total	Peaceful	Violent
1963	468	444	24	100.0	94.9	5.1
1964	533	480	53	100.0	90.1	9.9
1965	369	344	25	100.0	93.2	6.8
1966	1,279	926	353	100.0	72.4	27.6
1967	1,888	534	654	100.0	44.9	55.1
1968	1,336	971	365	100.0	72.7	27.3

Source: Report of the Task Force, 1972:21.

Such a situation also arises because of a conflict between the modernization ideals and the traditional structure.

The traditionalists oppose the modernization ideals, fixed among the articulate elite, and expressed through the planning efforts of the said elite. Since they do not have an alternative plan¹⁴ they resort to rear-guard action by disrupting the law and order through their demonstrations and civil disobedience movements and by preventing the passage of the government legislation through violent agitational politics. (Myrdal, 1968:73; Weiner, 1963:5)

Not always and not all the political parties resort to agitational politics and mass direct action. Some political parties try to organise peaceful demonstrations too. But on many occasions peaceful demonstrations and meetings have been seen turning violent. This happens, firstly, because it is convenient to gather a crowd but management and control of such crowd is a difficult job (Sharma, 1971:762). Besides, when a crowd is gathered for such purposes, not all peaceful and law abiding citizens gather, nor is it possible to restrict a demonstration only to law-abiding citizens. It is difficult to judge who is a law-abiding citizen and who is not. Thus, undesirable elements also collect to take advantage of the situation. They are seen to be the most active when it comes to destructive activities. But they are clever enough to disappear when the administration

¹⁴ According to Myrdal, Gandhi's political philosophy is the only set of traditional valuations that have emerged as a set of alternative guidance to the direction of social change.

reacts and the law-abiding citizens suffer. Secondly, the violence process is also encouraged by the radicalization and politicization of the underprivileged section of the society. Previously, i.e. in pre-independence India, these people did not have access to political power and politics. Politics was restricted to a very small elite drawn from the privileged sections of the society. But independence followed by the adoption of a democratic polity and introduction of universal adult suffrage with the right of equality guaranteed to all the citizens has widened the participation base and has provided the underprivileged sections of society with an opportunity to assert their rights and get their demands fulfilled. Some groups have become very conscious about their exploitation earlier and therefore, they are very sensitive about their rights now. This creates a situation of conflict and agitation.

The situation becomes worse when the privileged and dominant sections cannot adjust to the changed environment and try to maintain their hold and dominance.¹² The landed aristocracy, for example, in rural parts of the country had enjoyed enormous power and hold over the people of their own area. Now they cannot tolerate people, who so far lived on their mercy, 'acting funny' and asserting their rights. On the other hand, the radical sections of the underprivileged groups, specially those who have had the ~~radical sections of the underprivileged groups, specially~~

¹² This is not to say that the privileged section is always at fault. Many times, the underprivileged section over-reacts to certain situation.

those who have had the opportunity of going to urban centres and getting educated, are not ready to recognize the hold of these people any more. Because of these reasons, incidence of conflict and violence is more during the elections, since the dominant people and sections, in order to maintain their hold, force the weaker sections to vote for their candidates. The weaker sections too, at times resort to unconstitutional and illegal means in dealing with the privileged class. But it does not happen unless the political parties get involved and provoke them in order to enmesh the situation. The land grab movement is a classical example of this.

The policemen are called to maintain peace and order in such eventualities and in dealing with riots, and usually crowds, they are generally criticized and damned (Singhvi, 1976;2). The police definitely have to play a crucial and positive role on such occasions. Increase in violence and such other incidents means increased responsibility for the police. During the independence movement, due to the use of non-violent techniques, the Indian police did not experience angry crowds. Violence, in most cases, was a one-way process. The crowd used to take a lot of rough behaviour from the police without retaliating. Things have changed now. People cannot tolerate their own police using violence on them. The two-dimensional nature of mass violence (i.e. brickbathing in response to lathi charge, etc) is a new phenomena for the police in India and they

find themselves baffled in such situations (Sharma, 1971:759).

The Constitution of India gave the people an important right - the right to participate in the democratic processes of the country. The inclusion in the Constitution of India of the principle of Universal Adult Suffrage guaranteed every citizen of India (who has reached 21 years of age) to vote in the elections and choose his representative. Elections are an important part of a democratic system, because they "open up channels between the polity and the society, between the elites and the masses, between the individual and his government" (Palmer, 1975:1). India, the largest democracy in the world, went to polls five times (if we do not include by-elections and mid term elections held for various State Assemblies) since the enactment of the present Constitution in 1950. The elections provide an occasion for the widest degree of popular participation. They also constitute the most important single arena for genuine competition between political groups (Palmer, 1975:21). The elections also require some degree of adjustment from the police. The police play an important role before elections, when large scale canvassing takes place, and during the elections, when people go for voting. The police must see to it that nobody is forced to vote for a particular political party or candidate. They must also see to it that rivalry between two groups does not result in violence. They must ensure that unfair means are not used in canvassing.

Convassing stops 48 hours before the election takes place. It is, again, the duty of the police to take cognizance of the fact that no party or candidate indulges in convassing after the specified period. During the polling too they have to maintain order and tranquility. The preponderance of primordial and parochial loyalties renders the working of the rule of law difficult during the elections or even otherwise (Shils, 1968:13).

As discussed earlier, Indian political system is characterized by a single dominant party and various other political parties. Until the 1967 General Election was held, the Congress continued to dominate the scene, both in the Centre and the States. This enabled the system to function in unity. The Congress had to face reverses in the 1967 General Election and could not command absolute majority in many of the States. As a result, coalitions of opposition parties came to power in all such States.¹³ Though the Congress still held majority of the seats and in most of the States functioned as single largest party,¹⁴

The Coalition could not provide stability to the States, since the parties did not unite on the basis of

13 The Congress herself was partner in Coalition governments. But since none of the coalition governments were stable, even a coalition led by the Congress had to go on many occasions.

14 Except in West Bengal where CPI(M) was the single largest party and Tamil Nadu where D.M.K. secured absolute majority and formed the government.

ideological similarity, or on the basis of some common policy issues or programme. Their main aim was to keep the Congress out of power. They had no programme in particular. They also kept on fighting among themselves since most of them had contested election on their own programmes, and when the coalition was formed it became increasingly difficult to evolve a common programme for the coalition government.¹⁵ For example, how could parties with entirely different ideologies like Jan Sangh and CPI join hands just to keep the Congress out of power? And even if they did, one could not expect this partnership to last long? Besides, most the parties which joined hands against the Congress had defected, defected, at some point of time or the other, from the Congress itself and mostly due to the interests of the disgruntled^e faction leaders. This could be one reason why there were several defections during this coalition-making

15 Iqbal Narain and Kishan Lal Sharma indicate three phases in coalition politics in India:

- (i) The first phase in coalition politics is of anti-Congress, non-ideological conditional politics (1967-69), when coalitions were formed under the circumstances without any common programme.
- (ii) The second is the phase of anti-Congress, programmatic conditional politics (1969; from mid-term poll to Congress split), when the opposition parties started evolving a common programme to rival the Congress.
- (iii) And finally, the phase of politico-programmatic conditional politics (1969; Congress Split and after) (Narain and Sharma, 1971:384).

But doubts can be cast on this classification, since no common programme could be evolved between the conditional partners during this period, otherwise the governments would not have fallen so often.

period, stretching from 1967 to 1971. Leaders defecting from one party to the other was a common feature. And in most of the cases sectional and factional interests played an important part. It was merely a situational constraint which brought them together.¹⁶

Thus, a coalition of dissimilar ideologies (if there was any) created an unstable situation in many States (see Table II). Developmental work remained almost stagnated, as the leaders spent a greater part of their time in factional fights. Political instability created law and order

16 Narain and Sharma write;

"Several patterns of coalitional politics can be seen in India. Barring our studies on different types of coalitions formed, we can draw the following categories:

(a) Electoral-alliance-turned-governmental coalition. This type of coalitions were formed in Kerala (1967 and 1970), in Orissa (1967) in Punjab (1970) and in West Bengal (1969).

(b) The counterpart of the first form can be found in post-Election-governmental coalition in U.P., Bihar and M.P. after 1967.

(c) Ideologically homogenous governmental coalition like (Swatantra-Jana Congress coalition in Orissa).

(d) Ideologically heterogenous governmental coalition (like GVD governments in UP, MP and Bihar).

(e) Leftist coalition (United Front government in West Bengal).

(f) Rightist coalition (swatantra-Jan Congress in Orissa and Akali Dal-Jan Sangh in Punjab).

(g) And finally centrist governmental coalition (Cong I-BKD Coalition in UP or a possibility of Cong U and Cong R coalition)."

(Narain and Sharma, 1971: 584-5)

TABLE II

Stability Pattern of Coalitional Government

State	No. of govern- mental changes	Average period of govt's life (in months)	No. of Spells of President's rule	Average period of President's rule (in months)
Bihar	8	5.6	2	8.5
Haryana	2	3.2	1	6.8
Kerala	2	20.5	1	3.0
M.P.	3	8.3	-	-
Punjab	4	11.1	1	6.8
U.P.	5	7.3	2	6.2
West Bengal	4	7.4	2	12.5
Orissa	1	45.9	1	3.7

Source: Narain and Sharma, 1971: 587.

problems too. With the return of the Congress again after the 1971 mid-term General Election the situation came under control.

On the basis of the above observations some association could be established between the law and order situation and rule by coalition parties or by a single party. The law and order situation is seen to have been deteriorating as a consequence of the increase in social

unrest in 'coalition parties' rule. It correspondingly declines when a State is ruled by a single party. Political instability, therefore, increases, possibility of political violence. The relationship between the two is evident from the fact that most States having political instability during the said period had the highest degree of political violence (Sharma, 1971:754).

This period of coalitional politics, besides increasing the possibility of political violence and hence increasing the responsibility of the police force, created dilemma for the police as well as other civil servants. So far they had been serving a government by a single political party. People who had been ministers some time back and had been commanding the entire bureaucracy occupied opposition benches after the 1967 elections. And those who had been sitting on opposition benches were ministers. Frequent change in government (see Table II) due to defections brought the same person in office and in public demonstrations very frequently. The entire bureaucracy had to revise its role. The police had to obey the same person, at one time, and hurl lathi at him or serve warrant of arrest, at the other. The slightest mistake on the part of a police officer might bring the entire administration of law and order under disrepute (Economic and Political Weekly, Vol. IV, No. 32, August 9, 1969, p. 1297). The coalitional partners were always suspicious of the civil

servants, specially of those belonging to All-India Services. The civil servants, on the other hand, were afraid of being victimized by the new political executive (Narain and Sharma, 1971:593). Similar situations can arise again. It is, therefore, necessary that the police recognise the fact that they are now working in a democratic system where change of government is possible and adjust their role performance accordingly.

In developing societies of Asia and Africa primordial sentiments are still quite strong and, therefore, as a nation these societies face the problem of reduction of such sentiments and of enhancing the feeling of nationhood and oneness among the people. The elite of the new states have been making attempts at modernization. But the inherited body of traditional beliefs, the existing social structure, the available human personalities, and the moral and intellectual qualities of the elites themselves had been hindering the achievement of the desired goal (Shils, 1968:12). Political modernization in some of the countries, instead of eliminating such feelings, has politicised the traditional structure itself (Rothari, 1970:1-19). The people have become aware of their transformation from subjects to citizens. When hitherto suppressed and exploited people become conscious of their independent status and rights, it might have serious repercussions for the system. As Geertz observes, "This thrusting of

a modern political consciousness upon the mass of a still unmodernized population does indeed tend to the stimulation and maintenance of a very intense popular interest in the affairs of government.,.,it is the very process of the formation of a sovereign civil state that, among other things, stimulates sentiments of parochialism, communalism, racialism, and so on, because it introduces into society a valuable new prize over which to fight and a frightening new force over which to contend* (Geertz,1963:120). A certain amount of violence is built into the process of modernization (Weiner,1963:231). Socio-cultural diversities further aggravate the potentialities of violence built into a process or a system.

Such sentiments play an important role in India. There are numerous socio-cultural groups in India. Each region has a different dialect, different way of life. Even within a cultural region there are several sub-regions with slight variations of dialect and life-style. There are various religious groups as well. In India, besides the four main religious groups - Hindu, Muslim, Sikh and Christians - various other religious groups also exist. Jews have their own religion, Parsees practice their religion, there are various sects and subsects in Hindu religion, and the tribals, who have not converted themselves to either of these religions, practice their own form of worship. All these groups have their own needs, their own demands. Since

the Constitution gives India a democratic structure, interests of all the groups, whether in a majority or a minority, must be safeguarded. No particular community or group should have more rights or privileges (except the erstwhile shudras or untouchables and tribals, who have so far been exploited) than the other. This diversity is vulnerable to exploitation by vested interests - by selfish political leaders who try to provoke dissatisfied group for their own advancement (Weiner, 1963:235). With this heterogeneity of cultures, religions and races, India's main concern is to create a homogenous outlook out of the prevailing social diversities and conflict. The problems of language, and of sub-culture diversity come up in different forms and separately and collectively create a problem of law and order (Pande, 1976: 6-7).¹⁷

As stated earlier, disaffection based on race, language or culture threatens partition, or merger, or redrawing of the very limits of the state, a new definition

17 Diversity does exist in India. It also creates several problems of varying dimension from time to time, centrifugal forces are also at work. But at no time there was a real threat to the integrity of Indian Union. Selig Harrison takes a negative view of Indian diversity and predicts possibility of balkanization of India, since "the period now beginning in India presents striking similarity to the rise of nationalism in nineteenth century Europe, especially the nationalist upsurge in the Balkans which culminated in the collapse of Austro-hungarian Empire" and the division of Balkan region on linguistic lines. Harrison takes typically Western view of the situation and goes to the extent of predicting Balkanization without understanding the nature of socio-cultural diversity in India (Selig S. Harrison, India: The Most Dangerous Decades, 1960).

of its domain. Primordial discontent strives more deeply and is satisfied less easily (Geertz, 1963:111). India is susceptible to these dangers. Discontents based on assumed blood ties (Nagas, Mizos, Mundas, etc. tribes), race, language, religion and custom have arisen several times after independence. Selfish interests of the politicians, or involvement of other countries accentuate the situation. The rebellion of the Nagas and the Mizo in North Eastern India can be taken as an example of discontent based on blood ties, where a foreign power was also involved. Pro-Hindi campaign in North India and anti-Hindi riots in South India are examples of disaffection based on languages. The examples of disaffection based on race and religion can be found in one community fighting the other on trivial issues, examples of which are numerous in India. The Telengana movement can be taken as a classical example of disaffection based on region. One such demand resulted in the creation of Haryana. The Mithali movement in Bihar is also one such movement though it is not so strong. As long as these diversities exist, they will remain a potential law and order problem. Cessionist elements are always on the look out for an opportunity. Besides, there are other groups too which are not cessionist, but operating within the system they try to get concessions for their community. This has the potentiality to result in violence and create law and order problem.

Due to primordial loyalties inter-group conflicts are very common in India. Such conflicts used to take place even before independence, but they took a more serious form and acquired a different nature after independence. Inter-group conflicts are between different caste-groups (especially in rural areas), religious groups (mostly Hindu and Muslim), and regional and linguistic groups.

Conflict between caste-groups is not always because of political reasons. There are various types of caste conflicts, some are politically inspired while others are side-effects of socio-political changes. A high caste Hindu would still not tolerate an equal position for erstwhile untouchables, while the ex-untouchables (now known as Scheduled Castes) are also becoming conscious of their status. The special privileges and opportunities guaranteed by the Constitution and efforts of some of the leaders has enabled them to see the light of modern education. They would assert their rights. This creates a volcanic situation. The cases of attack on Harijans and Harijan-bastis in North India can be taken as testimony to this thesis. Even the high caste Hindus fight among themselves. In Bihar, for example, Rajputs and Bhumihars or Rajputs and Yadavas, or Brahmins and Bhumihars would fight on trivial issues. The issue could be irrigation from canals, or something to do with land, but potential of conflict

is there. Sometimes such conflicts are also given political colouring, specially during the elections. Involvement of disgraced political parties and disgruntled politicians accentuates the problem.¹⁸

Communal violence (specially between Hindus and Muslims) is the second potential issue of conflict (Geertz, 1963:105). It has its roots in Hindu-Muslim differences accentuated by the British and Hindu-Muslim riots in pre-partition and post-partition days. Jinnah's demand for Pakistan, his threat of 'direct action' and slogan of 'India divided or India destroyed' aroused a series of communal riots which finally resulted in the creation of Pakistan and murder of Mahatma Gandhi. But that was not an end to communal feelings. Mass killings continued even after independence (and partition) when both ^{the} nations kept on

¹⁸ Often on these grounds and because of favouritism and parochialism on caste lines, complains of casteism in politics is made. Rajani Kothari is of the view that this is nothing but 'politicization of castes'. Capacity to organise is one of the essential requirements for people in politics. Caste structure in India is 'one of the most important organisational clusters in which the population is found to live'. This provides a ready-made organisational base for the politicians. Thus, traditional social structures, through 'a penetration of political forms, values and ideologies', are getting politicized. It is just transformation of a traditional social system under changing conditions and not a dangerous trend. 'In making politics their sphere of activity, caste and kin groups... get a chance to assert their identity and to strive for positions (Kothari, 1970:1-19 and 224-5).

sending trains full of killed Hindus and Muslims respectively. Spurts of communal violence continued even in independent India, though this has not been witnessed very frequently. Nevertheless, it has enhanced the responsibilities of the police force.

The third type of communal violence, that we have mentioned earlier, is between regional and linguistic groups. The conflict arises when the educated middle class of a particular region, in an effort to get suitable economic employment, finds itself in competition with outsiders who are already gainfully employed in economic sense and gets frustrated. The frustration turns hostile towards them and takes a form of linguistic or regional riots (Pande, 1976:7).

These conflicts definitely create a law and order problem for the police. The conflicts arise because of proclamation of egalitarian social order and unpreparedness of the groups dominant and higher in social status to accept the constitutional proclamation of equality for all social, religious and ethnic groups. While these people are not prepared to acknowledge an equal status for the traditionally intermediate and lower castes, the people belonging to lower-castes and minority groups are also not prepared to accept an inferior position in society for the dominance of the majority community or communities. This feeling of self-assertion and competitiveness takes a serious turn at times and results into serious conflicts.

TABLE III

Figures of Communal Conflict

Year	Incidence			Percentage		
	Total Issues	Non-communal Issues	Communal Issues	Total	Non-Communal Issues	Communal Issues
1963	61	45	16	100.0	73.8	26.2
1964	1,070	1,039	31	100.0	97.1	2.9
1965	676	620	56	100.0	91.7	8.3
1966	132	69	63	100.0	52.3	47.7
1967	229	159	61	100.0	72.3	27.7
1968	346	235	111	100.0	67.9	32.1

Source: Report of the Task Force, 1972, 41.

Table III presents figures of communal conflict. It is not clear from these figures whether they include inter-caste conflict or not. However, it indicates that during the six years indicated in the table cases of both non-communal and communal conflicts have gone up. The percentage of non-communal conflict has fallen (from 73.8% in 1963 to 67.9% in 1968, touching the highest point - 97.1% in 1964), whereas the percentage of communal conflicts, the majority of whom would appear to be the cases of violence between Hindu and Muslims, shows a rise (from 26.2% in 1963 to 32.1% in 1968 touching the highest point - 47.7% in 1966).

The code of Manu says, "he should gently place on the ground, food for dogs, outcastes, chandalas, persons afflicted with filthy diseases, birds and insects". Whereas Article 17 of the Untouchability offence Act 1955 says, "Untouchability is abolished, and its practice in any form is forbidden. The enforcement of any disability arising out of 'untouchability' shall be an offence punishable in accordance with law" (Patwardhan, 1973:170). The above act abolishes one social evil, but only in theory. The practice of the above law depends on the people and the enforcement authority. People in India have still not been able to get over this taboo. Untouchability is still in practice and the ex-untouchables are still looked down upon. While society would not accept an equal status for them, they would strive for equality, specially those who have been educated. Some of them do not even like to be addressed by the name given to them by Mahatma Gandhi - Harijan - or even by the term very frequently used these days - the Scheduled Castes.¹⁹

¹⁹ In a research conducted by Harold I. Isaacs, a graduate student from Andhra told him, "I do not like 'harijan'. It means 'children of God'. Aren't all the other people children of God too? Why this name for us? I think it is very childish". While an M.P. belonging to Republican Party said: "'Harijan' is a bad word introduced by Mahatma Gandhi. In Hindi it means a boy whose father's name is unknown, hence 'children of God'. In the Hindu temples there were, as you know, the devadassis, the girls who took part in worship ceremonies and also served the priests. Sometimes they gave birth to children and these children were called 'harijan'. That is why we don't like the name". They also find contempt in being addressed by their caste names (Isaacs, 1965: 40-7).

While there is a gradual but definite process of decline in social inequality, untouchability is still practiced, especially in the rural areas and small towns. Though in cities people do not care much for this, but the lower castes are still looked down upon. In rural areas the feelings are so entrenched and strong that, in certain cases, the ex-untouchables themselves feel that it would be a sinful act to mix freely with the higher castes and they must keep distance if they have to avoid being sent to hell after death (Isaac, 1965:48-50). The Untouchability Offence Act, 1955, and Article 17 of the Constitution of India impose a new responsibility on the police. They must take cognizance of untouchability offences and bring it before the judiciary. The implementation of this and other social legislations is one of the major responsibilities of the police in independent India.

Women in India have long been kept within the boundaries of the house. The Freedom Movement brought some women out of their homes. Since then the process of political radicalization of women has continued. In recent years women have also been influenced by the "women's lib" movement which has been taking place in Western societies. This has given birth to a number of women's organisations for the purpose of the liberation of their members and protection against discrimination in employment. But it is still confined to upper and upper-middle class educated sections in urban areas and is not a serious law and order problem.

Over the years there has been an increase in literacy and education. The number of schools, colleges and students has been increasing. The rate of literacy does not show a significant upward trend because of tremendous population growth. But this is not to say that the government has been inactive in the field of education. The number of students in primary schools increased from 191.5 lakhs in 1950-51 to 614.3 lakhs in 1972. The rise can also be seen in terms of percentage. The number of students in primary schools in 1950-51 (191.5 lakhs) was only 42.6% of age-group 6-11, in 1972 it was 81.9% and the Fifth Five Year Plan seeks to achieve a target of 97.1%. Similarly the number of students in the universities rose from 3.6 lakhs in 1950-51 to 29.3 lakhs in 1972. The number of university students was only 0.8% of the total population in age-group 17-23 in 1950-51, whereas in 1972 it was 4.0% and Fifth Five Year Plan has fixed its target at 6.0%. Number of schools, colleges and universities have also increased. In 1950-51 there were only 27 universities in India, in 1972 there were 90 universities (see Table IV).

The increase in the number of students has serious implications for the maintenance of public order. Student agitations have been numerically the most important category agitations in recent years. Students played pivotal role in Gujarat in movement for lifting of President's rule.

TABLE IV

Education in India

Particulars	1950-51	1955-56	1960-61	1965-66	1970-1	1972	Fifth Plan Target
No. of pupils in class I to V (in lakhs)	191.5	251.7	349.9	504.7	592.5	614.3	782.1
Percentage thereof to total population in age-group 6-11	42.6	52.8	62.4	76.7	80.3	81.9	97.1
No. of pupils in Class VI to Class VIII (in lakhs)	31.2	42.9	67.0	105.3	134.0	140.8	215.8
Percentage thereof to total population in age-group 11-14	12.7	16.5	22.5	30.8	34.1	35.3	47.1
No. of pupils in Classes IX to XI/XII (in lakhs)	12.2	18.8	28.9	50.4	71.7	70.8	112.1
Percentage thereof to total population in age-group 14-17	5.3	7.4	10.6	16.2	20.4	20.8	26.1
No. of pupils at the University stage--arts, science and commerce (in lakhs)	3.6	6.3	8.9	14.9	22.1	29.3	46.5
Percentage thereof to total population in age-group 17-23	0.8	1.4	1.8	1.8	3.7	4.0	6.0
Percentage of students studying Science at University	37.8	33.0	26.9	26.9	43.8	43.8	-
No. of Primary/Junior basic schools	209,671	278,135	230,399	391,064	404,481	414,406	

Particulars	1950-51	1955-56	1960-61	1965-66	1970-1	1972	Fifth Plan Target
No. of middle/senior basic schools	13,596	21,730	49,663	75,798	88,587	94,199	-
No. of multipurpose schools	-	255	2,115	2,386	2,625	4,881	-
No. of training schools	782	939	1,138	601	822	357	-
No. of training colleges	53	107	478	1,272	843	1,139	-
No. of arts, science (including research institutions) and commerce colleges	542	772	1,122	1,788	2,792	2,876	-
No. of universities	27	32	45	64	86	90	-
Percentage of trained teachers:							
Primary schools	58.8	61.2	64.1	70.5	82.8	82.6	-
Middle schools	53.3	58.5	66.5	76.9	83.0	83.1	-
High/Higher Secondary schools	53.8	59.7	64.1	68.5	78.6	78.6	-

Source: India : A Reference Annual, 1973 and 1975.

They were also the main force which kept JP's movement going which led finally to the declaration of emergency in June 1975. The number of students rose from 24 million in 1950-51 to 85 million in 1972. It is expected to rise to 115 million at the end of the Fifth Five Year Plan. This phenomenal increase in student population leads to the deterioration of student-teacher ratio and appointment of uncommitted and inexperienced teachers since they are needed in large numbers etc.

Until 1975 an upward trend was noticeable in student agitations, most of them being violent. During the period 1964-8 the students contributed to 35.5% of the total violent agitations in the country. They did not centre around an issue or two - they originated out of a variety of reasons, the academic issues being preponderant. Some agitations had been against police administration.

It is very difficult to indicate whether the agitations were for some genuine issues or fake ones. In fact, not in all cases were the grievances genuine, though at times the students did raise some genuine demands. We shall have to go into the reasons for student indiscipline to know whether their demands were genuine or not. The reasons are many.

Firstly, university education in most of the under-developed nations is in the language of the former colonial nation (and so is the case in India). They depend on books and journals published in the metropolitan countries. This

is likely to generate reactions among politically sensitive subjects and among student bodies who, at the most sensitive and reactive stage of life, are being subjected to a discipline which is alien to their own indigenous social and cultural traditions (Lipset, 1967:3-5). The students also face the problem of lack of crystallization of either the traditional or modern values. They face a dilemma in choosing their values. A study by Vidhyarthi reveals that though the students are deviating from certain norms of the traditional culture by and large they continue to adhere to several traditional values (Vidhyarthi, 1976:212). Thus the students, at times, find themselves trapped in a dilemma. While they find old ideas antiquated, obsolete and out of date, they are not able to get out of traditional structure (V.K.R.V. Rao, 1968:12). The most appealing explanation of student unrest lies in its relationship to the larger political movements that have transformed India from colonialism to democracy (DiBona, 1973: 11). The students in India were closely associated with the nationalist movement. The politicisation has been carried from the days of students movement till today. And with academic standards declining and competition rising, the university degree is losing its value as a passport to a better life (Gupta, 1968:5).²⁰ Lack of employment opportunities not only

20 But according to Lipset, "The greater the pressure placed on students to work hard to retain their position in university or to obtain good appointment after graduation the less they will participate in politics". (Lipset, 1967:21). But the Indian experience does not support later part of the argument.

generates frustration, but also channelizes their energies in wrong directions (V.A.N.V. Rao, 1968:14 and Vidyarthi, 1976:21).²¹ Lipset points out that the 'intensity of the university students' political activity is in a sense a measure of the failure of the university as an academic community. In underdeveloped nations student politics is frequently associated with the rejection of the intellectual leadership of the faculty of universities (Lipset, 1967:5-6). Another possible explanation to this phenomena, according to Lipset, could be that since most of the students are dependant on their parents or guardians, they are treated in many ways as irres^onsible and adolescents, while they are adults, except that they do not earn their livelihood. Thus some university students are inclined to be irrespon- sible with the norms of the adult society. They have not established a sense of affinity with adult institutions. Their contact with the articulated moral and political standards of their society is abstract; they encounter them as principles promulgated by older persons, as impositions

21 According to Vidyarthi there are five possible reasons that cause tension among students;

- (a) a feeling of uncertainty about their future;
 - (b) lack of contact with teachers;
 - (c) owing to their unfavourable attitude towards authorities;
 - (d) owing to lack of crystallization of either the traditional or modern values.
 - (e) owing to the disparities between achievement and aspiration level.
- (Vidyarthi, 1976:21)

by authority, rather than as maxims incorporated into and blurred by their own practice. (Lipset, 1967:15-19)

Dissatisfaction, frustration and tension among the youth is rising, not only in India but in other countries as well. Besides some underlying factors, as discussed above, there are other factors too which aggravate the situation and lead to student unrest. The youth are 'highly inflammable' and, hence fire must be kept at a good distance from them. But instead of keeping the fire away, some people not only show the match stick, but also fan the fire. Some of the political parties have been performing this task very efficiently (Sampurnanand, 1968:30; DiBona, 1973:11; Nigam, 1968: 43-4; Lipset, 1967:19; Vidyarthi, 1976:21).²² Besides, in every

22 Vidyarthi lists the factors that lead to student unrest as follows:

- (a) economic difficulties;
- (b) exploitation of students by political parties;
- (c) lack of opportunities for proper utilisation of leisure;
- (d) lack of leadership on the part of teachers;
- (e) lack of proper advice and guidance;
- (f) lack of facilities for living;
- (g) defective contents of education;
- (h) inadequate contacts between students and teachers;
- (i) lack of adequate employment opportunities at the end of one's career;
- (j) leniency shown by authorities in matters of discipline.

The factors listed by Vidyarthi are valid and must be given a serious thinking in order to solve the problem of student indiscipline.

form of politics in India, primordial loyalties and parochial feelings play an important part. Even education and educational institutions have come into the web of politics in India. This trend must be taken seriously. Growing factionalism among the teachers (on political, caste, religious and other parochial grounds) try to use the students for their own ends. Due to factional nature of state and local politics in India, the universities have often become battle-grounds in caste or regional alignments (Di Bona, 1973; 11). Besides, neither educationists nor university authorities have ever tried to understand the problem of students. They go too far in matters of enforcing discipline. Discipline should not be forced, it should be evoked spontaneously (V.K.N.V. Rao, 1968; 12). Involvement of police in maintaining order in the campuses accentuates the problem (Gupta, 1968; 3; Sampurnanand, 1968; 28). The police should take care to handle the campus unrest. Campus unrest is a delicate issue and needs careful handling. Though the campuses cannot be sanctuaries against law, the use of brute force by the police, instead of solving the problem, makes it more grave.

The students unrest is a social phenomena and it cannot be studied in isolation from the society and its problem. As long as the problems exist, the danger will continue. It might show a decline at some point of time, but the declining trend may not continue unless the major

problem related with the issue are solved. And as long as the student unrest remains a potential threat to law and order in our country the police will have to show greater care and awareness in handling such explosive issues. More care needs to be taken also because most of the students have distorted image of the police. The mere sight of the police uniform is enough to excite them (Bayley, 1969:332,338; Mathur and Shambheri, 1973:13).

Increase in literacy with an upward trend in population, and, at the same time, decline in employment opportunities also has serious implications for law and order. As discussed earlier, the feeling of frustration among the students because of uncertainty due to lack of employment opportunities leads many times to violent acts by the students. A purposelessness develops in educational pursuits. In 1967 there were on a conservative estimate, about half a million 'educated unemployed' (Blaug, Layard & Woodhall, 1969:1). Where lies the fault? The fault is perhaps with the educational system, which lays more stress on degrees than on vocational and technical training. But will emphasis on professional and vocational training solve the problem? To some extent yes. It is not an easy job to provide jobs to millions of people coming out of the universities every year. The number of students increased from 3.6 lakhs in 1950-51 to 2.9 million in 1972, and the number is expected to go up by 4.6 millions during the fifth plan. This statistics does not include the students who leave their

studies after schools.

If we look at the Employment Exchange statistics (though it is not a real indicator of the problem, since all those who are unemployed are not registered with Employment Exchanges), we will know the gravity of the problem. In 1951 there were about 3.3 lakh applicants on the live register of 126 Employment Exchanges in India, while the average number of vacancies notified during the period was only 4,100. In 1975 (till July) the number of applicants went up to about 9 millions (about 30 times more than 1951), while the number of vacancies notified during the period was only 60,000 (not even double of what it was in 1951). In 1961 about 35,000 applicants were placed in various jobs by the various Employment Exchanges, but in 1975 (till July) only 36,000 applicants were placed in employment. The figure was the same even for 1974 (see Table V). Accepting all the limitations of the Employment Exchange statistics, we cannot deny the gravity of the situation. Lack of job-opportunities takes the energy of the educated youth towards destructive activities. Many educated brains go for criminal activities, and an educated criminal is more dangerous than an uneducated criminal. The upward trend in unemployment is likely to continue, and it will have serious implications for the administration of law and order.

Unemployment is increasing even in uneducated and unskilled sector. Millions of unskilled labourers are unable

TABLE V

Employment Exchange Statistics

Year	No. of Exchanges at the end of the period	Average No. of registrations during the period (000)	Average No. of applicants placed in employment (000)	No. of applicants on the live register at the end of the period(000)	Average No. of employers using the Exchange during the period (000)	Average No. of vacancies notified during the period (000)
1951	128	118	35	329	6	41
1956	143	139	16	759	5	28
1961	328	269	34	1,833	10	59
1966	396	388	42	2,622	13	71
1971	434	428	42	4,602	13	68
1972	446	485	42	5,928	13	72
1973	461	512	43	7,714	13	73
1974	481	438	36	8,435	11	53
1975 (till July)	502	628	36	9,041	12	60

Source: The Indian Labour Journal, Vol. XVI, No. 12, p.2240.

to find a job. Employment Exchange statistics include only a part of the unskilled workers. Like graduate unemployed, only a small part of the unskilled workers are registered with the employment exchange. Investigations about the background of criminals would reveal that most of the people involved in criminal activities in rural areas are unskilled and uneducated unemployed.

Economic growth in the country and trends in the rate of growth in the economy are significant for law and order situation. Because of 'sectoral unevenness' and 'fluctuations through time', the economic growth in India did not have much effect upon economic and social sectors of life. Agricultural sector has shown a significant rate of growth, while other sectors have shown growth rate short-falls (Report of the Task Force, 1972:256). Growth of industrial production has been more rapid than the growth of agricultural production, but has also been very uneven from one year to the next (Desai, 1975:16). During the year 1975-76 there has been eight per cent growth in the output of agricultural production, while industrial production has shown only five per cent growth (The Times of India, 25 June 1976). Though the growth is more than expected (4.5%), it is still lower than the growth in the agricultural sector (Economic Survey, 1976:3).

TABLE VI

Index Nos. of Agricultural Production

(Base: Triennium ending 1961-62 =100)

Year	Index No.	Year	Index No.
1960-61	102.7	1970-71	131.4
1965-66	95.8	1971-72	130.9
1967-68	116.6	1972-73	120.4
1968-69	114.8	1973-74	133.4
1969-70	122.5	1974-75	129.3

Source: Economic Survey (1975-76):62.

TABLE VII

Percentage Changeover in Index Nos. of Industrial Production

(Base: 1960 = 100)

Year	% change in Index No.	Year	% change in Index No.
1961	+ 9.2	1967	- 0.4
1962	+ 9.7	1968	+ 6.8
1963	+ 8.3	1969	+ 7.5
1964	+ 8.6	1970	+ 5.1
1965	+ 9.2	1971	+ 1.0
1966	- 0.4	1972	+ 7.1

Source: Economic Survey (1974-75):68.

The pattern of economic growth may have implications for the law and order situation in the extent to which the industrial and economic growth generate more social integration or tension and the manner in which these processes help in the promotion of social justice and removal of the problems of poverty. Though there has been significant growth in the economic field, it has also generated social problems that are likely to spill-over into the arenas of social unrest. These problems relate to (a) concentration of wealth in certain classes of society, (b) economic reinforcement of capitalists classes and business houses in India through faulty licensing and business policies, (c) increase in economic disparities between the states and the regions as a result of unanticipated consequences of economic planning, and (d) the relative immiserization of poor in India despite increase in the national and per capita income. Thus, the economic growth which is so necessary for establishing a progressive social order in society, may in circumstances where it does not conform with principles of social justice, contribute negatively by activating the forces of social unrest.

The significance of the rate of growth in the economy for law and order situation can be viewed only in the context of issues such as nature of unemployment, distribution of income and the formation of class groups having conflicting interests, both in the cities and in the villages, urbanization, growth of slums, etc.

With the growth of industries, there has been an expansion of industrial labour-force. Taking the character of the Indian economy and nature of distribution of income into consideration, industrial unrests cannot be ruled out. Industrial unrest does influence urban violence.

TABLE VIII

All India Consumer Price Index Nos.

	<u>Working Class</u>		<u>General Index</u>		<u>urban Non-</u>
	<u>Food Index</u>				<u>manual employees</u>
	1949=100	1960=100	1949=100	1960=100	General Index 1960 = 100
Last month of:					
1960-61	123		124		101
1965-66	177		174		135
1966-67	210		200		151
1967-68	226		213		158
1968-69	212	183	207	170	161
1969-70	226	194	218	178	170
1970-71	226	195	224	184	174
1971-72	237	205	236	194	184
1972-73	273	236	263	216	199
1973-74	253	305	334	275	238
1974-75	415	359	390	321	277

Source: Economic Survey (1975-76):96.

The price index of foodgrains (for working class) went up from 123 (base 1949 = 100) in 1960-61 to 415 in 1974-75. Taking 1960 as base year the index went up from 183 in 1968-69 to 359 in 1974-75 (almost double). General index for workers went up from 170 in 1968-69 to 321 in 1974-75 (again almost double). While for urban non-manual employees the general consumer price index (base 1960) went up from 101 in 1960-61 to 277 in 1974-75 (see Table VIII). The commensurate increase in wages does not take place for reasons of economic constraints. In fact, the index of real earnings of industrial workers fell down 120 in 1964 compared to the level of 134 in 1950-51. This shows the negative results of inflationary trends of the economy on the conditions of workers. These became issues for hard bargaining, industrial unrest and loss of man-days.

Industrial unrest takes a serious turn when political parties and radical groups utilize the labour class and trade unions for their own interests. A study in West Bengal shows that the industrial unrest manifests itself through the legal recourse to 'strikes' or through the unlawful form of 'gherao'. From March 1967 to October 1967, there were 1300 gheraos and very few strikes when the United Front Left Parties were in power but during 1968 with the coming into power of non-Left parties gherao dropped to zero and strikes occurred in 400 industrial establishments. Evidently, the nature of the political groups in power does not influence the

incidence of industrial unrest as such but only its form of manifestation and its legitimacy for negotiations.

TABLE IX

Industrial disputes resulting in work stoppages

Year	No. of disputes	No. of workers involved directly and/or indirectly in disputes	No. of Man-days lost
1951	1,071	691,321	3,818,928
1961	1,357	511,860	4,918,755
1962	2,039	923,021	6,120,576
1963	1,801	652,184	3,268,524
1964	2,901	1,239,819	7,724,694
1968	2,477	1,252,261	13,833,471
1971	2,752	1,615,140	16,645,636
1972	3,243	1,736,737	20,543,916
1973	3,370	2,545,602	206,262,653
1974	2,938	2,854,623	40,262,417
1975	1,861	1,107,507	21,563,721

Source: The Indian Labour Journal, Simla, Ministry of Labour, Government of India (Vol. V, No. 11, November 1963; Vol. V, No. 10, October 1964; Vol. VI, No. 12, December 1965; Vol. XVI, No. 10, October 1975; Vol. XIV, No. 12, December 1973).

The growth in the number of industrial workers and the tendency on the part of the labour force to organize themselves and press for their demands has been a serious law and order problem in recent times.

TABLE X

Number and Membership of Registered Trade Unions
in India

Particulars	Central Unions			State Unions		
	1955-56	1970 ^a	1971 ^a	1955-56	1970 ^a	1971 ^a
No. of Unions on Register	174	802 ^b	847 ^b	7,921	19,512 ^c	19,865 ^c
No. of unions submitting returns	105	320	200	3,901	6,683 ^c	3,509 ^d
Membership of unions submitting returns	213,000	710,751 ^c	546,304 ^d	2,062,000	3630,318 ^c	1,710,702 ^d

a Provisional

b Estimated

c Figures for Bihar, Kerala and Rajasthan are excluded

d Figures for Andhra Pradesh, Assam, Bihar, Himachal Pradesh, Karnataka, Kerala, Rajasthan, U.P., West Bengal and Delhi are excluded.

Source: India : A Reference Annual, 1976:338.

The above table shows the increasing number of registered unions and also the membership of these unions. This will definitely result in (and has been resulting in) conflicts between unions and the government. The fact that many unions do not submit returns and details regarding their membership, etc., shows their un-cooperative attitude towards the government. There is also a possibility of inter-union rivalries and conflicts. There is no denying the fact that the un-cooperative attitude of the unions has created serious problems for the government as there has been an increase in industrial disputes and strikes organized by the trade unions (see Table IX).

The state of emergency proclaimed by the President in June 1975 has solved the problem of industrial disputes and strikes by industrial workers temporarily. This has streamlined the administration and has been able to arrest the inflationary trend. A higher rate of production has also been noticed, for in the absence of strikes the man-days lost have been saved and utilized. But the trend cannot be said to be definitive. Unless some positive steps are taken to solve the economic problems of the nation neither industrial production can increase nor inflation can be stopped. To start with, the state of emergency has been very useful for the economy of the country, but some positive measures are necessary to boost the country's economy.

Similar trend of social unrest can also be noticed in the agrarian sector and the rural areas. The main reason

here also is economic, though some social problems, as discussed earlier, are also important factors behind social unrest in rural areas. The Home Ministry's Report on Agrarian Tensions states that in the rural areas 'wage-income-employment' strains are not so important as the 'negative political mobilization by the left-oriented political parties. Backward groups (socially as well as economically) and Harijans (or Scheduled Caste) comprise not only a large proportion of the rural population, but also a sizeable proportion of agrarian labour. Social inequality and economic exploitation combined with mobilization by the political parties create an explosive situation. It is a potential threat to public order in rural areas and a new field of responsibility for the police.

Another problem arises due to unfavourable price-parity between the agricultural and industrial goods. The relatively prosperous farmers feel exploited by the urban business classes and traders. This problem has a potential for social unrest between rural and urban rich (Report of the Task Force, 1972:31).

Attempts to boost the economy are frustrated by the rise in population. If we review our growth rate and development in the light of population we had at the time of independence, we will find that there has been tremendous growth in all fields. But population explosion has been playing a

TABLE XI

Population Size and Rate of Population Growth in India

Year	Total Population (in millions)	Decadal variation (percent)
1901	238.3	-
1911	252.0	5.7
1921	251.2	-0.3
1931	278.9	11.0
1941	313.5	14.2
1951	361.0	13.3
1961	431.1	21.6
1971	547.9	24.8

Source: Bhattacharjee and Shastri, 1976:3.

negative role. By the time attempts are made to achieve a fixed target, population has already gone up and when viewed in proportion to the population-growth, the achieved target is negligible. In spite of all the family planning measures population growth has not been checked.

Rate of population-growth has showed an upward trend because of decline in the death rate. The death-rate started declining comparatively fast while the birth rate remained

TABLE XII

Death Rates per Person Estimated by Vig as compared
with Census Estimate for Different Decades²³

Year	Estimated by	
	Census	Vig
1901-11	.0425	.0446
1911-21	.0472	.0499
1921-31	.0363	.0378
1931-41	.0312	.0321
1941-51	.0274	.0309
1961-61	.0228	.0221

Source: Vig, 1976:50.

stationery or declined slightly from 1921 onwards. From available data it was observed that during 1921-51 the decline in the birth rate was 12 per cent as compared to decline in the death rate which was 42 per cent. During 1961-71, the decline in the death rate was only 42 per cent while the decline in the birth rate was only 5.5 per cent. (Chattacharjee and Shastri, 1976:3-4)

Economic growth and industrialization leads to urbanization. There has been a tremendous growth of urban industrial centres and urban population in the years since

23. It is evident from the above table that death rate has been smoothly declining from census to census except in 1921 when it actually increased due to influenza.

independence. By 1981 the urban population in India, forecasts the Town and Country Planning Organization, would be 165 millions. A large proportion of the urban population is concentrated in the metropolitan cities : as much as 25.5 per cent live in the seven million cities - Calcutta, Bombay, Delhi, Madras, Hyderabad, Bangalore and Ahmedabad, and about 50 per cent live in cities and towns with population of one lakh and over. The largest cities are the fastest-growing settlements.

Urbanization creates a serious law and order problems. Urbanization is followed by growth of slums and crowded localities needing special attention by the police. Slums breed petty-criminals, viz. pick-pockets, petty-thieves and goondas. Slums also create problems of illicit brewing and petty gambling joints, which have been a constant source of headache for the urban police. Urbanization also creates organized criminal syndicates and breeds white-collar criminals that require specially trained police organizations. Social legislations and their enforcement is also a problem which the urban police face. Some special duties of urban police are traffic guidance, management of large processions, recreational areas, demonstrations and strikes, etc.

In 1961 the census showed a smaller increase in the overall urban population during the decade 1951-61 than had been expected. But some cities experienced fantastic rates of growth. The twin cities of Delhi and New Delhi together increased by 70 per cent in ten years, Bombay by 46 per cent,

the steel city of Jamshedpur by 52 per cent and the port city of Vishakhapatnam by 67 per cent while Bhopal more than doubled itself. In the 1961 census five Indian cities had populations of more than a million each; Calcutta with 2,900,000 within the city limits, but 5,500,000 within the greater metropolitan area; Bombay with 4,146,000; Delhi with 2,340,000; Madras with 1,725,000; and Hyderabad with 1,252,000. About a hundred more cities have a population of over 100,000 each.

This shows the fantastic growth of urban centres in India. As migration to urban centres increases, space shrinks. Almost all the urban centres face the housing problem. The number of pavement dwellers in most of the metropolitan cities is on the increase. In many places people live in tiny shelters improvised out of old scraps of cloth, sackings, melting or discarded metal or thatch that they have been able to get. The growth of slums have direct bearing upon the maintenance of public order. The coming together of heterogeneous population in urban areas is also likely to create problems for the police.

Cognizable crime shows an upward trend. Incidence of cognizable crime has gone up by 63.16 between 1963 and 1973. Rate of crime per one lakh population has gone up by 30.7 per cent during the same period. A study of the data shows that crime has been more prevalent in cities than in the country side. The volume of crime is greater

in comparatively bigger and richer cities. Total cognizable crime under IPC in the entire country was 794,733 in 1966; 862,016 in 1968; 955,422 in 1970 and 1,077,181 in 1973. The figures of cognizable crime for major cities (Ahmedabad, Bangalore, Bombay, Calcutta, Delhi, Hyderabad, Kanpur and Madras) in the same years was 92,074; 86,301; 99,208 and 119,345 respectively. These figures show that 100 per cent or more of the total cognizable crimes in the country are committed in eight major cities of India (see Table XIV). The volume of crime per one lakh population is also greater in these cities. Rate of crime per one lakh population was 168.7 for 1968 for India, while for major cities the figure was 431.8. For the years 1968-1973, the volume of crime per one lakh population has been 809.96 for Kanpur, 799.07 for Delhi, 562.94 for Bangalore, 524.71 for Madras, 486.66 for Bombay, 360.86 for Calcutta, 275.07 for Hyderabad and 274.84 for Ahmedabad. In 1973 Delhi topped in the total number of cognizable crimes committed (32,722) closely followed by Bombay (31,920) (see Table XIII). These figures show that the number of crimes will go up with urbanization and growth of slums.

The congestion of population in urban centres creates a climate in which violence tends to increase. The crime in urban centres will, therefore, be accompanied by a greater violence process. The crime in urban centres, the data

TABLE XIII

Incidence of Cognizable Crime in Major Cities during 1968
and 1973

Cities	1968	1969	1970	1971	1972	1973	Percentage variation + (increase) - (decrease) over 1972	Volume of crime per one lakh population
Ahmedabad	2,832	3,578	3,269	3,060	3,212	4,730	+ 47.3	274.84
Bangalore	7,266	8,051	7,778	8,961	7,555	9,356	+ 2.38	562.94
Bombay	27,569	25,289	25,763	25,066	25,970	31,920	+ 22.9	486.66
Calcutta	11,864	10,801	10,588	10,911	9,793	11,555	+ 17.9	360.86
Delhi	15,763	16,254	28,890	26,933	30,054	38,722	+ 8.9	799.07
Hyderabad	3,072	3,593	3,470	3,794	4,089	4,855	+ 18.7	275.07
Kanpur	6,638	6,703	8,656	9,659	10,104	10,003	- 1.0	809.96
Madras	11,287	11,707	10,794	7,205	13,015	14,204	+ 9.1	524.71

Source: Crime in India, Bureau of Police Research and Development, 1973:6-7.

TABLE XIV

Incidence of Cognizable Crime under IPC and Population in India

S.No.	Year	Estimated Population in million	Total cognizable crime under	Total cognizable crime under IPC in major cities	Rate of crime per 1 lakh population
1	1963	468.2	658,830	-	143.8
2	1964	468.2	759,013	-	162.1
3	1965	478.5	751,615	-	157.1
4	1966	489.1	794,733	92,074	162.5
5	1967	499.9	881,981	88,872	176.4
6	1968	511.1	862,016	86,301	168.7
7	1969	522.5	845,167	85,976	161.8
8	1970	534.3	955,422	99,208	178.8
9	1971	546.4	952,581	95,589	174.3
10	1972	557.9	984,773	103,792	176.5
11	1973	573.4	1,077,181	119,345	187.9
Percentage increase from 1968-73		+ 25.1	+ 63.1	+ 15.0*	+ 30.7

* Percentage increase from 1968 over 1972.

Source: Crime in India, Bureau of Police Research and Development, 1971 and 1973.

shows, has a youthful character. Thus, the urban police needs to be better equipped to meet these situations. Looking at the data, one can say that the volume of crime in cities will increase in future and will pose a potential problem for the police. This also requires a better relation between the public and the police.

Migration to urban areas pose another serious problem to law and order situation. Uneven distribution of arable land, unwillingness of educated and literate people to stay in rural areas and lack of employment opportunities has increased the pressure on urban centres. This generates, as discussed earlier, problems of slum and congestion. The cases of accidental deaths have increased because of congestion in the urban areas. Traffic deaths form a large part of the accidental deaths. This has a bearing upon the responsibility of the police.

TABLE IV

Accidents and Traffic Deaths

City	No. of Traffic Deaths			Death Rate per 10,000 vehicles
	1967	1968	1969	
New York	710	847	852	4.6
Los Angeles	474	497	471	3.1
Chicago	304	340	357	3.1
Bombay	586	591	576	49.1
New Delhi	373	400	433	32.7
Bangalore	107	122	140	34.8

Sources: The Illustrated Weekly of India, vol. XCVII, No. 28, June 6-12, 1976, p. 8.

The above table presents figures of traffic deaths and death rate per 10,000 vehicles of six cities, three American and three Indian. The population of the American cities is more and congestion in these cities greater. There are definitely more vehicles in the American cities than in Indian. Still we find that the death rate per 10,000 vehicles in India is more, though there are more traffic deaths in the American cities. This increases the responsibility and enforcement functions of the urban police.

Congestion of urban life leads to other problems too. The urban life becomes more and more complex, mechanised and monotonous. Not everybody can bear the strains of mechanization, complexities and monotony generated by the urban life. People, therefore, look for escape routes which, for some time, can provide them with some relaxation. Such people resort to vicarious gratifications like drug-addiction, sexual delinquency, vagrancy and gangsterism, thus creating another problem area for the police.

The growth in science and technology have brought enormous facilities for the people on the one hand but on the other they have also created certain problems. The growth in science and technology has resulted in the growth of mass-media, transport, communications and also public entertainment. Each of these has created some amount of problem for the police. The growth of mass media, transport and communications, for example, has increased the complexity of crime as well as

enhanced the possibility of large-scale mobilization of masses for political action' (Report of the Task Force, 1972:48).

Table XVI shows the growth of mass-media and the extent of its consumption. The number of newspapers (in all the Indian languages) has gone up from 9,211 in 1963 to 12,653 in 1974. The number of radio-stations has almost doubled during the last one decade, while the number of radio-receiving sets has multiplied four times. The number of TV stations has gone up from one in 1963 to five in 1975. The number of TV sets has gone up from 551 in 1964 to 163,446 in 1975. The Government has plans to open new TV stations in various cities during the Fifth Five Year Plan. The number of TV sets is also going to multiply therefore.

The growth of mass-media has several implications for the maintenance of law and order. Mass media has made communication faster, one comes to know about happenings in the world within hours. Newspapers report detailed information about happenings all over the world. This has increased the possibility of spreading of a violent unrest over a large area. Mobilization has been made easier. Reports of unrest by radio and newspapers in an area create possibility of mobilization over a wider area. This has helped organized criminal organizations too. They get news about each and every governmental activities and steps taken against them. The mass-media broadcasts help them in taking timely preventive measures.

TABLE XVI

Growth of Mass Media

Year ££	No. of News- papers	No. of AIR Stations & (Auxiliaries)	No. of Radio Receiving Sets (a)	No. of TV sets(b)	No. of TV Stations
1963	9,211	31	2,598,606	-	1
1964	7,790	33(11)	3,602,422	551	1
1965	8,640	33(17)	5,405,973	700	1
1967	9,315	35(17)	6,483,896	4,500	1
1968	10,019	36(22)	7,479,468	6,200	1
1969	10,281	66(2)	9,282,349	7,000	1
1970	11,036	66(3)	10,034,960	12,303	1
1971/72	12,218	67(4)	11,836,653	24,833	1
1972	11,926	67(4)	12,772,228	37,600	2
1974	12,653	69(4)	12,884,535	84,114	4
1975	-	70(4)	14,033,919	163,448	5 ^c

(a) Based on the no. of Radio Receiver License

(b) Based on the no. of TV Receiver License

(c) Includes one relay centre at Poona

Source: India : A Reference Annual (1963-75).

Mass-media has entertainment value as well. Radio-sets, televisions and cinemas are some of the popular modes of entertainments. The radio has become a very cheap form of entertainment and it has reached in all corners of society. Commercial entertainments like cinemas have also become very popular (see Table XVII). The growth of television can reduce the pressure on commercial entertainments. But this is not possible in India in the immediate future. Television still covers only a small geographical area of the country. Besides, its price and maintenance cost will be too high to be borne by an average Indian. This will increase (and this has increased) pressures on commercial entertainments, specially cinema.

The tremendous growth of the Indian film industry testifies to the popularity it has gained. With a meagre start of 28 films a year in 1931, India became the largest producer of films in 1971 by producing 433 films. In the year 1973, 448 films were produced in various Indian languages. The number of cinema halls has gone up from 2,827 in 1956 to 5,139 in 1973 (see Table XVII). This increases enforcement functions of the police as the entertainment value of the cinema posed by the problem of crowded cinema halls, and people copying the films-violence and crime creates law and order problems too.

TABLE XVII
Growth of Indian Cinema

Year	Output of Feature Films (a)	No. of Cinema Halls (b)
1931	28	-
1941	167	-
1947	261	-
1961	229	-
1956	295	2,827
1961	303	3,579
1966	316	3,889
1967	333	4,199
1968	350	4,296
1969	367	4,482
1970	396	4,553
1971	433	4,716
1972	414	4,787
1973	448	5,189

(a) In various Indian languages

(b) Excludes touring cinemas.

Source: India : A Reference Annual (1973-74).

Over the years communications channels have also undergone improvement and there has been tremendous increase in communication facilities. The number of post offices has increased in communication facilities. The number of post offices has increased from 36,094 in 1950-51 to 115,651 in 1973. In the year 1950-51 there were 1.68 lakh telephones and 540 telephone exchanges in the country. In 1974 the number of telephones went up to 16.29 lakhs (about ten times) and the number of telephone exchange went up to 4,704 (about eight times) (see Table XVIII).

This also has several implications for the maintenance of law and order. This tremendous spread of communication channels helps the criminals. Information can be easily and rapidly transmitted from one place to the other by the use of sophisticated communication channels. This also facilitates political mobilizations. Now it has become easier for a politician to organize a movement or demonstrations simultaneously at different places. Such demonstrations can exert more pressure on the government. For example, if the employees of a certain governmental department have some grievances and demands, they are now in a position to organize a state-wide or a country-wide movement and force the government to concede those demands.

This has been further facilitated by the growth of transport. After independence there has been a rapid growth of transport facilities. Now not only transport is available

TABLE XVIII

Growth of Communication Facilities

Year	No. of Post Offices	No. of Telegraph offices (including licensed offices)	No. of Telephones (in lakhs)	No. of Telephone Exchanges
1950-51	36,094	8,208	1.68	540
1960-61	76,839	11,896	4.63	1,374
1965-66	96,936	12,612	8.58	2,711
1969-70	104,958	14,801	11.20	3,432
1970-71	109,059	15,460	12.00	3,987
1972	111,682	-	14.00 (appx.)	4,205
1973	115,651	16,710	15.10	4,441
1974	-	-	16.29	4,704

Source: India : A Reference Annual (1963-75)

for any distance, it is very frequently available. Table XIX presents some indicators of growth in transport facilities. There has been an increase not only in the length of the railway route (from 54,814 kms in 1947 to 60,149 in 1972-73), but also an increase in the number of passengers carried (from 12,840 in 1950-51 to 26,530 in 1972-73) by the railways. Indian railways now is the biggest in Asia. Surfaced roads have gone up from 146 thousand kms in 1947 to 472 in 1971-72. Similarly there are ten times more motor vehicles on the road now than in 1947. Internal airlines services have also shown an upward trend.

These facilities help the criminals and make it difficult for the police to detect crime. Organized criminals commit a crime and are able to elope swiftly with the help of fast transport facilities. It also helps the political parties in organizing large-scale demonstrations, as they are now in a position to bring their supporters from outside. It has also become possible for a political leader to lead more than one demonstrations at different places the same day personally. The presence of a prominent political leader attaches more importance to the movement than one led by his representative.

The development of science and technology has inspired creative as well destructive instincts of man. Human being, together with creative activities, has also devised means of his own destruction. The world has never seen such

TABLE XIX
Growth of Transport

Year	Railway route (in km)	Passengers carried by railway (in lakhs)	Surfaced road (1,000 km)	Unsurfaced road (in 1,000 km)	Motor vehicles on road	Airline (internal) km flown (in 1,000) (scheduled flights)
1	2	3	4	5	6	7
1947	54,814	-	146	242	211,949	15,066
1950-51	54,854	12,840	157	243	-	31,377
1955-56	55,900	12,750	-	-	-	37,788
1960-61	56,963	15,940	231	448	675,221	44,380
1965-66	58,399	20,820	283	552	1,006,447	49,780
1969-70	59,684	23,380	400	788	16.36 (lakhs)	66,590
1970-71	59,790	24,310	421	543	18.21 (lakhs)	67,680
1971-72	60,067	26,356	472	658	-	-
1972-73	60,149	26,530	-	-	20.32 (lakhs)	-

Source: India : A Reference Annual (1963, 1972-75).

a mushroom growth of sophisticated and devastating arms and weapons than in the present century. This has helped the criminals too. Criminals have been increasingly found using new arms and weapons. At the slightest provocations the villagers bring out fire-arms in their community conflicts. In some cases fire-arms are illegally produced in the countryside too. This has had tremendous impact on the maintenance of public order and has made the task of the police more difficult.

To sum up the arguments it is evident from the above discussion that police have a difficult task lying ahead and they must reorient and equip themselves to meet the challenge.

"The success of a police officer lies greatly, wherever he may be stationed, and whatever he may be doing, in the measure he can obtain the co-operation of the people of the place."

Jawaharlal Nehru

(Speech to IPS Probationers at
Mount Abu on 18th October 1958)

III Police Response

III Police Response

Modern inventions and social changes, as has been discussed earlier, bring new problems and added threats to the peace, comfort, security and welfare of citizens. Increased political participation due to greater awareness among the people generated by the freedom movement and constitutional guarantees has led to agitational politics. Agitational politics with violence and riots as consequence also results from discontent from the political system (Nayar, 1976:131). This has been a new problem-area for the police. The adaptation of new inventions to criminal use has imposed additional burden on the police, and the vastly increased use of automobile and other modern methods of transport and communication by the criminals has affected the crime-rate. Traffic accidents and congestion demand a large part of police attention. One more additional problem facing the police today is based on the difficulty they have in overcoming public opposition to police control. Even while the public demands protection from criminal elements, they often fail to understand the role of the police (Wilson, 1968:4-5). The role of the police assumes a new complexion under a total and comprehensive sociological, technological, economic, political

and psychological change. Police value judgements must also change so that they do not become outpaced, out-flanked and outmanoeuvred by the velocity of social change (Singhvi, 1971c:495).²⁴

These new problems demand greater adaptation to the changing situation from the police. Does the police recognize changes taking place in society? Are they aware of societal change? If yes, how do they look at social change? Have they responded to social change effectively and efficiently? These will be the immediate questions, once we recognize the changes which affect law and order and have bearing upon the role of the police. If the police have failed to recognize or to respond to these changes, what are the factors that have hindered effective response by the police?

It would not be doing justice to the organisation and its personnel if we say that police response to these changes has been nil. The police have definitely responded to changing social context, otherwise they would not have been able to combat crime, which has become more sophisticated due to scientific and technological development. Though crime has not been eradicated altogether and an upward trend

24 For a detailed discussion on increased responsibilities of the police, see Reports of Bihar, Uttar Pradesh and Madhya Pradesh Police Commissions, Report of A.I.C. appointed Working Group on Police Administration, Wilson, 1963, Bayley, 1969; Man Reddy and Seshadri, 1972.

continues in the number of cognizable offences, we cannot attribute this rise to the failure of the police force. If crime has been rising, population also continues to rise and it affects crime (Report of the Bihar Police Commission, 1961:87). Besides, we cannot eradicate crime without eradicating criminal instincts in human being and several other factors which are at the root of criminal activities. Failure of the police, if it has given rise to crime, is only a factor at the superstructural level. Economic and political capabilities of the system do affect the rate of crime. A long term rise in the incidence of crime, points out Nayar, is related to a deterioration of economic and political capabilities. Rise in crime and violence provide an important indicator of discontent in a political system (Nayar, 1975:47 and 131). Illiteracy, poor level of education, pornographic literature and cinema have also contributed to the increase of crime (Report of the Bihar Police Commission, 1961:83; Report of the Madhya Pradesh Police Commission, 1967:9-14). And the police cannot hit at the root to eradicate crime and deal with the real causes of public turbulence (Evans, 1967:41). It is beyond the scope of their duties. Their duties are to investigate crime, catch the culprit and present him before the court. They are not concerned with deciding whether the suspect is the real culprit or not, and whether he should be punished or not. It is for the judiciary to decide. The police, however,

present the available witnesses and evidence against the suspect arrested by them. It is the task of the society to go into the roots of criminal activities and hit the root to eradicate crime. Let us, for example, take student indiscipline. Student indiscipline is primarily a social problem. The police are remotely connected with its causatory factors.²⁵ They cannot find a permanent solution to this problem (Chakrabarty, 1967:81).²⁶ In a democratic society this task is assigned to the leaders. Similarly, on the basis of rise in the incidence of cognizable crime and worsening law and order situation we cannot judge the efficiency of the police force. The efficiency of the police should be judged on the basis of how successful they are in tackling these problems, once they arise and threaten peace and tranquility in society, without giving rise to any or many complications.

Change does not occur only in one particular walk of social life. Social change is multi-faceted and, hence, of various kinds. Different social changes, therefore, give

25 Various factors and causes behind student indiscipline leading to student unrest and its implication for law and order has been discussed in detail in the previous chapter.

26 Referring to a conference of the Inspectors General of Police, Sampurnanand points out that they were indulging in futile exercise, since the factors behind student unrest is beyond their control. They are merely concerned with meeting the challenge once the unrest takes place (Sampurnanand, 1968:37).

rise to problems of different nature and magnitude. They require adjustment from the police. The police have to, first, recognize the change, show awareness to them and understand problems created by them and, then, respond differently to each problem arising due to the changes, in accordance with the seriousness and magnitude of the various problems. We cannot discuss the response of the police force to social change as such. We shall have to take each type of social change separately, understand problems generated by each of them and, then, study police response to these problems.

The police perform, mainly, three types of functions:

(a) Maintenance of law and order,²⁷ which includes stopping or minimizing various types of criminal activities, to deal with explosive situations created by political mobilization, control political demonstration and public meetings organised by the political parties, to deal with 'gherasas' and 'dharas', student indiscipline, control of vehicular traffic and to deal with traffic violations and offences, etc.

(b) Investigation, this task mainly includes investigation into the causes of offences already committed, catch

27 Singhvi differentiates between law duties and order duties. He puts investigation of crimes and prosecution of criminals under law duties and prevention of offences, controlling of riots and demonstration and maintenance of peace and tranquility under order duties; that is to say that there should be a separate riot police (Singhvi, 1971a:499). He also discusses nature of riot police and type of training should be given (Singhvi, 1976:2). This, however, will be discussed in detail in the next chapter.

the culprit and bring him before the judiciary with witnesses and evidences collected during the investigation.

(c) The third task is a recent phenomena. It has sprung due to the accent of modern popular democracies on social justice, which is an inseparable part of modern life. In developed countries social reforms have been brought by socio-religious reform movements emerging from time to time, and reforms brought about by these movements have become firmly entrenched in society over the years. Hence, no legal sanction is required to put them into practice. They have become part and parcel of social life in those societies. But this is not the case with the developing societies. They lag far behind in all fields. Because of the belated development of modernization ideals, the social structure remains primitive and feudal. A system of social justice ensuring socio-economic equality cannot be expected in a primitive or feudal society. Modernization ideals come with the colonial rule, which brought them in contact with the West. But, as liberal-nationalist feelings developed among the middle class intelligentsia, those countries spent much of their time and energy fighting against their colonial masters to attain freedom. Independence unleashed winds of change, but not through social movements, rather by governmental legislations and statutory provisions. These social legislations and statutory provisions ensuring 'equality of status and opportunity' for all the citizens put new

responsibilities on the police (Verghese, 1972:49). In the Indian context they include legislations against untouchability, rights in the Constitution against exploitation and discrimination on the basis of caste, race, religion or creed, recent legislation abolishing rural debt and bonded labour and legislation regarding land reforms and rural and urban land ceilings. Primordial loyalties²⁸ are still deep-rooted in the Indian masses and it makes enforcement of social legislations difficult. The police have a vital role to play in the implementation of social legislations and in maintenance of social justice. Their attitude and pre-dispositions will play a crucial role in determining their behaviour.

Let us first discuss the various problems connected with maintenance of public order and response of police force to them.

The first problem under this category is combating criminal activities. Criminal activities include only cognizable crime described by Criminal Penal Code and Indian Penal Code. The police cannot take any action regarding non-cognizable crimes.²⁹ Criminals these days make full use

28 For a discussion on primordial loyalties and its implication on law and order see Chapter II.

29 The fact that the police have no powers regarding non-cognizable crime, also affects their public image. People generally do not differentiate between cognizable and non-cognizable crimes and when a police officer refuses to take action on their complain in cases of non-cognizable crimes, they criticize police (Thoughts on Police Reform, CPTC, Abu, 1966:173).

of modern transport and communication facilities and also modern technical know-how. The police department has also been trying to acquire new techniques for the detection of crime. New and newer techniques are used to trap the criminals. Almost all State police departments have a centrally located Forensic Science Laboratory, where various exhibits are sent for chemical and scientific examination. Every district headquarters has one finger-print bureau. Foot prints are also helpful in the detection of criminals. In certain cases dogs are also used to catch the offenders. Modern means of transport are being used for greater mobilization and to catch criminals who ^{make} use of similar means to get away and cross state borders or, at times, cross-over to the neighbouring countries. The criminals have access to modern means of communication for greater co-ordination. This facilitates crime on a greater scale. The police in response have tried to equip themselves with means of communication to meet the challenge. There is one wireless set, at least, in every sub-divisional (or Taluka) headquarters. In cities mobile wireless units or flying squads with wireless sets keep on patrolling busy areas. Attempts have also been made to provide every police station with a telephone, so that contacts with other police stations and higher authorities becomes easy.

But not all the police departments are well-equipped to meet the challenge posed by increasing incidence of crime. Big cities have, no doubt, been equipped with all possible

possible equipments and adequate number of staff. But small towns and rural areas still starve in terms of men and equipment (Misra, 1970:142-43). Reports of various police commissions and other commissions appointed by various State Governments and the Central Government point towards this deficiency. A Police Commission appointed by the Government of Bihar in the year 1958 observed: "Deficiency in the police, it is pointed out, is primarily due to the shortage of man power, the lack of equipment and efficient means of communication. The low scales of pay sanctioned for the lower ranks have prevented suitable candidates from joining the police. Efficiency and effectiveness depends, to a large extent, on the quantity and quality of man power" (Report of the Bihar Police Commission, 1961:11). Reports of the Uttar Pradesh and Madhya Pradesh Police Commissions also point towards this deficiency (Report of the Uttar Pradesh Police Commission, 1960:61-5; Report of the Madhya Pradesh Police Commission, 1967:15-42). A Working Group appointed in 1967 by the Administrative Reforms Commission also points towards the fact (Report of the Working Group on Police Administration, 1970:45-9). There has not been much change in the situation since then.

The second problem connected with law and order relates to dealing with the consequences of political mobilization. As a result of political mobilization during independence movement greater awareness took place among the

masses. People became conscious of their rights, more than their duties. A proliferation of political parties took place due to factionalism. Agitational politics became an almost everyday affair. Public meetings organised by political parties inciting people over petty affairs, political demonstrations, which most of the time went out of the hands of the organisers and posed a law and order problem, resulting in destruction of public properties, loot, arson, riot, firing deaths and ultimately, in a judicial probe became a common affair (Doyley, 1969:251).

The question is what has been the response of police force to these events? In this context, it is also desirable to find out whether the police have shown any awareness towards social change. Do the police realize that they are no more working under a colonial government and they are no more a passive instrument in the hands of an alien rule, and that now they are serving under a popular democracy and their role is not that of masters of the people but that of public servants? Do they recognize that their duty also includes protecting rights and privileges of the people? Their awareness to this fact is definitely going to affect their performance. Their performance cannot reach required standards unless leaders make sure that each and every member of the organisation realizes this fact and shows awareness to it.

There cannot be any doubt about the capabilities of the Indian police officers in confronting riotous crowds. They

are remarkably experienced in this art. Bayley points out on the basis of his study that senior police officers and IAS officers have many tales to tell about their experience in this field and the techniques they employed from time to time to avoid violence (Bayley, 1969:271).

Besides, Indian police have vast powers to deal with such situations. Intelligence is an important part of preventive action and the intelligence agency of Indian police very seldom fails in its task. Then they make use of their preventive powers. Preventive powers against individuals are provided by two pieces of legislation. One is the Maintenance of Internal Security Act (MISA) 1971 and the other is the Defence of India Rules (DIR). MISA was made stricter in early 1976, in the wake of national emergency proclaimed by the President. The DIR was passed after the declaration of emergency in 1962, following the Chinese invasion. It was amended and made comprehensive in 1970. Anti-social elements which cause threat to public peace, and leaders of political parties with communal bias, or those capable of creating a stir on a large scale over petty matters are successfully arrested and detained under the provisions of these Acts. Use of DIR and Preventive Detention Act (PDA), 1950, was successfully made during any threat of communal violence. MISA followed PDA, and the police made full use of it from time to time, specially after the declaration of emergency in 1975. MISA has also been used against anti-social criminal elements against whom it is very

difficult to obtain convictions on specific charges.

Besides, the police are empowered to control any assembly or procession in public thoroughfares. If violence is considered possible, the leaders may be required to apply for a licence (Section 30, Indian Police Act). The police can also specify the time and route of procession. If rules are violated or a licence is not taken out when required, the assembly or procession becomes unlawful and the police may disperse it as well as arrest its members, an offence, punishable by imprisonment up to two years (Section 146, Indian Penal Code).³⁰ There are various other precautionary and preventive measures that the police can take.

Once these preventive measures fail and violence actually takes place, the police have been equipped adequately to deal with such an eventuality. The police use tear-gas shells and lathis to disperse the crowd. Now, the use of rubber bullets is also being given a thought. When all other measures fail, they resort to firing - first, a few rounds in the air and, then, if necessary, on the crowd. Police firing has serious consequences, as it arouses public opinion against the police, and in many cases results in setting up of a judicial committee. At times, the police officers are made scape-goats by the leaders. This breeds frustration among the police officers. Therefore, firing is very seldom resorted to.

30 See Bayley, 1969:264.

The police, no doubt, show high handedness in dealing with a crowd or a procession. At times, meetings organised by the opposition parties is disturbed by the police. But can police be entirely blamed for such a behaviour? They cannot disobey the party in power which may have serious consequences for them.

A similar situation of test arose for the police during the period 1967-71, when coalition governments came to power in many States. And not in all cases did the police stood the test of time. There was a case of policeman assaulting, among others, an ex-MP, an MLA, the District Magistrate of the area, and finally a minister in Baurah. The I.C. Police refused to receive a call from the Chief Minister, Ajoy Mukerjee (Narain and Sharma, 1971: 699). There was another case of a violent raid of a mob of 3,000 policemen on the Legislative Assembly in West Bengal. The Economic and Political Weekly reported;

Even tiny demonstrations in Calcutta are invariably accompanied by wireless vans, but in this case a procession of over 3,000 disorderly policemen, many of whom were shouting filthy slogans, had none in two coin to know of Alipore incidents through non-official sources. Jyoti Basu had rung up the ICP who murmured something about the looking into the matter. But judging the results, he did precious little... These and similar other circumstantial evidence apart, the vandals were actually seen to be led in their deprecation by some high-ranking police officers (The Economic and Political Weekly, Vol. IV, No. 32, August 9, 1969, p. 1297).

Such incidents earn a bad name for the police. Whatever may be the cause, these incidents show that police are not showing adequate awareness to the changing environment. Their adaptation is not fast enough. Though during coalition governments even law and order situation had political overtones and ideological commitment of coalitional partners on many occasions handicapped the governmental effort to deal with law and order situations. They would, for example, treat a gherao as a legitimate instrument of protest and to protect pursue the instruments of the labour force (Narain and Sharma, 1971:588). But they are very seldom blamed. The police are easily recognizable with their uniforms and they become the direct object of attack from different quarters of society.

Student unrest and labour trouble are the two incidents regarded as most troublesome by the policemen. Students express strong reaction to police method and their presence in the campus. Some students go to the extent of denying police any role on the campus (Bhambhari and Mathur, 1972:17). The police, on the other hand, not always view their role as public service. A great number of policemen view it only as a duty allotted to them (Bhambhari and Mathur, 1972:22). This perception limits the role of the police. Though students are not always right in blaming the police, the police have also gone beyond the limits at times to aggravate the situation. There was a case of student unrest in Patna

College, a constituent college of Patna University, in 1972. Whole day there was pitched battle between the police and the students - the students throwing stones and brick-batting from inside the College Campus, the gate of the College being locked they were safe, and the police firing teargas shells into the Campus. In the afternoon the police managed to enter the Campus and the result was a reign of terror on the Campus. Some lecturers were beaten, the Principal of the College was hit, the students were dragged from the hostels and beaten.³¹ Whatever may be the causes behind such incidents, these definitely do not show an awareness of the police force to new demands posed by the changing circumstances. Even if one accepts that the whole thing was started by the students, such a response definitely aggravates the situation instead of resolving it.

In cases of labour trouble also the police generally sides with the mill owners. That is because of the relation of the capitalists with the ruling class. This also is a result of the colonial legacy. Labour troubles are not always violent and on many occasions they have genuine demands too. Police action affecting organised workers is influenced also by the social isolation of the police and more particularly, by their separation from the trade union and left political movements (Dowse, 1966:21).

31 Personal observation.

In fact, in certain circumstances the very presence of police irritates the people and may lead to violence. As pointed out earlier about the affairs in Calcutta during the coalition governments, the very fact that even tiny demonstrations in Calcutta are accompanied by wireless vans is not a happy proposition for the people. Some writers are of the view that the police on many occasions provides stimulus to violence.³² It results from over-reaction of police to particular circumstances (D'Monte, Illustrated Weekly of India, Vol. XCVI, No. 51, 1975). At times, the very presence of the police becomes a catalyst. On other occasions, too strict preventive measures becomes irritating and have serious repercussions.

One more problem related to law and order is controlling traffic. As discussed in previous chapter, towns and cities are getting congested everyday due to rapid urbanization. The number of motor vehicles on road is also on the increase. It poses a problem for the police. They have to manage and control the traffic so that road accidents and deaths due to this are minimized. The police have not been very inefficient in dealing with this situation. Still the number of road accidents in this country is high because people do not strictly adhere to traffic rules. Several steps have been taken by the police to educate people in

32 It is evident from the Patna College incident cited above.

traffic rules. Strict penal laws have been included in the Motor Vehicle Act for the offenders.

The second major function of the police is investigation of crime. In this field the police have made considerable progress. Modern scientific methods are used to investigate crime and catch the culprit. Finger print bureaux have been established, Forensic Science Laboratories have been installed and modern means of communication have been acquired. But, in general, here too the police are far behind the required level. Physical torture of the criminals is resorted to to get the facts and clues out of them. Persons arrested by the police, till proved otherwise by the court, are only suspects and not the real culprits. Is it fair to torture suspects? (Sayley, 1963, 196-74). What happens if the suspect is innocent? One cannot expect from such a person to have a good image of the police. Sharma comments, "After two decades of independence the situation has not changed much, and the police methods of detection, confrontation and prosecution remain largely archaic.... Untrained in modern sophisticated methods of handling popular disorders, the officials of the Indian police knew very little about the anatomy and pathology of various kinds of violent disorders, ranging from student rampages to communal courage". (Sharma,

1971:759).³³ Bayley's survey indicates that the quality of investigation is generally admitted to be defective, even by policemen themselves (Bayley, 1969:141). More specialization of the investigation staff has been suggested by many. Some studies point out that the poor quality of investigation is also because of too much pressure on the police by law and order problems. Hence, most of the time the officers are not able to pay much attention to the investigation cases and they remain pending. Or, at times incompetent officers of lower ranks are assigned the task of investigation. It has been alleged that head Constables and even Constables often make investigations (Report of the Bihar Police Commission, 1961, p. 103). If it is true, the standard of investigation cannot be maintained (Report of the Working Group on Police Administration, 1970:545). Constables and head Constables are alright as helping hand, but they do not have sufficient training for investigating cases.

Another complain against police in this context is of fabricating and concealing evidence (Bayley, 1969:141-2; U. Chinnappa Reddy, 1972:2; Ghosh, 1972:86; Report of the

33 More interesting is the comment made by the UP Police Commission. The report observed: "We regret to note that the old and crude methods of investigation still continue to persist. Complaints of beating, physical torture, maltreatment and harassment by police officers are not wanting. In fact, the methods of scientific investigations have not yet found an adequate place in the strategy of the police." (Report of the U.P. Police Commission, Lucknow, Government of U.P., 1961, p. 70).

U.P. Police Commission, 1960-61:6-7; Puri, 1975:34).³⁴ The question is, why is it resorted to? The answer can be found in the following observation by Tandon:

This unbecomable practice of concoction has become more or less part and parcel of the present day police working. The majority of the older generation of investigating officers preach that without padding or concoction cases usually do not stand in court. Hence concoction is resorted to in order to forestall the arguments of the defence counsel or to plug loopholes to meet the requirement of law (quoted by Bayley, 1969:141-2).

The above quotation points towards a very important fact - there is some fault in the training as well as the system of law. This again affects public-image of the police. Remarks of Justice A.N. Mulla, a judge of the Allahabad High Court, deserves serious consideration. Passing judgement

34 Evidence presented by eye-witnesses are crucial to the outcome of any case. And this results in abuses. Police in many cases find available eye-witnesses who are ready to give evidence in any case, whether they were present or not at the time of incidence is immaterial. K.C. Puri in his article "I saw it with my own eyes" in the Illustrated Weekly of India cites instances of such evidence. One interesting instance I would like to quote: "In August 1975, a 16-year-old boy called Rajinder was missing from his house in Delhi. Investigation led the police to the conclusion that a man known as Umar Elahi had murdered him. Twenty-five witnesses identified Rajinder from his photograph, as the boy had been beaten and killed by Elahi. One even swore that his help had been sought to dispose of the body. But during the proceeding Rajinder himself walked into the court and disclosed that he had only run away from home to Amritsar. The judge, while acquitting Elahi strongly criticized the role of the police and pointed out that it was their duty not only to see guilty punished but also to protect the innocent" (Puri, 1975:34).

on a sub-inspector who had fabricated evidence he said:

Criminal cases which are placed before the courts are in a large measure frame-ups and they are supported by fabricated evidence and extorting confessions through third-degree methods and by disregarding the prohibitions contained in the Constitution of India to safeguard the rights of the citizens... there is not a single lawless group in the whole of the country whose record of crime comes anywhere near the record of that organised unit which is known as the Indian police. (35) (quoted by Bayley, 1969:142)

In spite of the remarks passed by the Supreme Court while expunging the last part of the remarks of Justice Mulla on the appeal of the state of Uttar Pradesh, the fact remains that such a remark came from reputed and respected circles of the society and cannot and should not be ignored as entirely baseless. At least, there is some amount of truth in it and steps must be taken to remove such anomalies which bring the entire organisation under criticism and disrepute.

35 Later on the appeal of the state of U.P. the Supreme Court expunged the last part of the remark describing the police 'an organized lawless group'. The Supreme Court commented: "The remarks made by the learned judge in respect of the entire police force of the state were not justified on the facts of the case. To characterize the whole police force of the state as a lawless group is bad enough; to say that its record of crime is the highest in the state is worse and coming as it does from a judge of the high court is sure to bring the whole administration of law and order in disrepute...." (Bayley, 1969:142).

One must go into the roots of the matter and try to find a solution to this problem. As discussed earlier, one cause of the problem is the view of the older generation of officers, who have not been able to dispense with the attitude of the colonial police. This attitude also passes down to the younger generation officer, since the old ones train the probationers and give them tips of the trade. The other cause concerns the promotion of the officers of SI and ASI rank. There is a feeling among the officers, specially Station House Officers, that their promotion is adjudged on the basis of a number of convictions.³⁶ This does not only lead to concoction of evidence but also to avoid registering cases. Though the senior officers deny that they judge subordinates on the basis of the number of convictions (Dayley, 1969:143), but the fact remains that the subordinates feel that way and the result is what we have discussed above. The feeling of the subordinates must have some ground. Such a feeling would not develop unless it has been done in certain cases. Even if it is baseless, the senior officers should

³⁶ The Law Commission observes: "As the idea persist among most of the junior police officers that their promotion will largely depend upon the number of convictions they are able to obtain, in their anxiety to obtain convictions, or from other motives, these officers not unoften deliberately concoct false evidence to connect the accused with crime" (Quoted by K. Deb, "Malpractices in Law Enforcement", The Indian Police Journal, vol. XIX, No. 3, January 1973).

see to it that the junior officers get rid of such a prejudice and do not indulge in concoctions.

The third, and most important task of the police in a changing society and changed situation is to implement the measures of social justice. As stated earlier, this includes various statutory and constitutional measures to ensure social justice. The first problem in this context is that of abolition of the practice of untouchability. The Constitution of India abolishes this practice and guarantees all citizens of India 'equality of status and of opportunity' with a Fundamental Right against exploitation. Under this provision the former untouchables (addressed as Harijans by Mahatma Gandhi) have come to be known as Scheduled Castes and have been granted certain privileges. A certain percentage of vacancies are reserved for them in all kinds of jobs. The police have to see that untouchability is no more practiced and untouchables are not harassed or exploited any more. But this is not possible unless the police themselves get rid of this taboo. Have they been able to get out of old feudal values? The answer, definitely, is not in the affirmative. Whom is one going to expect to give up old redundant values and taboos? Almost illiterate constables or semi-literate Assistant Sub-Inspectors, Sub-Inspectors, and Inspectors in whom these values are deeply entrenched? Assistant Superintendents and Superintendents of Police have seldom to deal with these cases. The first and most immediate person who encounters

such a case is a Station House Officer. In the existing circumstances he is not in a position to face confrontation with the local feudal elements (old Jagirdars or Zamindars) against whom such complaints are made.³⁷ Besides, he himself finds it difficult to adjust to the situation. Caste feelings are still so strong that an officer belonging to a higher caste finds it difficult to believe that lower and suppressed should complain against the Shakers and other higher castes who used to provide bread for the lower castes. This can be testified from the various newspaper reports, especially from eastern U.P. and Bihar, where caste Hindus attacked settlements of Scheduled Caste people and the police sided with the caste Hindus. In certain cases the police also indulged in the act of violence against Scheduled Caste people, going to the extent of raping their women.

Such incidents are rare in cities, but they are not totally absent. A news bulletin from the Economic and Political Weekly reports about an 'organised repression of the Scheduled Caste by the police force of Maharashtra Government'. A meeting was organised by Dalit Panthers on January 6, 1974, in a Scheduled Caste locality in Bombay. The meeting was attacked with brick-bats, following which the police made a lathi-charge on those present and arrested a score of persons.

³⁷ Such a situation generally arises in rural areas. In towns and cities these values are gradually being eroded. But they are still strong enough to violate the concept of social justice.

The next day there was a day-long violence in the BDD chawls, a residential area adjacent to the venue of the previous day's meeting. The Indian Express reported about the role of the police in the following words:

Boys and adults from the side of the Police Lines (policemen's quarters in the BDD Chawls) freely hurled stones at the buildings where the non-scheduled castes live....It is mysterious that the police burst tear gas shells at the scheduled castes, lathi-charged them, entered their buildings, and arrested and beat up some persons, but did nothing to stop the stone-hurling mobs from the police Lines side....A long line of policemen armed with lathis, rifles and tear gas guns and the State Reserve Police had their backs to the Police Lines. Four policemen were actually seen throwing stones at the scheduled caste tenements.

And when Dalit Panther organised a procession in protest, police hurled stones on the procession. The procession did not retaliate. Still the leaders were arrested and cane-charge followed (The Economic and Political Weekly, vol. IX, Nos. 1 & 2, January 12, 1974:1-2).

Even if one accepts that the newspapers reports were prejudiced and exaggerated, the report cannot totally be ignored. The newspapers can magnify the role of the police in the incident only to an extent and not beyond it. The entire story cannot be just a figment of imagination of the press. Such incidents show that the police have not exhibited the awareness in the field of social justice to the

extent they should. Newspaper reports also suggest that in case of a feud between the landlords and tenants in the rural areas the police sides mostly with the landlords. Then starts a chain of registration of cases and fabrication of evidences against the tenants.

In a democratic society, where the governments change from time to time, the role of the civil servants assumes a different character. They have to serve the government of the day with devotion and commitment to duty, irrespective of the nature of the party in power. Their allegiance should be to the government and not to the party.

After the 1967 General Elections the Indian bureaucracy had to face this dilemma. In many States coalition governments came to power, breaking the hegemony of the Congress which had been ruling the country since independence. The Indian bureaucracy (including the police) came out, by and large, successfully from this test. But still there were some incidents which brought the police under criticism from different circles. One was the case of West Bengal, where the Chief Minister Ajoy Mukerjee had to go on hunger strike against his own government. There were other incidents where the police officers did not listen to the Chief Ministers (see page 102). Such cases do not show proper police-response to social change.

With the above discussion it becomes clear that though the police have taken steps to adopt themselves to the changing role, their response still leaves much to be desired. They

have not yet been able to build-up an image of a democratic police. Their colonial nature still comes to the fore from time to time. But who is responsible for this? Are the police entirely to be blamed, or even the society has failed in its task to organise a police for democratic needs? What has been the role of the leaders, upon whom falls the task of nation-building after independence? What has been the role of the press, as a conscious and fast-reacting section of the society? These questions immediately strike one's mind, as one wants to investigate the causes which are at the root of inadequate police response.

Nehru once said: "Actually, the police are not a separate entity, they are selected from the people and taught their duties so that they can do their work efficiently" (quoted by Misra, 1970:1). Unless the people realize that the police are one of them and co-operate with the police, the police will not be able to do their work efficiently.³⁸ (Golase and Shukla, 1973:1; Srivastava, 1972:244; Gilljam, 1974:34; Misra, 1970:1-11). Public co-operation is the first prerequisite of efficient administration-civil or police in a democratic society. In India the people have not been able to provide that support to the police due to various reasons. The colonial background of the police and the failure

38 Nehru said on another occasion: "The function of the police is to protect the citizens from anti-social elements and their efficiency goes up in proportion to co-operation of the people they have (quoted by Misra, 1970:221).

of the police officers and leaders are some of the reasons behind such an un-cooperative attitude. A study conducted by the Bureau of Police Research and Development points out that people, in general, were reluctant to aid the police in the detection of crime. Most of the people feel that no useful purpose is served by helping the police in an investigation. Some of them did not want to involve themselves in criminal cases because of prolonged procedure of the courts and behaviour of the police (Golase and Shukla, 1978). The study also points out that some of the people were even reluctant to register cases with the police.

Going into the causes of police-public hostility, it would be difficult to judge who is at its source, but one cannot deny the fact that one aids the other. This fact has been pointed out by various empirical studies conducted in India and abroad. Some studies point out that police is hostile because the public is hostile (Westly, 1970:xi; Chinnappa & Gay, 1973:2). This hypothesis is further supported by the fact indicated by some surveys that a large number of people who were critical of police either had no contact with the police at all, or had very few contacts (Bhamhari and Nathur, 1972:13; Bayley, 1969:44). Still another study points out that those who have come into contact with police have better image of them than those who have had no contacts

(Srivastava, 1972).³⁹ This also happens because "the public judge the police by failings and attainments of the individual policeman with whom it has contact and its opinion is formed by its reactions to these personal and isolated experience of members of the public"⁴⁰ (Ghosh, 1972:36). Thus, the people develop a negative attitude about the police and their role in society.

Press plays an important role in building or destroying the image of persons or organisations. The attitude of the press has also been negative towards the police. They look searchingly for police-failures, which could make an interesting headline for their newspapers. This can have serious repercussions as far as the image of the police is concerned (Ghosh, 1975:7).⁴¹ Good police-press relationship is desirable for both the police and the press, but they are even more important for the interest of the people. The public has a right to be informed. The press has a duty to keep the public informed. The police, for their part, have

39 According to S. Venngopal Rao the police is at fault (Venngopal Rao, 1972:27).

40 "Their (police) successes", commented John F. Kennedy, the former American President, "are never sung but their failures are heralded".

41 A survey of newspapers and their editorials conducted by P. V. Malviya also indicates that the attitude of the press towards police has been negative. Newspapers always, or at least most of the times, projected a negative image of the police. The police, also, never tried to counter the allegations by follow up reports (Malviya, 1974:2-5).

the same duty and obligation to keep the public advised of their successes and failures in the constant war against crime and violence (Murthy, 1968:436-9; Farmer, 1968:111-13). Besides, the image of the police projected by other mass-media like cinema, should also improve.

A clear understanding of the role of the police is an essential part of a good police-public relation. A good police-public relation is good for both. Besides, it is also an incentive for the police to work in the interest of the society. If the police are always criticized, if abusive slogans are raised against them in public meetings and demonstrations, it is definitely going to affect the attitude of the police. They are at times, criticized for something they are not responsible at all.⁴² People blame and condemn the policemen for everything that goes wrong in the society and

42 Nehru, remarking on the charge of police brutality, said in the Lok Sabha in 1956: "There is no doubt reference to police zulum. It is constant factor that is brought in everywhere because it is expected that everybody will immediately accept any charge of misbehaviour by the police. The poor police is so used to being kicked and cuffed like that and always condemned. It is easy to make a charge against the police...It is becoming intolerable for this poor policeman to be condemned for trying to do his duty in the most difficult circumstances. Let us punish the policeman when he is guilty or anybody else when he is guilty. But the stone-thrower becomes a hero and is taken in the procession - may be - and the poor policeman who gets the stone on his head is a person who is guilty of zulum and atrocities (quoted by Bayley, 1969:277).

community (Misra, 1970:1-11). For example, the police are not responsible for all the violence occurring in society.

"Violence is sometimes prompted by circumstances beyond their control, they find themselves asked to deal with persons already violent, and frequently find it necessary to use violence to end the disturbance. They are frequently the victims of violence on the part of others. Even if the use of violence by the police is not always justified it is not always avoidable either" (Katz, 1974:75). People must realize what the police are supposed to do and what is beyond their control.

One important reason for inadequate police response is the involvement of the police with politics. This hampers the discipline in the police force and develops a suspicion and hatred for the police in public life (Ghosh, 1972:106; Report of the Bihar Police Commission, 1971:81). The years after independence have experienced increasing political interference and control in police field operations has become the rule in States. Often ministers in power are found interfering with the police in discharge of their legitimate duties. This kind of political interference with the administrative officials in the discharge of their legal responsibilities is a negation of the principles on which the rule of law rests (Ghosh, 1975:5; Venkatramaya, 1972:13; Misra, 1970:222-3). This has serious consequences. S.K. Ghosh points out; "A police chief who has the audacity to challenge

the very source of government in the enforcement of law, must go, no matter how honest and competent he may be. If the political head of the police is crafty and unscrupulous, he would not hesitate to influence some officers to bring up 'trumped up' accusation to remove him' (Ghosh, 1975:14).⁴³

That is how a politician influences the working of the police. On many occasions, a policeman is forced to oblige the politicians. If he refuses he will have to meet the consequences (as Ghosh has rightly pointed out). This results in a general carelessness among the policemen towards their duties. If he is forced to take illegal actions, after some time he will do it on his own will. Finding that others are being benefited by powers he possesses, he will misuse them for his own benefit. Thus, starts a vicious circle of corruption and bribery. The ruling party has full control over the police and they (whichever party is in power) do not hesitate in using the police as their tools. This will, ultimately, result in lawless law enforcement and affect the image of the police (Ghosh, 1975:17).

While the police are being used by the politicians and the ruling party for their ends, "india's politicians", observes Bayley, "are ready to condemn the police at the drop of a hat and do so loudly and fairly regularly". Bayley

43 S.K. Ghosh was I.G. Police of Orissa. When a police chief feels in these terms, we can think about the seriousness of the affairs.

further writes: "Politicians express the attitude that people must be continually defended from the injustices, exactions, and stupidities of the police" (Bayley, 1969:367). This does not only affect the morale of the police, it goes against their image also. A hatred for the police further gains ground in the public mind. Nobody realizes that the police have to obey the political executive, who specify the broad fields of their operation. If the police are asked to control a demonstration in a particular manner, or to arrest the leaders of the opposition, do they have a choice? And when the public opinion reacts to 'police zulum' the axe falls on the police, who would otherwise have been praised.⁴⁴

Secondly, the police officers are very often sent on security duty whenever a VIP arrives in the district. At times the entire force of the district is mobilised on VIP duty leaving some junior officers and a few constables in the police station. And if a serious crime takes place when the officer is out, it is natural that local MLAs will raise voice against it. Then, irrespective of the fact that the officer was sent on

44 In the case of student unrest in Patna in 1972 mentioned earlier, the police were applauded by the government for controlling the disturbance. The Senior Superintendent of Police and the District Magistrate were praised by the Chief Minister. But when the Cabinet found the public opinion going against them and feared a heated debate in the Assembly, both of them were transferred immediately and they had to hand over the charge to the successors overnight. Thus, leaving a general feeling of frustration among the police officers (Personal observation).

deputation by higher officers, he is made scapegoat for saving the face of the minister and higher officers and suspended. The effect is two-fold. First of all, the public will feel that the police officers are inefficient and irresponsible and develop a contempt for them. Secondly, there will be frustration and resentment in the organisation. The press do not hesitate in fanning the fire.

Severe doubts have been raised about the leadership of Indian police. Only a good leader can bring out the latent qualities of character in his followers. And the leadership of the Indian police has yet to reach the mark (Misra, 1970: 47). "Most of the ills of our police forces", says S.K. Ghosh, "are due to poor leadership and inefficiency in the higher ranks. Leadership calls for a thorough grasp of the working of the police service" (Ghosh, 1972:11). And obviously our officers lack such qualities. The higher ranking officers (at least most of them) have not been able to get over the colonial hangover and treat themselves as the boss, more than a leader. Many of them put too much emphasis on punishments and rewards, which most of the time ^{are} awarded on their whims and fancies (Ghosh, 1975:57-8). At times the IPS officers are more like 'Sahibs' than their predecessors, the Indian Police officers of the olden days. There is a tremendous gap between an IPS officer and the officers below the rank of Dy. SP. Thus a hostile attitude comes down the ranks and is ultimately reflected in the behaviour of the lower ranks with the public. The respect which they do not get from their

bosses, they try to obtain from the people at large.

One important complaint against the police force is of corruption. As discussed earlier, they have to please their political bosses by doing undue favour. They, at times, have to leave anti-social elements and shut their eyes on their wrongs, who are coddled with politicians to get them votes (Ghosh, 1972:106-7). These are also other forms of corruption. Concealment and fabrication of false evidence is also corruption. And these exist in Indian police. Still the most talked about form of corruption is bribery. Bayley's survey reveals that a majority of the people think that there is corruption among the policemen in India. Corruption in the police has almost become a byword in India (Bayley, 1969:Ch 11). The police in India lacks ethical and moral base (Misra, 1970:44; B.N. Mullik, 1969:15-22).⁴⁵ Almost all the Police Commissions have accepted the fact that there is corruption in the police (Report of the U.P. Police Commission, 1960-61:155-9; Report of the M.P. Police Commission, 1967:266-74; Report of the Bihar Police Commission, 1961:Ch. XXIV). But corruption in the police cannot be looked at in isolation. How can we study corruption among the police without taking socio-political environment into account? Police is the part of the social

45 B.N. Mullik emphasizes the role of moral training for the police and advocates the imparting moral training through religious scriptures. He has also written an entire book for that purpose - "A Philosophy for the Police".

system and if the system is diseased, the police cannot be any different (Misra, 1970:264). It cannot be, and it is not, true that the police only take bribe and rest of the departments do not.

There are several factors which bring corruption in the police. The first is traditional factors. From the colonial days it has become an accepted practice to tip the policeman for the work he does. And the people who criticize the police for this evil, gladly go and bribe them if they want something illegal to be done. The second important factor is environmental factor. The entire environment is to be blamed for corruption and not a section. The third and final factor is financial. The junior police officers are very low paid and all the studies and most of the Police Commissions recommend better salaries for the police personnel (Thoughts on Police Reform, CPTC, 1966:172; Misra, 1970:275; Report of the Bihar Police Commission, 1961:160; Report of the U.P. Police Commission, 1960-61:111-8; Report of the M.P. Police Commission, 1967:248-65; and Mullik, 1969:15).⁴⁶

To sum up the arguments, the police in India have become merely a tool in the hands of the government (Ghosh, 1976:17). They have successfully and very efficiently responded to this demand of the time. In fact, they did not have to do much as they have for long been used to this type

⁴⁶ The salary and emoluments of the police personnel will be discussed at length in the next chapter.

of role. The colonial rule never used the police for anything else, but for their own purposes. They will, in fact, be happy to perform such a role. Due to improper political influence the police in India have known to become the tool of 'self-serving elites' (Hayley, 1969:369). Nobody can cast doubt on the efficiency of the Indian police in this regard. They have successfully helped the government to suppress popular movements⁴⁷ and other disorders.⁴⁸ How efficiently can the police act in its repressive role is very clear from the efficient handling of the chaotic situation on the imposition of emergency last year. Mounting dissatisfaction against the government resulting in popular disorders suddenly fizzled out due to large scale repression of the police.

Otherwise, the police in India have miles to go in obtaining efficiency and to respond to social change. Frankly speaking no tangible steps have so far been taken to improve the standard and change the orientation of the police and to organize a police service to serve the people (Misra, 1970:32). There have been criticisms of the police in various circles - "press and politicians, Bench and Bar, lawyer and legislator, rogue and reformer, citizen and criminal" (Chinnappa Heddy, 1972:1). But nobody have ever thought about reforming the police. People have always been criticizing police, forgetting

47 As in the case of JP Movement and the movement in Gujarat.

48 We can put Naxalite movement in this category.

that they are a part of the society and have not descended from the outerspace. If the police are to be blamed for corruption, the people are also to be blamed. One can hear some of the 'well off' crooks in the society criticizing public servants who are honest and do not yield to their demands. They will also criticize them, if they are dishonest, if they demand more than they can pay. A policeman has to, often, face such dilemma. If two rival party come to a police station, the both will try the police to help them. If the police do not take bribe and help the right person, the other will criticize the police for doing dishonest. If they listen to the other first, very rightly so, do the same.

Thus, it is for the society to organize a police force which can serve the people. This can be done by attracting good human material, by offering good service condition and better salary; and more than these, by offering a place of honour to it in society. The people should take more positive attitude towards the police. In a democratic society it is not possible to keep off politics from administration, but the politicians through self-restraint and by avoiding misuse of political power, can do it in the larger interest of the society. Improved training programme is also desirable. The police cannot be expected to change themselves overnight and by themselves, when no proper environment is prepared by the leaders for this change.

**"The Police force in India, at present more specially,
has to discharge very arduous responsibilities."**

Jawaharlal Nehru

**(Speech to IFS Probationers at Mount
Abu on 18th October, 1958)**

IV Conclusion

IV Conclusion

We have discussed the changes taking place in society, their implications for the enforcement of law and order and the response of the police force to the changing environment. Our discussion and survey suggests that their response is not sufficient and efficient. The changes permeate all walks of socio-political and economic life of the citizens. The changes are enormous and the demands multifarious. Response would not be accepted as adequate unless the police build up the capability and capacity to meet all the challenges of varying importance and dimensions. Unless even a minor demand is taken seriously, the police would not be able to fulfil the expectations of a democratic society.

Inadequate police response leads to several complications. The police, as it is, are known to be a corrupt and inefficient lot. The people have not yet been able to get over the colonial hangover and change the image of the police in their minds. There still exists 'a friend in need, but a nuisance is dead' image for the police (K. V. Rao, 1972a:182). Misuse of authority, maltreatment of the public, and continued prevalence of corruption will spoil the situation further. The police, as we have seen

during our discussion on police-response, are now well-equipped, and to an extent, well-trained to meet any riotous situation and to control any type of political demonstration. This is not something they are doing for the first time. Even during the British rule their main function was to protect the colonial rulers in such circumstances. And they efficiently performed this task, though they had to hurl lathis on their own countrymen. The task is not very different today. The situation, however, has changed. During the colonial rule the people used to give a contemptuous look, call them 'collaborators' and dissociate themselves from them. When the police used to hurl lathis they very seldom retaliated. But in independent India the people cannot tolerate their own police hurling lathis, firing tear-gas shells and bullets at them. The result is retaliation. The violence, thus becomes a two way process and, on many occasions, takes serious turn. And image of the police remains as an oppressive force, a tool in the hands of the government of the day. This necessitates a careful handling of crowds. The role of the police becomes preventive rather than oppressive.

Since independence, the people have become extra-sensitive. They are not ready to tolerate inefficiency anymore. But their extra-sensitiveness takes this demand for efficiency too far. All the citizens have the freedom of speech and expression. They do not have the fear of an alien rule. They are free to elect or reject, praise or

denounce, respect or humiliate their representatives on the basis of their performance. Therefore, they do not hesitate to criticise public-servants also for their inefficiency. They are ready to criticise the public servants for the minutest failure. The failure could be due to certain circumstances beyond their control. Most of the time the people are either not aware of this or are not ready to realise this fact. At times, they create situations under which a public servant cannot function properly and he faces a dilemma due to various pulls and pressures. And the police, as it is, are a much maligned and much despised lot, in spite of the fact that the public needs the police and no society can exist without the police.⁴⁹ This continuous criticism due to extra-sensitiveness on the part of the public, has an adverse effect on the morale of the police. Their distrust at every stage and criticism day in and day out has resulted in some kind of shamelessness and resistance to change (Misra, 1970:49). But such criticism can be averted by the leadership in the department by seeing that the incidence of bribery is negligible. Officers taking bribe should be punished and the factors

49 K. V. Rao writes about the public distrust of the police: "...as in the case of God, an average man requires the police when he is in trouble but, unlike as in the case of God, when he is not in trouble, while God is forgotten, the policeman is despised. A good citizen is one who does not come into contact with the police at all, and it is considered better, to put up with a little trouble and a little loss of property rather than go into the spider's web." (Rao, 1972a:182).

leading to bribery should be eradicated. Public attitude can be changed and public criticism averted also by a courteous behaviour. The police should be trained to distinguish between the general public and professional criminals, and given each the treatment due to them.

The people should also get rid of extra-sensitiveness. The policeman or any person in society cannot remain corrupt if the foundation of the society lay on honesty. And a policeman, or any person for that matter, cannot remain honest in a corrupt society. To put it in a nutshell, we cannot judge behaviour of individuals or a group of individuals by isolating them from the socio-political context. If an individual grows up in a society, he is definitely influenced by the way of life, norms and values of that society. Though deviants are also not unknown, but they are rare. If only the policeman is to be blamed for his corrupt^{ion}, why is it that a father while looking for a match for his daughter wants to know about 'Gonari Asudani'⁵⁰ if the prospective groom is in police. This reflects the values that have developed in society over the years and have gradually become firmly rooted. The society is as much responsible for this as a policeman or any other person.

If the police are not aware of the principles of social justice and its importance for a secular democratic

50 Extra income from gratification and bribe.

country with socio-religious diversity, they cannot respond to the new demands created by the spread of liberal ideas and democratic principles. The old feudal concept of caste is redundant for a democratic society. The barriers based on caste and religion are breaking down today. The police have to realise this; they will not be able to ensure social justice enunciated and guaranteed by the Constitution otherwise. A policeman who still has strong feelings of caste and religion might refuse to register complaints of lower castes against higher castes. Or, he might even side with the higher caste and try to shift the balance in its favour. This, again, will have an adverse affect on the image of the police.⁵¹

Therefore, there is a need to devise ways and means to make the police department well-equipped to meet new challenges and efficient enough to serve the people. This will necessitate a score of measures and thought must be given to each and every aspect of police administration, which includes planning, recruitment, training, service-conditions, aspects of leadership, supervision and management and overall structure of the police department. Each and every point mentioned above is vital for building a model police department for a democratic country.

51 "It would be wrong to presume", opines S.C. Misra, "that the public alone is to blame for this state of relationship with the police. On their part, the police have shown hardly any change in their attitude towards the people at large. A very great proportion of policemen have not even realized that their role has vitally changed after the country's independence, from agents of a master to servants of people" (Misra, 1970:188).

Before we go into the organisational and administrative aspects of the police department, let us stress the need for public-relations to improve the public-image of the police. No tangible result can be achieved even by reorganisation unless good public relations have been achieved. This necessitates an understanding of the problem, so that the factor influencing the police-public relations can be eliminated to ensure proper harmony between the two in the interest of society. Emphasis these days is put on police-community relations, thus broadening the base of the relationship.⁵²

Public-support is an essential prerequisite for efficient working of the police (Sriwastava, 1972:243; K.V. Rao, 1972:196; Colaco and Shukla, 1973:1; Gilijan, 1974:274; Fitzgerald, 1974:115). General apathy and the indifferent attitude of the society, and also their failure to support police activity in all their operations, makes enforcement of law and order and efficient working of the police very difficult (Gilijan, 1974:34). The police, therefore, must strive for better public-relations. The police should not wait for the society to change its attitude before they start functioning efficiently. The senior police officers and political executive should take steps to reorient the police force in a manner that they understand the crucial position they are in and the vital functions they are performing. The

⁵² See Neiderhoffer and Smith, 1974; and Glas, 1974.

police should be humble and polite to their clients who come to the police only when they are in trouble⁵³ (Westley, 1970:4). The slightest rudeness on such an occasion might frustrate the client and convince him about the impression he has about the police. The impression is not always based on personal experience but such experience will not only convince the clients but also help to carry his thoughts to others and the police will have to face a hostile public. This is a sort of vicious circle which needs to be discontinued

53 A study conducted by the Bureau of Police Research and Development on "Reluctance of the Public to aid the Police in the Detection of Crime and Crime Reporting at Police Stations" suggests that the police can improve their relations with the community by eliminating their reluctance to register complaints, by stopping improper behaviour with and ill-treatment of their clients and by giving up corrupt and irregular practices and harassment of complainants and witnesses during police and court proceedings in criminal cases. Though the picture which emerges from this study is not very pessimistic. A majority of the complainants in the sample (59.2%) were appreciative of the police behaviour (except in Bihar where people find the police indifferent), the rest found the police hostile. Hostile behaviour is pronounced in Delhi. Urban people are more appreciative than the rural. Education also affects perception - educated people are more appreciative. The rural population and uneducated people find the police indifferent. The higher the income greater the appreciation and lower the income greater the indifference. Caste and religion also affect perception. Muslim and Scheduled Castes and Tribes find the police indifferent. Lower the income, greater the indifference. There is a feeling that treatment of the police is governed by their own status, or the status of the accused. Most of the people in the sample felt that the police are corrupt and they accept gratification. In certain cases people also felt that the police tried to shield the true criminal even if the respondent is ready to help them in detection. The police, felt the people, do not take prompt action. Though influence did not work with the police they were hesitant in taking action against prominent people (Colaso and Shukla, 1973:10-103).

immediately and no party should wait for the other to take the initiative. The police, if they want to perform this thankless job efficiently, they cannot specially afford to have a hostile atmosphere around them, since it leads to frustration which might in turn lead to rude behaviour.⁵⁴ Accepting the fact that the police job is stressful and strenuous, which always keeps its personnel in a state of mental tension, and that they meet their occupational audience (the public) at a time when the 'audience' is also in trouble (in short, that both are at their worst) and is not ready to appreciate their problems, one can sympathise with the police. However, since it is their duty to help people in trouble, no excuse or reason can be accepted for their rude and discourteous behaviour. Whether people understand them and their problem or not, they must do their best to understand and solve the problems of the complainants. General complaint about the police is that they are very sensitive about criticisms.

54 George L. Kirkham, a criminologist, tried to assess the role of the police as a participant observer. He joined police and found, during his work, that thankless and strenuous job of policing generated anger and impulsiveness in him. In spite of doing patrol and other jobs day and night the people were never sympathetic and never tried to understand the problems of a policeman. In such an atmosphere his criminologist used to bow before the policeman and he would curse aloud and bitterly denounce as a policeman the very legal restraints upon his occupational activity which as a criminologist he always regarded as essential to the preservation of democracy (See Kirkham in Donald MacNamara and Nadel, eds., Police: Perspectives, Problems, Prospects, 1974:36-52).

This sensitiveness generates sensitiveness in the department to counter the hostility of the public. Increasing violence in society has made the police violent, hostile and sensitive (Leatley, 1970:24; Chinnappa Reddy, 1972:2).

The government has taken various measures to ensure courteous police behaviour; one of them being observing of 'Courtesy Week' every year. Huge boards emphasising the need for, and utility of, courteous behaviour are put on the walls of police stations. But these measures touch the problem only at a superficial level. Observing courtesy week will not be able to do away with strongly entrenched feelings of hostility towards the public. The problem has much deeper roots and the need is to deal with the problem at the point of its genesis.

While it is necessary to bring reform in the organisation for ensuring better relations with the community, steps must be taken to change the public attitude. Since it is very difficult to judge whose hostility is at the genesis of the hostility of the other side (but the fact remains that one aggravates the other), it is desirable to take steps to change the hostile attitude of both by making them understand each other. The public must be made to understand that what the policeman does is no more than what the ordinary man will do for himself. The public must be educated about the policeman's work, procedure and methods (Chinnappa Reddy, 1972:2). The public must realise

that in course of his duties the policeman always comes in contact with the worst of human beings. No group is so much exposed to the seaminess of human life. The police are exposed to the ultimate in human foolishness, human madness, human crookedness and cruelty. There is no behaviour which men have not thought of in their worst moments that the police officer does not have to face (Mullik, 1969:144; and Black, 1968:6-6). This might take toll in the loss of sensitivity, compassion and faith. This might also bring many temptations before him. On such occasions he needs sympathy from society. The policeman finds himself alienated from society. The police feel themselves discriminated against and unpopular. They feel hated and persecuted. The alienated police officer may be inactive and corruptible (Toch, Grant and Calvin, 1975:7-8).

The people must learn to respect the rule of law. Then alone will they understand the responsibilities of the police. While the people want things to go smoothly, they do not want unlawful activities to happen; at the same time many of them make the smooth sailing difficult by breaking laws. A small breach of law leads to a major unlawful activity, so even a minor breach of law should be avoided. Too many individuals in every society assume that they are exceptions, as if the laws were made for the general public but not for them. This includes public officials, political leaders, doctors, landlords, and those who think that their

wealth or social status exempts them from ordinary responsibilities. These exemptions are demoralizing to the police. They add to the climate of law violation (Black, 1968: 18-20).

Thus, as good police-public relations are essential, steps must first be taken to transcend the police view of the world (Neiderhoffer and Smith, 1974: 19). No section of the society should feel that it is being discriminated against by the police.⁵⁵ The police should realise that their role is not only as agents of "law enforcement" but also as peace officers (Dynes, Quarantelli and Foss, 1974: 57-8). On the other hand, the public must know about the role and duties of the police. It must appreciate the problems the police face and should always be ready to help and co-operate with them.

This necessitates creation of an agency which can work in this direction. Recommendations have been made to create a public relations wing in the police department (Report of the U.P. Police Commission, 1960-61: 160-1; Report of the M.P. Police Commission, 1966: 275-81; Report of the Bihar Police Commission, 1961: 223; Report of the Working Group on Police Administration, 1970: 165-71; Neiderhoffer and Smith, 1974: 11; Personnel Development Programme in Police Service

⁵⁵ Studies from United States indicate that the minority groups were critical of the police attitude and behaviour towards them (Olmos, 1974: 11). They always feel discriminated against. Even in India, specially in rural areas, Scheduled Castes, Scheduled Tribes and other minority groups like Muslims find the police either indifferent or hostile towards them (Colaso and Shukla, 1973: 98).

- Proceedings of a Seminar - NPA, 1974:1). The Bihar Government was first to appoint a Public Relations Officer, but the experiment was not very successful. The Public Relations Wing of the police department should, through its public-grievances cell (Thoughts on Police Reform, CPTC, 1968:172-3), try to list the grievances of the people and devise ways and means to satisfy those grievances. If it is not possible or difficult to satisfy those grievances, they should, through meetings, seminars and other possible means, try to resolve the doubts people have about the functioning of the police department. This is one possible way the community can be made to realise the responsibilities of the police and simultaneously the police can be made totally acceptable to the community (Transactions of the NPA, Vol. XI, 1968:88).

For greater interaction between students and the police, it has been suggested to hold seminars in the universities from time to time on the working of the police. Introduction of Police Science (like Military Science) or Police Administration (like Public Administration) as a separate subject can also be an effective way to make students' understanding of the police better. Besides, creation of a Police Wing of the National Cadet Corps, on the lines of Police Cadet Corps in England, has also been proposed as a measure to bring the students closer to the police department, to change their image of the police and to train prospective policemen who will understand

their duty better than their predecessors, become better-suited for a democratic society (Hobley, 1969:83; report of the Working Group on Police Administration, 1970:165-71). For a better and closer contacts with students, young police officers should be sent to universities to do courses with the students. Thus, the police can make friends with one of the most hostile groups they have to face.

Development is necessary for survival and planning is necessary for development. That is why, these days considerable emphasis is placed on planned development. Planning is accepted as an essential prerequisite for development. There is one more precondition for development - peace and tranquility in society (Singhvi, 1971b:747). The police provide peace by maintenance of law and order, by catching and bringing before the court of law those who do not respect the laws framed for maintaining order in society. Is it not a fallacy that an organisation which ensures planned development has never been able to draw the attention of national planners? No convincing explanation can be given for not making police a planned subject. Nehru giving an explanation for this said: "The major problem of India is that of development. We must never lose sight of this objective. The army and the police only provide the background because they create the conditions in which that development is possible." How insignificant has the role of these organizations been made by the use of the word 'only'.

Can one deny the importance of "background" that they provide? The army can remain a non-plan subject (though now it is not; defence is a plan-subject and the army forms a part of the defence forces) because it is a Union subject. But police is a State subject; as such collaboration and co-operation with states is essential. One more possible explanation could be that because India has become a welfare State, after independence, planners do not feel the need to list it as a plan subject (Singhvi, 1971b; 745-6).

People talk a lot about the efficiency of the police department and do not hesitate in criticizing and condemning it on the slightest provocation. But no body thinks about planning a police department which will be ideal and render service to society. The police department has for long been starved of finances (Report of the Working Group on Police Administration, 1970; 42). In the absence of sufficient financial reserves neither good salary and emoluments can be given to police personnel (which could attract qualitatively better people), nor good and intensive training can be provided (which could make the police an efficient organization), nor modern equipments can be made available. In the absence of the above conditions the police department does not remain in a position to improve its efficiency. Poor salary for the police personnel increases the chances of corruption, as the policemen become vulnerable to monetary pressures.

There are grave implications of not making police a plan subject. In case of curtailment of governmental expenditure the axe falls on non-plan expenditures, and therefore on police as well. Emergence of Central Police organisations has created new problems in Union-State relations. No one denies the role of the Centre in law and order administration, but the role can be made more active and positive by including police among the plan-subjects (Singhvi, 1971b:749).

For a better co-ordination and providing a uniform system of policing in India it is desirable to constitute an all-India Police Commission. No such commission has been constituted since 1902-5. Several commissions on Police Training or Police Administration have been constituted from time to time, but they have dealt with one or more aspects of the problem. They have never taken the problem in its totality. Singhvi suggests creation of a Police Board as an adjunct of the Planning Commission. By understanding police planning in proper perspective at the national level a lot of duplication and defusion of efforts and expenditures being incurred by the states police forces could be averted (Singhvi, 1971b:750-3).

Police planning should start at the recruitment stage. An efficient force can be built up only if persons with an aptitude for the particular job are recruited. In fact, this is the maximum of recruitment in the defence forces. The rigorous tests an aspirant for the defence forces has to go through have been carefully planned to select the

right person for the job. It is necessary to attract the right person for the organisation before recruitment is done. Merely choosing the best among the applicants, as it is done now, will not help in improving the quality (K.V. Rao, 1972a:183). No serious thought has been given to recruitment policy. All talk about building an efficient police force stops at the training programme and various reforms are suggested from time to time. No body has ever tried to think whether the quality of the people recruited for the police service are capable of receiving a higher standard of training, which is being proposed. For example, looking at the quality of recruits for constables, is it possible to have better training programme? Can we expect semi-literate people (constables, except in Delhi where the minimum qualification is matriculation, are normally middle school pass) to understand all about the Constitution, the rights of the people, principles of equality and justice, and besides all these, as is being proposed now, to learn about criminology and a bit of psychology? And, if we want to recruit more qualified men, can we attract the type of people we want with existing emoluments and service conditions? Would a better qualified person not have higher aspirations? Even if he joins this service reluctantly, because of paucity of employment opportunities, will he not be tempted to use his authority for some extra income?

The same questions will arise again, if we look into the archaic method of recruitment for other posts like Sub-Inspectors, Dy SP and IFS. Serious thought needs to be given to these questions and we must try to find answers to them.

Let us first have a glance at the process of recruitment for different posts in the police. There are five entry points in the police department. Taking from the top of the hierarchy, the IFS Officers, forming the elite group in the organisation, are directly recruited and appointed by the Central Government on the basis of a combined competitive examination conducted by the UPSC for the all-India and Central Services. The minimum age limit in the case of IFS⁹⁸ is 20 years and in the case of others is 21 years. The minimum qualification for all the all-India services is a Bachelor's Degree or its equivalent from any recognized university. But no aspirant can take more than three attempts for any of the jobs. There are three compulsory papers for all the services. Besides a candidate appearing for IFS is supposed to appear for two more papers of his choice, from among the list of subjects specified by the UPSC. Similarly, a candidate appearing for the Central Services has to appear for three optionals, and in case of IAS and IFS besides these three optionals, two more additional papers of a higher standard have to be taken. The competitive written examination is intended to judge general intellectual ability of the candidates, the stage of

development of the mind, their general interests and their breadth of vision and outlook' (Acharya, 1972a:207). The candidates who come out successfully of this written examination are called for a personality test before an interview board. For final selection marks obtained by the candidate in written examination and in personality test are added.

The second entry point is the post of Dy. S.P. This is a gazetted post, but belongs to the State Police Service. The states have full authority to fix qualifications and service conditions of this service. The minimum qualification for the post of Dy SP is (as in the case of IPS) a Bachelor's degree or equivalent from any recognised university. The minimum age has been fixed at 20 and maximum at 26. State Public Service Commissions hold combined competitive examinations, on the lines of the UPSC examinations, for police service and other services. The candidates have to appear for three compulsory papers (these papers vary from State to State), and three optionals, to be chosen from a specified list of subjects (choice of optionals also varies from State to State). The successful candidates have to appear before an interview board for personality test. The pattern of selection, here is same as in the IPS. The probationers of IPS and State Police Service (Dy SP) start from the same rank, though the former is called ASP and latter Dy SP. Promotions are faster in IPS. After a

certain stage officers from State services do not get promotion unless they are merged into IIS.

The third entry point is at Sub-inspector's rank. There is one more rank between Dy SP and Sub-inspector, that of Circle Inspectors. But very few States have direct recruitment for Circle Inspectors.⁵⁶ Inspectors are generally promoted from the cadre of sub-inspectors. Sub-inspectors are partly recruited directly and partly by promotion within the Police Department. Though Sub-inspector, being in charge of the police station and also being 'crime registration, investigation, crime prevention and in the ultimate analysis the basic law enforcement officer', (quoted by Acharya, 1972a:215) is the nucleus of the police department. The public image of the police depends largely on his personality and approach to day-to-day problems. Still the post is non-gazetted. There is no uniform recruitment policy in the States for this post. Educational qualification varies from intermediate in Bihar, Gujarat, Assam, Madhya Pradesh, Maharashtra and U.P. to graduation in Delhi, Orissa, Mysore, Jammu and Kashmir, Tamil Nadu, Andhra Pradesh, Kerala and West Bengal. The age-group of candidates in various States ranges between 18 and 30 years.

56 Only Maharashtra has direct recruitment to the post of Circle Inspectors. But even in Maharashtra it is not on a regular basis (Acharya, 1972a:214).

Applications are invited depending on the number of vacancies. Some States, like Bihar, first hold a physical fitness test. Those who qualify have to appear for a written examination, and then interview. Some other States, like Andhra Pradesh and Punjab, hold an interview first. Some States hold the examination through the State Public Service Commissions, while in others the Police Department itself conducts the selection test. At present, written and oral tests are conducted in Delhi, Orissa, Bihar, Jammu and Kashmir, Tamil Nadu, Kerala, Gujarat, Madhya Pradesh, West Bengal, Maharashtra, Uttar Pradesh and Bihar.

The fourth entry point in the police department is at the rank of Assistant Sub-Inspector or Head Constable. Again, qualification and recruitment procedure for this rank vary from one State to another. The qualification for this post is usually Higher Secondary. Recruitment is generally on the basis of physical fitness and working knowledge of English and knowledge of regional language. In some States, the bulk of Head Constables/ACIs are taken on promotion from the rank of writer Constables.

"The Constable, being the lowest rung of the administrative hierarchy, constitutes the backbone of the Police Organisation" (Acharje, 1972a; 218). Recruiting unit for the constables is the district and the SP is the recruiting agency. The main consideration for recruitment to this post is physical fitness. Educational qualification varies from

matriculation in Delhi, to class VIII in some other States. The minimum age varies from 18 to 28.

If we critically examine the recruitment to the various posts we find that it lacks pragmatism. As K.V. Rao points out, the very philosophical foundation on which the system is based is old and out of date. "There was a day when Government service was the only avenue of employment sections of the falling feudal chiefs and the rapidly growing educated higher middle class (for gazetted posts), the lower middle class (for Inspectors) and the surplus landless labour of the country (for Constables). The Government could pick and choose and the Public Service Commissions were instituted in India to ensure impartiality to avoid political pressures, but not to select the most suitable persons on a scientific basis" (K.V. Rao, 1972a: 183).

As stated earlier, the philosophical foundation of the police force has changed after independence (and if it has not changed it ought to change). Hence, we cannot have a feeling of indifference towards this issue. If we plan a police force higher in standard, better in efficiency and capacity, our aim should not be to recruit best among the aspirants, but first to attract the people best-suited for the job - mentally, physically, psychologically and efficiencywise. A higher standard of training programme has been proposed for all ranks in the police, especially

for Constabulary and non-gazetted officers (Sub-inspector rank). But one cannot expect them to receive a higher standard of training unless they are sufficiently qualified for it. And we cannot attract better people unless better service conditions are ensured. With the existing salary, no educated person would like to come willingly for the post of Constable. If, at times, intermediates or graduates come for the post, they come reluctantly because of soaring unemployment. Similarly, even post-graduates apply for the post of Sub-inspectors; the reason again is the same. As a result, these peoples will never be satisfied with the emoluments they get. One possible consequence could be corruption. If a person thinks that his salary is not commensurate with his qualifications, there is a great chance that he would try to compensate it by other means. Given a chance, no person likes to go even for the supposedly prestigious Indian Police Service. People generally prefer IPS or Central Services. One reason is low salary and limited chances of promotion. The fact that for IPS one has to appear for lesser number of optional subjects makes its people feel inferior to the others. In other ranks also the chances of promotion are very limited. All these factors make the police service unattractive and given a choice no one likes to go in for it.

Therefore, starting from constabulary, there is need to raise educational qualifications (Kaihan, 1970)

66).⁶⁷ The present system of recruitment mainly on the basis of physical fitness breeds persons who are good for nothing but obedience. At times, they do not even understand the importance of obedience and discipline. Constables are first to come in contact with crime. On many occasions, they are deputed in a distant village from where they have no quick means of communication to inform the officers and have to take decisions. A wrong decision by a constable might spoil the case, an improper behaviour by a constable might bring the entire department under criticism. Care, therefore, has to be taken while recruiting constables. Their aptitude should be judged properly. Better salary and service conditions should make the post attractive enough to draw, at least, matriculates for the post. An efficient constable, must have chances of promotion to the rank of Head Constable, and, if possible, to that of Sub-Inspector. Recruitment should be centralised, and the candidates should appear before an interview board, headed by a Deputy Inspector General. An aptitude test, on the lines of defence forces, will be an added advantage. Candidates, thus, selected should be given an intensive and thorough training.

67 "A large body of unskilled and semi-literate personnel", comments G.C. Misra, "whose entire orientation is use of force, constitute 90% of the police. Such a force can hardly bring succour to the people in difficulty or make for professional efficiency in dealing with police problems" (Misra, 1970:11).

Recruitment for Sub-Inspector is also archaic and faulty. A Sub-Inspector should, at least, be a graduate. In many States the minimum educational qualification is still intermediate. The status, powers and qualification of a Sub-Inspector are ^{not} proportionate. Looking at his duties and powers his status in the hierarchy as well as his qualification are too low. By increasing his status (making him a gazetted officer) and offering better salary we can have persons better-suited for the job. Applications should be invited from people of a particular age, having requisite qualification and physical standard (height etc. should be specified beforehand). The applicants should first go through a written examination in General Knowledge and Current Affairs, regional language (composition), and, if necessary, English, General Science, Indian History and Civics and Indian Constitution. Applicants obtaining required percentage of marks should go through an aptitude test (again on the lines of defence services), to judge whether the candidate is fit for police service or not and whether he has the required quality of leadership or not. This should be followed by a physical fitness test. At present recruitment for Sub-Inspectors, in most cases, is conducted by the department. It would be better if this responsibility is entrusted either to State Public Service Commissions or (Report of the Committee on Police Training, 1972;34) to a Police Recruitment Board (to be constituted

on the lines of Services Selection Board),⁵⁸

If care is taken to recruit efficient and able person at Sub-Inspector level, and if this post is made gazetted, it would not be necessary to make fresh recruitment for the post of Dy. SP. This post can be filled on the basis of promotions from the rank of Sub-Inspectors (Report of Committee on Police Training, 1972:35).⁵⁹ This will also provide better opportunity of promotion to Sub-Inspectors and the post will thus become more attractive. The present system of recruitment, based on a written examination in certain compulsory and a few optional subjects and an interview, does nothing to test the aptitude of the candidates, which is vital. Besides, since most of the higher posts are given to IPS officers, Dy. SPs have limited opportunities for promotion, which at times, results in frustration among the officers. This can be avoided if this post is filled on the basis of promotion.

58 Committee on Police Training constituted by the Ministry of Home Affairs also suggests a new scheme for selection of Sub-Inspectors. According to the Committee's report, a physical test should first be conducted in the districts. Those qualifying should appear for written test in Essay (in regional language), General Knowledge (to be answered in regional language or English), Current Affairs and History and Science and Geography. An aptitude test should be held for those qualifying in the written test. This should be followed by an interview (Report of the Committee on Police Training, 1972:34).

59 A detailed scheme for reorganisation of police department is being given at the end of the chapter.

There is nothing wrong with the quality of people selected for IPS. One does not have to think about raising educational qualifications. But selection of the right person is essential. At present, more importance is given to knowledge and intelligence. No importance has ever been attached to the psychological traits and emotional balance (K.V. Rao, 1972a:191). With the kind of duty an IPS officer has to perform, a test of aptitude, leadership qualities, psychological traits and emotional balance is desirable. One would not be committing a mistake by suggesting recruitment by a separate Police Recruitment Board, which can devise a special kind of selection procedure for this post. To attract better people it is necessary that IPS be given an equality of status and salary with IAS and other Central Services.

Training is the most important aspect for preparing efficient persons for any service. Training for the police service has greater importance and deeper meaning. It does not only mean to train recruits fighting crime, it also means reorientation of the entire police force so as to enable them to meet the challenge created by the change in the nature of Government and governance. It means creation of a peaceful atmosphere to enable economic development. The task, as Mrs. Indira Gandhi has said, is one of "reorienting the Police Training Programmes with a view to inculcating among the police a new philosophy of their work, a new idealism, a new

sense of dedication and a new relationship as friends of the law abiding people and enemies of the criminals. What is needed," she further adds, "is a basic change in the attitude and conduct of policemen. They, along with those in authority, must have a greater awareness of the socio-economic background in which they have to function. They must also have an understanding of the tensions and problems which our value systems and the manner in which technology is growing and is being used, are creating all over the world" (quoted by Acharya, 1972b; 223). This statement of Mrs. Indira Gandhi sums up the objective of training programme for the police force in our country.

The present training programme for police force in our country does not take cognizance of the objectives spelled out above. Just as no change has been brought in the organisational structure of the police force since its inception in 1861, no major improvement has been brought in the training programme. The only addition in training programme is due to new inventions in the field of crime detection. Even at this point, we have not been able to keep pace with time. Let us have a look at the training programme of various ranks.

Constables form the bulk of the Police Force in a country. They are the first person from the department to come in contact with public or vice versa. As beat officers, as patrolmen, or while controlling traffic, they come in

contact with people and people generally form their opinion, on the basis of the standard of the Constabulary. A constable, therefore, has to be a person who, with courteous behaviour and his initiative for service, wins the hearts of the people. At present, a constable is known to be and, due to past experiences, supposed to be a person rude in behaviour, never present at the right moment and by habit not helpful to people. This image could be changed by training our constables to make them efficient and courteous. Emphasis in training programme for constables at present is on outdoor activities and physical fitness. No doubt, the character and nature of the service required from a policeman demands certain physical standards and there is general agreement among the members of the profession that the training process of the police personnel should be directed towards developing the qualities of courage, bravery and physical hardihood. But the changing situation demands something more than the above qualities. A policeman must know something about the Constitution, the rights and duties of the citizens, Criminal Law and other related matters of the police department. With the present educational standard it is rather difficult to teach them all about Constitution, etc. With better standard of recruits a programme of intensive training needs to be drawn.

There are two branches of police constabulary in India - armed and unarmed. There should be separate training

programmes for both and transfer from one branch to the other (as in Bihar) should be avoided (Misra, 1972:331-2). Since emphasis is being added to test aptitude for recruitment, it is quite possible that a person selected for armed constabulary is not fit for the duties of an unarmed constable. The training programme for constables is usually six to nine months. The period is too short for intensive training of people who are going to perform a vital job. Moreover, it is very difficult to change the orientation of the people in just nine months. The period of training for constables should at least be one year. Besides, in service training should be a continuous process. Refresher courses should be organised for constables from time to time. The present curriculum needs a revision. A list of subjects, given by Misra, as essential part of the curriculum of a police constable, must be given a thought. The list includes: (1) Departmental Organisation, (2) Rules & Regulations of the Department, (3) Use of fire-arms, (4) Care and use of equipment, (5) Criminal Law - Central and State and Special, Constitution and Evidence Act, (6) Police Records, (7) Patrolling, (8) Traffic control, (9) Physical fitness, (10) First aid, (11) Public disorders, (12) Local & State Geography, and (13) Public relations (Misra, 1972:333).

Usually there is no probation period for the constables. To make a constable conversant in police

duties there should be a period of probation during which a constable must prove his worth. A weeding out of those who do not prove their efficiency at this stage is desirable. After five years of service each constable should be given a refresher course and promotion to the post of Head Constable should be on the basis of a performance-appraisal during the refresher course.

The training programme for the Sub-Inspectors too puts overemphasis on physical training (Report of the Committee on Police Training, 1971:2; Sharma, 1972:299). The candidates selected have to undergo a six to ten months training at respective State Police Training Colleges. There are five parts of the syllabus for training: (1) General subjects, (2) Police Practical work, (3) Law and Police Rules, (4) General and Allied Subjects, and (5) Outdoor drill, Equitation, Musketry, Physical Training and Games.

Different States insist on varying emphasis and weightage in evaluation of the performance of the trainees. By and large, the study of Law, Acts and Rules consumes the major part of the classroom work and outdoor work is devoted to physical training (Sharma, 1972:296). Thus, the major features of the training programme for Sub-Inspectors in India are:

- (1) The syllabi are highly overlaid with subjects of Law so very natural in professional training.
- (2) There is 30 to 40 per cent weightage on outdoor,

- especially infantry training and parades.
- (3) The trainers are not career trainers and very little outside non-professional exposure exists in training colleges.
 - (4) There are no training committees or syllabus Revisory Boards to modernise the outdated syllabi of training.
 - (5) The training techniques are generally the Lecture Method or Syndicate exercises with little scope for self-study or library work or creative thinking on police problems.
 - (6) The assessment or evaluation of the training accomplishments are not linked with any incentivisation or reward system of promotion or morale of the cadre as a whole.
 - (7) Though there are provisions for Refresher Courses after five years, these courses are never taken seriously either by trainers or by trainees. Besides, being short courses they are neither rigorous nor deeply involving. (Sharma, 1978: 295-6)

The above listed features also point out the deficiencies in the training programme for Sub-Inspectors. The training programme is not purpose-oriented. The legal training, which is insisted upon, though useful, generally ends in trainees cramming up a few lifeless statutes. There is very little emphasis on specialised training. There is no provision for periodical revision of training course

syllabi. Trainers are themselves not professionals, nor trained in the art of training. These deficiencies must be given serious thought and overcome before any purposeful training can be imparted to the trainees. The syllabus, as mentioned again and again, must be revised, the curriculum recommended by Mullik needs to be given a serious thought (See Appendix I).⁶⁰ The Sub-Inspectors are the nucleus of police department. It is, therefore, essential to see that the right type of people are selected and trained in a proper manner so that they can render useful service to the community. The training should be given in a manner as to develop professional attitude in recruits. Professionalisation in case of police refers to careful selection, training, skills, and pride in work (Report of the Committee on Police Training, 1972:11-12; Sharma, 1972:301; Westley, 1972:11). Besides, having a team of good professional instructors, specialists in other fields [Social Scientists, Criminologists, Surgeons (for training in the types of injuries and intricacies of post mortem), experts on Constitution and Law etc.] should be invited on ad hoc basis to lecture in the training colleges. The duration of training should be at least one year to one and a half years. Thus, the improvement in the

60 P. J. Sharma also gives his own programme for training of Sub-Inspectors. But it is not as exhaustive as one given by Mullik. Still it will be helpful in revising the present training programme (P. J. Sharma, 1972:304-5 (Appendix B)).

quality and contents of the training of Sub-Inspectors will involve a total change in the nature of the training programmes, their course contents, duration, teaching techniques, the status and equipments of trainers, the performance evaluation of the trainees, incentives and morale of the trainees, and above all, the total environment and ethos of the training campus including the library, the play fields and the mess (Sharma, 1972:302).

The training of IPS Officers under the present system has four stages during which a trainee has to go through a process of psychological, intellectual, emotional and physical adjustment. These comprise; (1) Foundational course at National Academy of Administration along with other all India and Central Services; (2) Professional and institutional training course at the National Police Academy; (3) Training in the State Police Training College; and (4) Practical training in the district. "The atmosphere in which the trainee is placed, the method and the approach at each successive stage is so different from the preceding one that the trainee cannot help feel an absence of cohesion and perspective" (Mitra, 1972:319). The IFS, IAS, Central Services and IPS trainees are given foundational course together in the National Academy of Administration with a view to economise the training programme and to bring some kind of feeling of unity among the services. The course attempts to develop a liberal approach in the trainees. But the course does not take into account the diverse training

programme, the trainees for various services will have to undergo after the foundational course. The foundational course does not prepare an IPS, probationer for serious and intensive professional training to follow at the National Police Academy. Atmosphere and standard keeps on changing as a probationer goes from NPA to State Police Training College to the police station. In police stations he may even be told to unlearn what he had learnt at the NPA and the State Police Training College (Mitra, 1972:320).

Theoretical knowledge that a probationer acquires during his training at NPA and State Police Training College may not always be useful during field work where one has at times to use practical common sense. Thus, there is a need to develop in him in the early stages of training a perspective and capacity for judgement, so that he may not be taken aback when faced with a situation where theoretical knowledge is not of much use.

The Committee on Police Training comments on the NPA training programme as follows:

The N.P.A. programme does not sensitize them to the changing social situation in the country and its implications for the role of the police. There is also absence of management concepts and techniques. There is need for greater emphasis in the syllabus on the preventive aspects of police work and on social defence through a knowledge of the modern concepts of criminology, penology and crime prevention. There is no need to teach law

in such great detail. A police officer should clearly appreciate the fact that he is an agent of the law and the law alone. (Report of the Committee on Police Training, 1972:40-1) 61

The training, therefore, for all ranks in the police department should be revised.⁶² There is paucity of books on police administration and management. The government should encourage research in this direction and try to bring out books. As pointed out earlier, many of the IPS Officers lack the quality of leadership and of a good supervisor. These should be a part of the training programme, so that the probationers after training turn out to be good leaders and supervisors. Only a good leader can make men at his disposal work efficiently and in the interest of the community at large.

Two steps must be taken to improve the police training programme. First of all, like the Bureau of Police Research and Development, the Ministry of Home Affairs should

61 A revised programme for training IPS Officers proposed by the above Committee should draw the attention of the Ministry of Home Affairs. A survey of the Committee points out that police training programme is in a state of neglect. It has become a sort of ritual. Instructors are ill-informed and ill-equipped. There is indifference all around. A serious thought must be given to this fact (Report of the Committee on Police Training, 1972:1-2).

62 A revised syllabus has also been proposed by the same Committee. The syllabus given by the Committee and that proposed by B.N. Mullik should be helpful in drawing a new training programme (See Appendices I and II).

constitute a Central Board of Police Training to aid and advise Central and State Governments in matters of police training, to co-ordinate police training programmes of various States and to revise the training programmes from time to time. If a separate Board of Police Training does not seem economically feasible, a Police Training Wing can be created under the Bureau of Police Research and Development. And secondly, a unit of trained instructors should also be created. The Central Government can constitute a Police Education Corps on the lines of the Army Education Corps. This will solve the problem of instructors. As we see, there is at present reluctance among the officers to join training institutions.

Although, we have referred to service conditions at various places, it is necessary to give it one more thought. Corruption in police department is closely linked with the service conditions and salary of the police personnel. A study by the Central Police Training College, Abu, points out: "To combat corruption, the policeman ought, in the first instance, be paid enough" (Thoughts on Police Reforms, CPTC, Abu, 1966:172). This is true for all ranks of the department. Constabulary is very poorly paid and in such conditions it is difficult to remain honest in an organization with such wide powers. Whether restriction should be imposed on the powers of the police or not is a different matter. First of all we must see that a service, which is

vulnerable to all kinds of pressures, is well-paid (as in the case of judicial service), so that those in it do not feel necessary to go in for gratification (Singh, 1962:8-21). Besides, low pay does not attract good human material. Those who come, do not come willingly. This generates indifference toward duties and work. The IPS officers are not very poorly paid but the salary and service conditions of sister services are more attractive. As a result, those who can barely make their way to IPS in their first attempt in Combined Competitive Examinations conducted by the UPSC gladly leave IPS for other services if they are successful in their next attempt. Every year a great numbers of the IPS probationers leave the service for other sister services. Selection standards and salary of the IPS should, therefore, be equated with other Central Services and IAS. Other factor which restricts good human material from joining the police is the image the police service has acquired over the years. Steps should immediately be taken to improve the image.

Another problem related with corruption in the service is political interference. Politicians compel police officer to render undue favour to them. This tendency must be checked immediately. This does not only give a bad name to the organisation, but also lures opportunist officers to indulge in backbiting and other political bickerings. Involvement of the police with politics is not in the interest of the

society (Ghosh, 1975:17).

Morale is an important factor in making a service efficient. Promotion, an integral part of the service conditions is closely linked with morale. An efficient and impartial promotion system produces departmental efficiency and permits the selection of those best suited for higher positions of trust, leadership and responsibility. (Promotion Policies and the Concept of Meritocracy, Seminar, 1970:1). Promotion is an effective motivator. It keeps the morale of the service up. At present opportunities of promotion are very poor in police service and promotional opportunities decrease as one goes down the hierarchical ladder (Need for Motivational Techniques in Police Administration, Seminar, 1972:12). Better promotional policies should be provided in the police service (Kenison, 1972:18-21). Promotion should always be on a scientific basis - continued evaluation of incumbents is necessary (Deb, 1970:33). There should be annual assessment of all the officers. The present system of CCH should be replaced by Annual Assessment Report, which should be shown to the employees (Khemani, 1970:63). The promotional quota for various posts should be increased and the adoption of Army system for retirement of those who do not earn promotion by a certain age should be useful to weed out inefficient officers (Urs, 1970: 66-9). To ensure impartial promotion and to see that this institution is not misused, too much emphasis should neither be put on merit nor on seniority. Seniority should not be the

most important criteria (Promotion Policies and the Concept of Meritocracy, Seminar, 1970:1). Seniority should be necessary for qualifying for promotion. Efficiency, after that, should be judged on performance appraisal and merit. The system, therefore, should be midway between seniority and meritocracy (Jikshit, 1970:46-52; Tripathi, 1970:79 and Joseph, 1970:89).⁶³ The merit should be judged on the basis of (a) written examination, (b) interview, (c) service performance appraisal, and (d) seniority (Promotion Policies and the Concept of Meritocracy, Seminar, 1970:3).

The police job is strenuous and arduous. A policeman works for years without a break. There is no weekly off for a policeman. A policeman does not have a family life. Too much work also affects efficiency. There should be provision of a weekly off for a policeman. Each policeman should be given one day off, of course in turn, since society cannot live even for a day without police (Transactions of NPA, Vol. IX, 1967).

If morale of the force is to be kept high, the gulf between senior officers and junior employees should be narrowed. Senior officers must meet junior officers and constables from time to time, try to understand their problems and help them in

63 K.N. Saruwalla emphasizes promotion on merit only. The idea is, no doubt, appreciable but it has its limitations. This system can be misused. At times, inefficient persons can be promoted on undue favour, which may generate frustration (K.N. Saruwalla, 1970:82-6).

solving problems (Garudachar, 1972:35). Senior officers inspecting police stations should be considerate. Junior officers need motivations to work. Efficient officers must be rewarded. Senior officers should not give punishments on the slightest provocation. Inspection is not an exercise in condemnation (Garudachar, 1972:36). The number of punishments imposed on the subordinates is too high in the police department and it must be reduced if morale is to be kept high (Thomas, 1972:31). Care must be taken to see that the subordinates are not made scapegoats (Balchandran, 1972:39-47).⁶⁴ In fact, the entire police department serves as the convenient scapegoat for a variety of errors, ineptitude, malfeasance, misfeasance and nonfeasance, committed or permitted by other institutions (Robinson, 1975:278). If morale of the force is to be maintained, this should be carefully avoided.

Departmental and extra-departmental control also affect the morale of an organisation. In India the magistracy enjoys operational control over the police (Ahera, 1964:35). A district magistrate in a district and Sub-Divisional Magistrate in a sub-division exercises this control. Though SP and

⁶⁴ A study conducted by a Syndicate appointed by National Police Academy, Abu, points out that this instrument has been used very frequently in police department. According to the study suspension of Senior officers has been more frequent in those States where there is a political instability. Which means that political considerations led to suspension, at least in some case. Even S.K. Ghosh in his "Indian Police At Crossroads" points out towards this anomaly. Even in junior ranks the authority to suspend has not always been used judiciously (Transactions of NPA, vol. XVI, 1971:1).

DM belong to the same rank, the DM has a right to demand explanation from an SP. The DM also initiates the SP's CCR. This leads to frustration in the police department. The very spirit of the Police Act was frustrated by making SP subordinate to DM (Misra, 1970:38). Voices have been raised against this extra-departmental control and recommendations have been made to remove this control (Report of the U.P. Police Commission, 1960-61:15-20; Report of the Working Group on Police Administration, 1970:68-97; and Haridwar Rai, 1967:65-89).⁶⁵ The relationship between the DM and the SP should be one of co-operation and not of subordination. But after assigning a supervisory role to the DM, it is very difficult to expect a relationship of co-operation. Authority leads to certain amount of tendency to boss over others. The report of the Working Group on Police Administration firmly asserts that now that the stock of our IFS Officers has improved, extra departmental control should be removed. But provision must be made, so that these offices co-operate and co-ordinate.

65 M.P. Police Commission, 1965-66 is in favour of District Magistrates' supervisory power over police. But the District Magistrate should be careful, not to boss over SP. But the Commission is not in favour of DM being a channel of communication between SP and higher officials. Nor should DM initiate the CCR of SP (Report of the M.P. Police Commission, 1970:122-30).

The quality of leadership in a department influences morale of the subordinates. And as one of the senior Indian Police officers pointed out our senior police officers lack this quality (Misra, 1970:47). Therefore, there is a need for developing qualities of leadership and good supervision among Indian police officers. As pointed out earlier, some of the senior officers regard inspection as a means to punish the junior officers and look upon punishment as an effective instrument of maintaining discipline. This is a wrong approach as too many punishments affect the morale of the officers. The supervisor must be responsive to the wishes of the police management (Kellness and Menning, 1969:4). A supervisor and leader in the police department has an important function to perform. He is a trainer and developer of human resources. In performing this function, he is instilling and improving not only the job but also an understanding of the goals of the police service, of its methods for accomplishing these goals, of its organisational philosophy, and of the various career paths available within it. It must be recognized how effectively the police supervisor trains his subordinates, as well as the objectives of the training programme, have a tremendous influence on the capacity of the department to meet its goals (Whisenand, 1970:5). A supervisor must keep the following in mind:

1. Know your subordinates and what is important to teach.
2. Listen to subordinates and encourage discussion.

3. Be considerate.
4. Be consistent.
5. Establish objectives and a sense of direction for your staff.
6. When possible, give orders in the form of suggestions or requests.
7. Delegate responsibility for detail.
8. Show your subordinates that you have faith in them and that you expect them to do their best.
9. Keep subordinates informed.
10. Ask subordinates for opinions and suggestions.
11. When a subordinate offers a suggestion, let him know what action is taken on it.
12. Give subordinates a chance to participate in decision making.
13. Let your subordinates know where they stand.
14. Criticise privately and constructively.
15. Praise publicly.

(Paul H. Wiseman, 1970:2)

Before we think about any reform in the police department, whether it is in police-public relations, or in the quality of investigation, the quality of recruits, or the quality of training, we must first try to reorganise our police force. The present structure was created to serve a colonial rule and designed accordingly. This structure is not suitable to present Indian conditions (Misra, 1970:41).

The need is to have a break with the past. We must start with reorganising the department so that the new department gets rid of the contempt which the present department has inherited due to its colonial past.

The reorganisation should start from the very basic unit of the department - Police Station. Police Stations are at times so big in area that it becomes difficult for a Station House Officer to manage with the present strength of men at a police station. The area of a police station should be delineated on the basis of population, terrain, transport and communication facilities and the number of crimes. Bigger the population, smaller the area; difficult the terrain, smaller the area; greater the number of crimes, smaller the area should be the motto for organizing police stations. The area of a police station should also be small where there are little facilities of transport and communications. The number of constables in a police station is usually eight. The number should be at least ten (The Report of the Bihar Police Commission, 1961; 20). The number should be increased according to the volume and capacity of police work in a particular area. But in no case the number should be less than ten.

The next unit in police administration is a circle. A circle consists of one to five or six police stations under the supervisory control of a Circle Inspector. There are one or more circles in a sub-division, which is under

a Deputy Superintendent of Police. These two levels between the District Superintendent of Police and police stations lead to duplication of work and result in confusion and prolonging of the bureaucratic procedure. One level should be scrapped. The Bihar Police Commission is in favour of scrapping the post of Sub-Divisional Police officer and creating a post of Chief Inspector in every circle (Report of the Bihar Police Commission, 1961, 19-20). The proposal is confusing. There have been proposals to have Inspectors as Station House Officers. In such case, keeping circles with Chief Inspectors and eliminating the post of Sub-Divisional Police officer does not have any concrete meaning. Instead, the circles should be eliminated and sub-divisions should be made smaller in area.⁶⁶

Rural policing in India is in a mess. The police stations are big in area with inadequate staff. The beat, in some states, is done by Chaukidars (the system is on its way out), who are ill-paid landless labourers and spend most of their time in arranging a piece of bread for each member of their family than to worry about crimes and criminals.

66 The confusion created by supervisory circles is evident from the fact that, at times, a Circle Inspector has four police stations under his control, and, while two or three of the police stations fall in one sub-division, rest in another. Though for convenience he is put under one Dy SP, for court proceedings he has to run to two sub-divisional courts. Besides, on many occasions, one sub-division has only one circle. This shows how redundant and useless the concept of a circle is.

Since they are poor, ill-paid and exploited, they do not even hesitate to provide information to criminals about the police for some money. Proposals have been made to abolish the Chaukidari system. The number of village Constables should be increased. To help the village police and constables every village should have a voluntary organisation like the Gram Rakshak Dal. The Gram Rakshaks should be placed under the local self government of the village. The village constables should be responsible to the beat officers (Report of the Working Group on Police Administration, 1970:47; Report of the U.P. Police Commission, 1960-61, 45-82; Misra, 1970: 142-3).

Accordingly, the districts should also be smaller and the control of the District Magistrate over the SP should be removed. Wherever necessary, the SP should be given certain judicial functions for quick disposal of cases. Since vesting of magisterial powers in a Police Commissioner has been there, there should be no danger in vesting such powers in an SP.

Urban policing has also been posing problems. Urban policing has different problems than rural policing and it requires greater amount of specialisation and professionalisation. Therefore, there should be a separate set of police for large cities. These people should not be sent to villages or smaller towns. In not so large cities, there is no need

to put a Police Commissioner. A senior SP in super-time grade can be posted instead. Even where Police Commissioners have been posted, the position of the IGP as the Head of the composite force should be maintained (Report of the Working Group on Police Administration, 1970:98-107).

The law police should be separated from the order police. Some states have created a separate riot police, though the law police has still to perform some of the order duties. The police stations should keep a watch on disturbances and in times of disturbances the order police should be called. Singhvi proposes a separate system of training for riot police (Singhvi, 1976:2).

The crucial matter of staffing comes next. Great care should be taken to reorganise staffing. It has been suggested that the constable should be made a class III officer instead of a class IV employee (Report of the Working Group on Police Administration, 1970:49). Since it has been proposed to raise the standard of constabulary, the chances and opportunities of promotion should be greater. A separate set of Beat Constables should be organised. A Sub-inspector, as stated again and again in this study, is the nucleus of the police department. He is the first officer to come in contact with the crimes. He is the officer who (as Criminal Penal Code mentions) has to take initiative when any case is reported. He should, therefore, be a gazetted officer. There should be no fresh appointments for Dy SP.

This post should be filled in on promotion. More important and bigger police stations (also police stations in cities) should have inspectors as SHO's. The minimum qualification for this post, as discussed earlier, should be graduation. Some non-gazetted officers post should be created to be filled in by constables on promotion (as in the Army). These should be assisting hands in a police station.

The IPS officers should start not as ASPs, but as Inspectors. This will bring them closer to the lower ranks and alienation between different ranks can be eliminated. Their promotion, of course, should be quicker than those of State service officers.

Adoption of the Army pattern for the recruitment of IPS and State services officers will not be a bad idea. If 'catch them young' principle is adopted, fresh students from intermediate (or equivalent) should be recruited after a rigorous test, as in the defence services. We have also proposed creation of a Police Recruitment Board which should do the job for the IPS and the different States. The candidates selected should undergo an intensive training for two years and after completion of the training they should be given a Bachelor's Degree in Police Science or Police Administration. Thus, we can have a group of well-trained and efficient officers.

Our police, no doubt, needs a reorientation, rather a complete and thorough change. We have to bring about the

change carefully, so that the force recognises the change in socio-political set up and respects it. The police have to be made useful to the community and steps should be taken in this direction. The Government must take initiative to create a people's police rather than a police force for the Government, a tool in the hands of a ruling party.

APPENDIX I

B.N. Mullik (Mullik, 1970:11-7) proposes an intensive training programme for training of Constables, Head Constables, ASI and SI. The syllabus is very exhaustive and a doubt can be ^{on} its feasibility for Constables and Head Constables. The syllabus, no doubt, can be very useful for the training of Sub-Inspectors. Since this work proposes a gasetted status for Sub-Inspectors, this curriculum given by a seasoned and experienced police officers needs to be given a serious thought. This could be useful also for IPS officers.

PART A - PHILOSOPHY FOR POLICE

GROUP 1

1. Origin of the Police
2. Police in Society
3. Police in State.

GROUP 2

1. The Constitution of India
2. Special duties of Police with respect to Fundamental Rights.
3. Police, Magistrates and Judiciary
4. Police and other executive departments
5. Police and Social Services.

GROUP 3

1. Principles of police conduct
2. Integrity
3. Courtesy and kindness
4. Discipline
5. Law Enforcement
6. Social Service
7. Ends and means
8. Corruption
9. Moral uplift
10. Leadership
11. Initiative
12. Discretion

GROUP 4

1. Police and Religion
2. Police and various communal groups
3. Police and National Integration
4. Public Trust and Goodwill
5. Public Relations
6. Usefulness to Society
7. Duty to protect

GROUP 5

1. Nehru on Police
2. New Horizons
3. Fleming Enthusiasm

PART B - ADMINISTRATION

GROUP 1

1. Indian Administration
2. Centre
3. States
4. District Administration
5. Magistracy and Judiciary
6. Panchayats

GROUP 2

1. Police in the States
2. District Police
3. Superintendent of Police
4. Additional Superintendent of Police,
Assistant Superintendent of Police,
Deputy Superintendent of Police
5. Sub Divisional Police Officer
6. Inspector
7. Sub Inspector and Assistant Sub-Inspector
8. Head Constable and Constable

GROUP 3

1. Central Police office
2. District Police Office
3. Sub Divisional Police Office
4. Police Station
5. Outposts
6. Police Lines

7. Armed Police
8. Traffic Police
9. Security Police
10. Crime Branch
11. Special Branch
12. Other services

PART C - LAW

GROUP 1

1. Indian Penal Code

GROUP 2

1. Code of Criminal Procedure

GROUP 3

1. Evidence Act

GROUP 4

Police Act, Prevention of Corruption Act

GROUP 5

1. Arms Act
2. Explosive Substances Act
3. Motor Vehicle Act
4. Official Secrets Act
5. Railway Act
6. Telegraph Wires Act

GROUP 6

1. Opium Act
2. Prohibition Act
3. Suppression of Immoral Traffic Act
4. Poison Act
5. Prevention of Cruelty to Animal Act
6. Children's Act

GROUP 7

1. Passport, Visas, Registration of Foreigners and Tourists

PART D - POLICE MANUAL

GROUP 1

1. Relevant parts of Police Manual

GROUP 2

1. Duties of different ranks of Policemen

GROUP 3

1. Constable's duties

GROUP 4

1. Treatment of Prisoners and suspects
2. Treatment of Witnesses
3. Treatment of Complainants
4. Treatment of Public

GROUP 5

1. Hours of Duty

2. Discipline
3. Punishment
4. Right of Association
5. Benefits and Amenities

PART B - CONSTABLES'S DUTIES

GROUP 1

1. Prevention and detection of crime
2. Crime Hazards
3. Prevention - hallmark of Police work

GROUP 2

1. Patrol - base of all preventive work
2. Division of beats
3. Method of Patrol
4. Functions of Beat-in-Charge
5. Functions of Patrol Constables
6. Mobile Patrols

GROUP 3

1. Surveillance
2. Methods of Surveillance
3. Nakabandi

GROUP 4

1. Law and Order
2. Crowd management
3. Use of force
4. Limitations on use of force

GROUP 5

1. Social Vices
2. Protection of Women
3. Protection of Children

GROUP 6

1. Public Goodwill and Trust
2. Public support

GROUP 7

1. Constable's notebook
2. Report writing
3. Entries in Thana and other registers

GROUP 8

Supervisory control on constables

GROUP 9

Observation

PART F - INVESTIGATION OF CRIME

GROUP 1

1. First information Report
2. Case diaries
3. Search and identification
4. Arrest and reward
5. Statement of accused and witnesses
6. Final report and charge sheet
7. Inquest

GROUP 2

1. Criminal records
2. Modus Operandi
3. Professional and non-professional crime

GROUP 3

1. Lifting evidence for scientific examination
2. Handling of dead bodies for post-mortem examination
3. Examination of injuries

GROUP 4

1. Scene of Crime
2. Plan drawing
3. Photographs
4. Visit to Police office
5. Route of Criminal

GROUP 5

1. Prosecution of cases
2. Different Courts
3. Court records, bail
4. Preparation of briefs for the prosecution
5. Public Relations work

PART G - CORRECTIONAL WORK

GROUP 1

1. Criminology
2. Penology

3. Psychology
4. Child psychology

GROUP 2

1. Social vices
2. Laws to stop these vices
3. Special services to enforce social laws
4. Homeless homes, Shelters, Beggars' Homes, Correctional Homes
5. Correctional Courts

GROUP 3

1. Juvenile delinquency - various forms of origins
2. Methods to deal with juvenile delinquents
3. Kidnapping and abduction
4. Brothels
5. Unmarried mothers and abandoned children
6. Mentally deficient children

APPENDIX II

The Committee on Police Training, appointed by the Ministry of Home Affairs emphasizes indoor work for IPS officers. Outdoor work should be given less importance. The Committee suggests a revised curriculum for IPS Officers (Report of the Committee on Police Training, 1972: 45).

I. INDOOR WORK (1113 periods)

1. Modern India and the Role of the Police
2. General Administrative set up and Police organisation
3. Management concepts and techniques
4. Human Behaviour and Police
5. Law
6. Criminology
7. Police Science
8. Map Reading and Plan Drawing
9. First Aid and Ambulance
10. Motor Transport
11. Wireless Communication
12. Languages

II. OUTDOOR WORK (693 periods)

1. Physical Fitness Programme
2. Drill
3. Weapon Training
4. Crowd control
5. Field craft and tactics
6. Equestrian
7. Unarmed combat
8. Games
9. Jiving.

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