

Weekly Copy Ps. 5

Annual Subscription Rs. 2

OPINION

Vol. XXI

24th FEBRUARY 1981

No. 42

NOTE

Mrs. Gandhi claims that she has reduced prices.
But I now have to pay :

- Re. 1.40 for a loaf of bread which some months ago used to cost Re. 1.25 ;
- Re. 1.45 for a bottle of milk which a few weeks ago used to cost Re. 1.30 ;
- Rs. 3.00 a dozen for bananas, the fruit of the poor, which a month ago used to cost Rs. 2.50 ;
- Rs. 4.30 for a tin of Vim which some months ago used to cost Rs. 3.20.

So it would seem Mrs. Gandhi has not reduced prices. That this is so is clear also from the fact that her government has had to give in the last year more than one increase of dearness allowance to government servants, because of increases in the cost-of-living index, and has according to to-day's papers, another increase under contemplation.

To say what she does then Mrs. Gandhi must be very ignorant or very careless of the truth. Ignorant she is not. But in speaking for effect, she lies stupendously.

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Mrs. Gandhi claims that she has reduced lawlessness and crime.

The daily papers do not bear her out. Never has lawlessness been more on the rampage than during her regime, crime more rampant, even in the cities. Never have citizens of Independent India, rural and urban, felt so insecure as they do to-day.

Why then does Mrs. Gandhi say what she does ? She speaks for effect and so lies stupendously.

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Many more of Mrs. Gandhi and her Government's claims of achievement, including the disastrous failures of her most cherished policies at the recent Non-aligned Conference, come in the same class. She and her myrmidons lie for effect, and lie stupendously.

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People of India, difficult as it may be to accept it, remember that your Prime Minister is an inordinate liar. In your own interest, take nothing she says at its face-value. From Phillip drunk, his people appealed to Phillip sober. From Indira lying, who can you, less fortunate, appeal to ? Why, only to lying Indira.

POLICE REFORM— ATTAINABLE OR JUST A DISTANT DREAM ?

K. F. RUSTAMJI

THE Bihar blindings have brought to the surface, apprehension, in the minds of men, regarding the possibility of violence and the unfair methods that may be used in controlling it. In the cities serious crime and disorder are feared as a distant possibility, but these are a harsh reality in the rural areas of some States.

Why have we been so slow over police reform? Why is it that the force continues to use wrong methods? One of the main reasons is that we have never appreciated the importance of a good police system in a democratic set-up. In fact our approach to the entire subject of justice has been casual and disinterested

Since independence, from the year 1953, the IG's Conference repeatedly stressed each time that a Police Commission should be appointed to examine the problems of policing which had diversified a great deal after World War II and the establishment of the Republic. The fundamental rights, the constitutional safeguards provided to the minorities and weaker sections as well as the basic concepts of democracy had changed the duties, responsibilities and ethos of the police. The democratic society which we had established required a different type of policing, particularly when the stresses and strains of political conflict came out in the streets in the shape of flagrant defiance of democratic laws. The restructuring of the police in terms of management, the upgrading of the Constabulary, the revision of functions and objectives had become an imperative necessity. Each time, however, the recommendations of the IG's Conference were examined in the Home and Law Ministries and scotched on the ground that policing was a State subject and such a Commission could not be appointed.

It is amazing how legality can be over-ruled by the very men who raise it. Suddenly after the trouble in the PAC in UP, when Mrs. Gandhi agreed to the establishment of a Police Commission, all the legalities suddenly vanished at the instance of the very people who had created them. This time it was the bureaucracy that resisted the appointment of a Police Commission on the excuse that such a step would take too long and instead all that was necessary was to have only a Police Committee which would go into all aspects and report within three months. Two or three meetings of the Committee were held, during which it made only some peripheral formulations to improve morale, and then, alas, this body passed into oblivion..

The reluctance of the Centre to study policing on a national basis gave a blow to the uniformity and integrity of a system which had been developed eversince the First Police Commission. In the meantime almost all the States set up their own commissions but it was difficult for them to prescribe a new system which would break the legal and structural

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uniformity which was one of the hallmarks of the Indian Police System nursed by our Constitution. The limitations of these State Commissions were obvious, yet they laboured and produced reports of extraordinary competence. What happened thereafter? Not one recommendation in States like Bihar or Madhya Pradesh was acted upon in full. Uttar Pradesh, which had the distinction of setting up three Police Commissions, has been no less tardy in implementing any of the recommendations made. The Second Commission's recommendations of U.P. were mercifully destroyed in a fire that broke out in Uttar Pradesh Police Headquarters in May 1975, with the result that no assessment of the extent of implementation could be made. Some States notably, Punjab, Maharashtra and Tamil Nadu did give weight to the recommendations, and Delhi was fortunate in that only 66 of its 350 recommendations were rejected. The Delhi Police Commission had made a piteous appeal:

"Any attempt to whittle down these recommendations or shear off a part here and part there will so much impair the validity and efficacy of our remedial measures so as to render them ineffective".

Nevertheless, during the 1950s and 1960s, a good deal of police reform was initiated and implemented—despite difficulties—owing to the support given to Mr. B. N. Mullik (then Director of the Intelligence Bureau) by the Home Minister and the Prime Minister personally. Modernisation programmes were initiated at the instance of senior police officers, training schools started, the Forensic Science Laboratories and Institutes opened, and we seemed to be well set for modernisation. All the dynamism was lost as soon as Mr. Mullik left. The institutions which he started are now in such a serious state of decay that they require massive reform themselves.

Meanwhile, the inadequacies of the police in dealing with communal and other situations, were producing a certain amount of anxiety in government. Jayaprakash Narayan had advised in 1977 that the dilemmas of policemen regarding illegal orders must be sorted out. Thereafter, the then Home Minister, Ch. Charan Singh was informed by Srinivasavaradan, Home Secretary of how much the need for a Police Commission existed and how much support there was to the idea and made the announcement in Parliament about instituting the present Third Police Commission.

Collecting staff, getting accommodation and so on proved more difficult than expected, and the Third Police Commission began its work towards the middle of 1978 in earnest. Five reports have been submitted to the Government and two remain. The subjects considered are numerous—but some of them are: the constabulary, machinery for redressal of grievances of police personnel, interference in the working of the police and political pressure, gram nyayalayas, police and the weaker sections of society, corruption, agrarian problems, Indian Police Service, yardsticks, police hierarchy, armed police, accountability, performance appraisal, communal riots, etc.

One of the most important recommendations of the Third Police Commission is regarding the insulation of the police from pressures of

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various types—notably political and bureaucratic. It would be wrong to say that this implies that political control over the police would be relaxed. This is not what it means even by implication. There are Police Commissions in almost every democracy. Japan, which has developed the best police system in the world, has a commission of this type. Has political control in Japan not been improved because of it?

It takes years for ideas on reforms to emerge and it takes many more years for them to be implemented. In the UK police reform began with Robert Peel, who in 1832 introduced the Metropolitan Police Act and gave London an efficient police system, largely based on Samuel Romilly's studies on crime and criminology. Preceding this great event of police reform, were a series of riots arising out of widespread distress. About the time occurred the 'Massacre of Peterloo' wherein, at a vast meeting of 80,000 men and women the yeomanry lost their nerve and dashed into the crowd, spurring their horses and flourishing their sabres. Eleven persons were killed and several hundreds were wounded. Government seemed to think that the only answer to this was severe laws. In the end it was Robert Peel who showed that laws did not matter as much as the right type of men to deal with situations calmly and with a minimum use of force. Since then, at regular intervals, Commission after Commission has gone into the working of the police in U.K., and even today one is in session. The police in the U.K. today is the product of 150 years of regular examination and reform.

The reform movement in the USA started dramatically on a cold winter day in New York in February 1892. The Rev. Charles H. Parkhurst delivered a blistering sermon on the incompetence and corruption of the city police department and its collusion with the Democratic party machine—the Tammany Hall—that controlled New York. A first class political controversy developed, and, as often happens in such cases, the very fact of police collusion caused the upset of the party in the election. Thus came the term 'Tammany Hall' to indicate police-politician collusion.

Both in the UK and the USA, police reform has been difficult and time-consuming.

How many of the Third Police Commission's recommendations will be accepted by Government of India it is difficult to say. Perhaps, this report too will be put on the shelf or left for noting by persons who know nothing about the subject on extensive files. For those who are past masters of all the tricks of the trade, the best way to postpone a burning issue is to appoint one committee after another to examine proposals which have already been made after considerable examination. The truth is that Police Commissions, like judicial enquiries, are appointed mainly to take the heat away from police failures. This time, however, there is an added risk and a grave peril. In making the recommendations we have been concerned about the possibilities of large-scale trouble and unrest particularly in the rural areas. This is a reality today which we will neglect at our cost. No amount of penny-pinching or watering down

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of the Third Commission's recommendations will help if the cost of putting out fires is going to be extremely heavy.

A second factor which inhibits police reform is the integrated nature of the criminal justice system. We tend to view the police in isolation. Yet no amount of police reform will produce results, if laws are based on prejudice and incorrect data, if decisions in courts are delayed, if jail sentences are indiscriminately given, if undertrials are forgotten, and—above all—if the legislatures and the media do not help to find solutions to this very complex problem of crime and its prevention.

Another factor which we have to reckon with is that we have always been weak in implementation, whether it be in the field of policies or energy or policing or food distribution. There is no dearth of ideas, but everybody seems to lose interest in the issues as soon as the vital phase is entered of execution of plans on the ground in accordance with a time-bound programme.

In the end, let it be said loud and clear that any attempt to put a block to police reform—or to whittle down the Third Police Commission's recommendations—which are a total package—will imperil the security of the Republic. Politicians of today, in whose hands the people of India have placed their destiny, must realise that our effort is not to reduce their stature but instead to enhance it. We want them to be the spokesmen of the poor, the heart throb of the afflicted, the voice of those who have become the victims of dacoity and unbridled communal violence. Their responsibility is far more than the sum total of that of every citizen in the land. In fact their accountability—in a poor and developing country, like ours, groping for a socio-economic break through—is indeed supreme; because history will squarely blame them if violence breaks out in an uncontrolled manner affecting our national interests. In an overcrowded land with complex problems, will we be able to face the future with confidence if insecurity haunts us even in broad daylight, as badly as it haunted our forefathers in the twilight of Mughal rule?

54. Shri B. Venkatappa
B3/59, Safdayang Endow
New Delhi 110 016.

Posted at Central Packet Sorting Office, Bombay on 24-2-1981
Regd. No. BYW 69
Licence No. 14. Licensed to post without pre-payment

Edited and published by A. D. Gorwala at 40C Ridge Road, Bomay 400 006 and
printed by him at the Mouj Printing Bureau, Khatau Wadi, Bombay 400 004.
Proprietor: A. D. Gorwala.