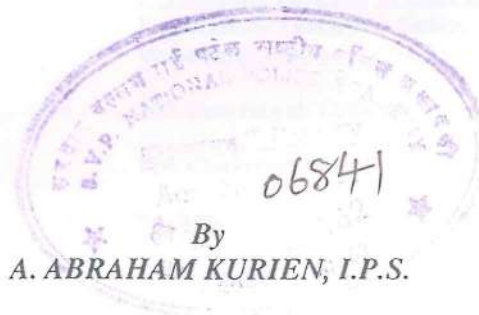


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**THE CONCEPT AND PRACTICE**  
**OF**  
**COMMUNITY POLICING**  
**IN THE INDIAN CONTEXT**  
( A Research Project Under Police Fellowship – 1998)



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- (i) Schedule to the Second Report of the National Police Commission.
- (ii) Circular D.O. letter dated 19.6.99 of Shri P.V. Rajgopal, Director, S.V.P. National Police Academy, Hyderabad, addressed to D.Gs.P/ I.Gs.P of all States/U.Ts and Commissioners of Police.
- (iii) D.O. letter dated 2.6.99 of Shri Gurbachan Jagat, D.G.K. J&K.
- (iv) Cutting of news items dated 22.6.99 of Indian Express Newspaper.
- (v) Response Sheet received from Shri Virendra Kumar, D.S.P., Probationer Of DBRA, U.P. Police Academy, Moradabad.
- (vi) Response Sheet received from Shri Vivek Sharma, IPS Officer Trainee.
- (vii) D.O. letter dated 7.12.99 of Shri P.S.V. Prasad, Jt. Director, S.V.P. National Police Academy, Hyderabad, addressed to D.G.P., Andhra Praesh.

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( A. ABRAHAM KURIEN )

## FOREWORD

*No one who is safe to have home for dinner would claim that society can dispense with police, says Clockars, with sardonic humour. Gone are the days when informal social controls like the family, school, religious and cultural organisations operated unobtrusively but firmly to keep individual conduct under check and keep it in conformity with certain accepted norms commonly in force in the community. A formal organization like the police is inevitable in such circumstances to control individual behaviour and to maintain that minimum degree of order that makes civil society a reality. The coercive power conferred upon the police has correctly been identified by writers and critics as the distinguishing characteristic of the police and also as the crucial component of formal social control that is sought to be achieved through the promulgation of laws and regulations that regulate conduct. To that extent, there can be no controversy that the police is expected to check malfeasance and control crime. It is however the manner in which the police has gone about discharging this function that has been the cause of criticism in all democratic societies and has led to the cleavage between the community and the police. Every new entrant to the police profession is confronted with this contradiction of the protector being characterized as the oppressor. Conscientious recruits to the higher ranks of the police appear to be tormented by this serious constraint and struggle to come to terms with it. It is my observation of the acute sense of conflict and consternation among that category of probationers in a police training college that set me thinking about the problems of police effectiveness and police isolation from the community and led me to take up an enquiry into the current wave of police reforms in the West that seemed to be dealing with this dilemma with considerable success.*

*Popularly known as the community policing paradigm, the new movement seemed to address the two fundamental problems of how to enhance police effectiveness and how to secure community sanction and legitimacy to enforcement action. The U.S.A was known to be pioneer in this two-pronged strategy, though countries like Japan and Singapore had their own systems of community policing suited to the unique social and political environments obtaining in these two countries. The American model appeared to be more relevant and closer to the Indian experience owing to the historical and social context in which police agencies in both the countries had their origin. Moreover it appeared from preliminary information available that the experimentation and innovation that preceded the adoption of community policing as a philosophy and organizational strategy in the U.S.A. would provide a more scientific basis to the proposed enquiry. That my expectations and hopes have not been belied, in this respect, would be borne out of the record of my endeavour, modest as it is, I sincerely hope. What is perhaps more important for finding an answer to the police dilemma in the Indian context is whether the concept of community policing can be meaningfully correlated to the native genius of the average Indian for problem resolution through consultation and consensus, as reflected in the ancient tradition of the Panchayat. This is particularly relevant in the current phase of the Panchayati Raj movement which seeks to accord a central place to the Gram Sabha which is the quintessential "community", that elusive entity which the sociologists and reformers in the West have been desperately seeking and attempting to create, through conscious efforts at mobilising neighbourhoods, so that consultation and consensus which are central to the new movement can be actualized in interaction between the citizen and the police agency.*

*In pursuing this objective, I have believed the dictum that primacy of the subject matter is what matters most and that methods are secondary and accordingly have followed a qualitative method of enquiry without rigid designs. One approach to qualitative research is through field studies in the course of a pilot project. However, a more opportune moment has to be awaited before a pilot project can be successfully implemented.*

*With these few words, I present the brief paper for the reader's indulgence.*

## CHAPTER-I

### THE CONCEPTUAL FRAMEWORK

#### *A New Philosophy*

The concept of Community Policing, as it has evolved during the last three decades, has come to be widely recognised in many democratic societies as a potential alternative to the traditional model of law enforcement which is largely reactive, and often repressive, resulting in police ineffectiveness and alienation from the citizen. Unlike crime prevention weeks and police-community relations programmes which are generally confined to periodic outbursts of goodwill and dissemination of crime information by the police, community policing is not limited to a special unit of the police or a programme of public relations. Conceptually, the term community policing implies a paradigmatic shift in police philosophy, police policy and strategy based on the belief " that police officers and private citizens working together in creative ways can help solve contemporary community problems related to crime, social and physical disorder and neighbourhood decay".(Trojanowicz, Bucqueroux 1990). The shift involves a new recognition by the police that the community is the best resource as well as its greatest ally in the fight against crime and that establishment of a partnership is crucial for drawing upon this resource. The new paradigm also acknowledges that community partnership is important for dealing with problems of disorder and fear of crime which are of equal concern to the community, as crime itself. Under the new concept, crime control and public order management are considered as truly participative functions, with the total involvement of the community or the local neighbourhood as an active partner with an equal stake in these vital issues of social stability and progress. This paradigm shift arose from an understanding that police alone cannot resolve problems of crime and disorder, however elaborate may be its resources or however ingenious its strategies. In fact, extensive research in the West suggested that rapid advances in technology such as computerization of police operations and random patrolling by radio-connected automobiles did not bring about dramatic improvements in the crime situation but, on the contrary, distanced the police further from the community. Civil

strife and extensive public disorder in the 1960s in many U.S cities which heightened public animosity towards the police also drove home the necessity of securing legitimacy for police enforcement from the community, which was qualitatively different from legitimacy accorded by statutes alone. Prompted by these considerations, the new policy evolved through the 1970s and 1980s sought to cast the police in a novel role as a catalyst in social change, by seeking consensus and consent of the community in identifying and resolving the issues that threaten security and stability. The community was perceived as a co-producer of safety by actively collaborating with the police and community partnership was recognized as a core component of policing strategy. Active participation by the community in crime prevention was only one such area of co-operation which could extend to many programmes intended to promote the quality of life in society.

The rationale for co-operation with the community was further evident from the fact that the community acts a sort of criminogenic greenhouse, creating, generating and encouraging crime to take place due to a set of sociological, economic, political and other factors which are often beyond the reach of influence of the police. The importance of relationships between police and community has always been recognized in the past in the form of police community relations programmes (PCR), but the concept of community policing systematized the notion of citizens and police having a joint interest and developing a set of activities together to produce security and public safety. The term 'co-production' was coined by Whitaker (1982) to represent the ideal cooperation between police and the community in which "citizens and agents interact to adjust each other's service expectations and actions". The police have contributed to creating an erroneous impression that they could take upon the entire task of preventing and detecting crime by themselves. Crime encompasses such a broad range of human activity and unpredictability that no single agency in a democratic society, no matter how powerful, can be expected to provide all the answers. The community policing philosophy further suggests that only by broadening the police mandate beyond a narrow focus on crime can they provide long-term solutions to the problem of controlling crime, which is created by societal conditions.

### *The extended Police mandate*

The new orientation to the task of crime prevention and crime control provided by the concept of community policing derives support from a profound understanding of the relationship between societal order and crime which was for long neglected and which casts new responsibilities on the police. In their classic essay entitled "Broken Windows" (1982), Wilson and Kelling drew pointed attention to the fact that police preoccupation with crime control in the 1960s had led to a costly neglect of the order maintenance role of the police which was crucial not only to control of crime, but to the creation of a sense of security in the community as well. According to them, "the link between order maintenance and crime prevention, so obvious to earlier generations, was forgotten. That link is similar to the process whereby one broken window becomes many. The citizen who fears the ill-smelling drunk, the rowdy teenager or the imposturing beggar is not merely expressing his distaste for unseemly behaviour, he is also giving voice to a bit of folk wisdom... serious street crime flourished in areas in which disorderly behaviour goes unchecked". The article illuminates our understanding of how order and crime are inextricably linked to each other and focuses attention on how police can help halt social decay and tackle public fear of crime. The truth of this observation was amply borne out by the findings of the 'foot patrol experiment' in Newark (New Jersey) of the early 1970s, which concluded that though foot patrolling had little effect on crime, the public in the patrolled area, as compared to those elsewhere, felt more secure and less bothered by crime. The authors of "Broken Windows" forcefully argued that police need to protect communities as well as individuals by assisting in the order maintenance function which involves taking care of disorderly behaviour. It is important for the police, they insisted, to take care of disorders because they play a key role in making communities ripe for criminal invasion. The implication for the police is obvious : in order to protect communities police officers need to be concerned about combating disorder which leads to crime and performance. The best way to do that is to work towards reducing social and physical incivilities. The community policing concept suggests that police, if on foot patrol or some other community attachment, can protect communities by reducing these social and physical incivilities. Drawing from the moral order of the community, the police can

restore the citizen's sense of public propriety and maintain respect for the police and the law (Kelling 1987).

This extended mandate implies that the police have to go beyond the narrow confines of crime fighting as it is understood and practised today. "The essence of the police role in maintaining order is to reinforce the informal control mechanisms of the community itself" (Wilson and Kelling, 1982). This is done by enforcing informal local norms of acceptable public behaviour. Such assistance can take many forms but basically the police officer is working with law-abiding citizens to define and enforce rules. Wilson and Kelling concluded that it was this elevation of public order by officers on foot patrol that caused the lower fear levels in the Newark experiment. Residents liked having foot patrol officers around and appreciated their assistance. Motorised officers, on the other hand, cannot carry out the order maintenance functions as effectively as officers who have greater community attachments, either through foot patrols or other community contacts. These community based officers are expected to be more familiar with local rules and law abiding citizens, have a better idea of what response may be desired because they spend more time in the community contact, and are better able to distinguish between regulars and strangers. This enhanced community sensitivity also makes a successful resolution of problems more likely.

### **The Concept of Community**

Community policing presupposes that police develop positive relations with the community and involve the community in the quest for crime control and crime prevention and further pool their resources with those of the community to address the most pressing concerns of its members. However the concept of community itself needs definition in this context. The 'community' for which a patrol officer is given responsibility is usually a small, well-defined geographical area or a 'beat'. Beats are configured in a manner that preserves, to the extent possible, the unique geographical and social characteristics of neighbourhoods while allowing efficient service. Although the delivery of police services is determined by the geographic area, it must be recognized that a community will comprise widely diverse cultures, values and



concerns, particularly in urban settings. A community consists of more than just the local government and the neighbourhood residents. Schools, hospitals, social organizations, places of common worship, private and public agencies and those who work in the area are also members of the community. Including these "communities of interest" in efforts to address problems of crime and disorder can expand the resource base of the community. Demands on police from one community of interest can sometimes clash with the rights of another community of interest. This calls for negotiating skills and effective organizational efforts on the part of the police. The conflicts within communities are as important as the commonalities. Community policing believes that Police must build lasting relationships that encompass all elements of the community and center around the fundamental issues of public safety and quality of life. Community initiatives are more likely to occur if crime is perceived as a risk to the community, if community cohesion is perceived and if there is commitment to the neighbourhood. "Relying on such neighbourhood networks may be the first step in recognizing community forces at work, may minimize apathy and lack of co-operation and may create or increase a sense of community among the citizens involved (Friedmann – 1992).

### Community Mobilisation

As already seen above, community partnership which is a core component of community policing means adopting a policing perspective that goes far beyond the standard law enforcement orientation. This broadened outlook recognises the value of activities that contribute to the orderliness and well being of a neighbourhood. These activities could include: helping accident or crime victims, providing emergency medical services, helping resolve domestic and neighbourhood conflicts, working with residents and local business to improve neighbourhood conditions, controlling automobile and pedestrian traffic, protecting civil rights and providing a model of citizenship. These services help develop trust between the police and the community which will provide the opportunity for officers to establish a working relationship with the community. This is the first step towards community mobilisation. The community organising dimension of community policing involves two features:- one, the police has to identify existing

community resources and bring them to bear upon community problems. The second and more difficult task is to develop new organisations such as block associations that would eventually constitute a resource for officers to carry out their responsibilities of consultation and chalking out joint strategies in partnership with the community. Community resources cannot be brought to bear upon crime and quality of life problems unless the community is willing to commit them for that purpose. Increasing the consciousness of the community about its problems, involving people and organisation in developing strategies to address the problems, motivating the people to help in implementing the strategies and co-ordinating their action so that they may contribute maximally to the solution are all aspects of the community organising dimension.

### **Problem-oriented Policing**

From among a wide range of programmes to engage the community, two different patterns emerge. The first is a broad and ambitious effort to develop a new relationship with or all designated parts of the total community, in hopes that this will reduce tensions, create a reservoir of goodwill and ultimately enable the police and the community to work together to solve community problems. The second is narrower in scope, in which the initial objective is to deal with a specific problem. If, in exploring the problems, the police conclude that it could be eliminated or significantly reduced by some form of community involvement, they then set out to bring about such involvement. In either of these options, the new policing philosophy fully recognises that in order to be truly effective, the police has to go beyond mere handling of incidents and has to be more concerned with the substantive problems that give rise to incidents – policing ceases to be response-driven and tends to become problem-driven. This is a radical departure from the established norms of “professional” policing which believed in promoting operational efficiency in terms of rapid response, random patrol, centralised control and strict neutrality and impersonality in dealing with incidents. Such an orientation fostered the notion among police personnel that policing consists simply of responding to incidents.

A problem orientation to community policing seeks to restore a better balance between the reactive and proactive roles of the police. "In the broadest context, problem oriented policing is a comprehensive plan for improving policing in which the high priority attached to addressing substantive problems shapes the police agency, influencing all changes in personnel, organisation and procedures" (Goldstein – 1992). The first step in problem oriented policing is to move beyond mere handling of incidents and to recognise that incidents are more often the overt symptoms of substantive problems that underlie the complex life patterns of the community. Police response to incidents is shaped by recognition of similarities of behaviour, location and persons involved etc. which suggest deeper relationships and intelligent analysis of the conditions and factors that give rise to them. This is an area where community partnership pays rich dividends in terms of invaluable insights and inputs. Problem oriented policing also provides a much better use of data typically collected as part of crime analysis. It would require trying to understand the nature of these problems as a basis for critical review of the police agency's response, rather than limiting enquiries to narrower operational goals such as deployment or patrolling. The nature of the community's interest in a problem is of critical importance in deciding how best to respond to it.

### *Problem Solving*

Problem solving is, in fact, a crucial component of the community policing philosophy. It implies more than simply the elimination and prevention of crimes. Problem solving is based on the assumption that crime and disorder can be reduced in small geographic areas by carefully studying the characteristics of problems in the area, and then applying the appropriate resources. It further assumes that individuals make choices based on the opportunities presented by the immediate physical and social characteristics of an area; by manipulating these factors, people will be less inclined to act in an offensive manner. For example, social and physical conditions in a deteriorated apartment complex may generate burglaries, acts of vandalism, intimidation of pedestrians by rowdy teenagers and other incidents. These incidents, some of which come to police attention, are symptoms of the problems. The incidents

will continue so long as the problem that creates them persists (Wilson and Kelling - 1982). Co-operative problem solving, in association with the community, reinforces trust, facilitates the exchange of information, and leads to the identification of other areas that could benefit from the mutual attention of the police and the community. Patrol officers serve as catalysts for joint police and community problem solving endeavours. They are involved with the community on a day to day basis, understand its unique physical and social characteristics, are aware of local problems and can help community members articulate their needs. The problem solving process also relies on the expertise and assistance of an array of social and governmental agencies and community resources. For example, crafting a solution to widespread incidents of spousal assault or child abuse might involve multiple agencies. Beat officers might have noticed a correlation between spousal assault and excessive drinking by the perpetrators, especially at illegal bars. The officers, their supervisors and community members might explore ways to close down the bars with the help of local municipal boards. Alcoholics might be required to attend rehabilitation programmes. Senior officers and community leaders might confer with women's groups and other NGOs about providing temporary housing and counselling for victims or their families. There are as many solutions as there are problems. These solutions range from simple, inexpensive measures to complex, long-term answers that will require significant investment of staff and resources. Problem solving is limited only by the imagination, creativity, perseverance, and enthusiasm of those involved. The best solutions are those that satisfy community members, improve safety, diminish anxiety, lead to increased order, strengthen the ties between the community and the police and minimise coercive actions. Therein lies the scope and potential of problem oriented policing.

### **Organizational Strategies**

Prof. David H. Bayley, an international authority on policing has observed in a recent article (The Best Defense – Fresh Perspectives – 1998) that although a technical distinction can be made between community oriented and problem oriented policing, when worked out in operational terms they both involve these key elements:-

1. Consultation between police and local neighbourhoods about problems, policies and priorities;
2. Adaptation of strategies to fit the needs of particular neighbourhoods; and
3. Mobilisation of all the resources of a community – police, civilian, government, private, human and material – to solve or at least reduce enduring, high visibility problems of crime, disorder and security “consultation, adaptation and mobilisation are what community policing, in any guise, is all about. Everything else is detail” (Bayley-99).

After elaborating on how community policing is the best defense against social violence, particularly ethnic and racial conflict, by legitimising enforcement and isolating trouble makers through community consultation and mobilisation, Prof. Bayley goes on to spell out certain important prerequisites to make the concept of community policing operational and effective. First of all, uniformed police officers must be assigned full time, to beats manageable by foot. This should be done everywhere, but more particularly in those neighbourhoods where there is a great deal of crime, relatively high population densities, lots of commercial activity attracting people on foot, unmet social needs and ethnically diverse populations. Prof. Bayley’s view in the matter is consistent with the opinion of several other experts such as Goldstein who advocated assigning officers to areas for long enough periods of time to enable them to identify the problems of concern to the community (Goldstein 1992). The concept of the Community Policing Officer (CPO) developed by Trojanowicz and Bucqueroux is based on similar principles. “This new Community Policing Officer (CPO) serves as a generalist, an officer whose mission includes imaginative new ways to address the broad spectrum of community concerns entrusted by the community policing philosophy. The goal is to allow CPOs to own their beat areas, so that they can develop the rapport and trust that is vital in encouraging people to become involved in efforts to address the problems in their neighbourhoods” (Trojanowicz and Bucqueroux – 1982).

## *Adaptation and Decentralisation*

Adaptation of police strategies to fit the needs of particular neighbourhoods is another important feature of community policing and this is sought to be achieved in two ways: one, by bringing about a new organisational strategy for the police by which decentralised decision making is encouraged and which makes it possible for the beat officer to offer personalised services to the client namely the neighbourhood community; second, by constantly devising and modifying specific strategies of policing such as foot patrol, store front mini-stations, neighbourhood watch, etc., which are based on the needs of the community and which promote partnership with the community. The process of decentralised decision making poses a great challenge to the fundamental ethos of traditional policing which is militaristic and strictly hierarchical. Community policing advocates and promotes the idea that police organisations need to make use better use of the experience and knowledge of subordinate officers. This has taken a variety of forms from decentraliation of decision making from headquarters to substations and the establishment of fixed beat assignments, to experiments in replacing rule-based/top-down decision making with the bottom-up, value-driven decision making (Rosenbaum, 1994). The rationale for these changes is that to be responsive to community members and to address problems, decision makers need more information than is usually available to high-level commanders, and the police need to be more flexible than is possible by following the chain of command. These changes will bring police personnel closer to the communities they serve and provide them with the authority to act on their behalf (ibid) Goldstein, an eminent scholar and practitioner in the new philosophy of policing places a lot of stress on decentralisation and empowerment of the rank and file "The police field can be the beneficiary of a flood of new ideas, new energy, enthusiasm and commitment by modifying some of the constraints under which rank and file officers now function. This means, quite simply, making it legitimate for rank and file officers to think and be creative in their daily work; and making it legitimate for them to help develop better ways for their agency to deal with community problems. It means giving officers much more freedom, within appropriate restraints, in carrying out their jobs. The potential benefits are of two kinds. The most important is this-could produce in the quality of responses that police make to

oft-recurring community problems. In addition, such a change would be directly responsive to some critical needs in the police organization – the need to treat rank-and-file officers as mature men and women; to demonstrate more trust and confidence in them; to give them more responsibility and a stake in the outcome of their efforts; and to give them a greater sense of fulfillment and job satisfaction” (Goldstein, 1990). Three important objectives are sought to be achieved by such empowerment of beat officers (i) tapping the accumulated knowledge and expertise of police officers; (ii) enabling officers to realise a higher level of satisfaction in their jobs; and (iii) enabling the citizenry to realise a higher return on their investment in police (Goldstein -ibid).

### Mobilisation

As already seen, the need to mobilise the community arises from the fundamental principle in community policing which holds that organised citizens can control crime and improve neighbourhood conditions. Rosenbaum identifies five methods by which citizens can help accomplish these ends. First, they can watch and report suspicious behaviour and other information to police officials. Police have promoted passive involvement through the formation of Neighbourhood Watch Groups. Second, citizens can patrol areas, confront suspicious people, and ask that they leave the area or change their behaviours. Active involvement is however less common than passive involvement, and police officers discourage involvement because of safety concerns. Third, citizens can change their own behaviour to reduce their chances of becoming victims of crime or inadvertently contributing to a deterioration of the quality of life in a neighbourhood. Police crime prevention programmes frequently promote personal safety precautions. Fourth, citizens can put pressure on others to act: they can demand more police resources, They can pressure businesses to change their practices, and can lobby local government agencies to obtain services and get favourable rulings from licensing or regulating authorities and they can threaten property owners and organisation with civil suits to change behaviours and physical conditions. Unlike the first and third methods, here citizens do not directly confront the problem with their own resources, but use their legal and potential powers to gain external resources. Fifth, citizens can authorise the police to act on their behalf. By building a rapport with

neighbourhood residents, officers can carry out enforcement action that would be otherwise unacceptable (Rosenbaum-1994).

### **Tactical Innovations**

'Community Policing' has been used to refer to a wide range of programmes and activities that are based on the basic principles of community partnership and problem solving through consultation. As these objectives involve increased police-citizen contacts either through existing community organisations or by building up such organisations where they do not exist, police tactics have been suitably modified or devised to maintain close and daily contacts between the police and the community. These tactics include foot patrol, victim counselling and services, rapid response to emergency calls for service, knock-on-door programmes, information sharing, news letters, police mini-stations, problem solving and many such activities that bring the public and the beat officer to close contact and cooperation. Friedmann observes that the advent or, perhaps, the return of the foot patrol officer was largely seen as the greatest signifier of community policing (Friedmann, 1992). Foot patrols seemed to have an impact because they reduced fear and tied it more to disorder than to crime, their use also indicated an appreciation of citizen's views, improved the morale of police officers and is attributed to have increased minority representation on the force (Kelling, 1986).

In a cluster of surveys conducted by the Washington State University during the period 1993-96, chiefs of police identified 12 specific programmes as typically community policing programmes and practices. These are the following:-

1. The use of community news letter.
2. Additional officers on foot, bike, horse patrol.
3. The use of storefront stations.
4. The use of special task units for solving problems in targeted area.
5. Victim contact programme.
6. Crime education for the public.
7. Fixed assignments of officers to neighbourhoods or schools.



8. The use of citizen surveys to keep informed about local problems.
9. Neighbourhood block watch programme.
10. Business watch programme.
11. Block meetings between police and community participants.
12. The use of unpaid civilian volunteers.

Despite local variations in emphasis, three of the programmes relating to reorientation of police operations (patrol, task unit, beat assignment) and three others relating to crime prevention (crime education, block watch, block meeting) were found implemented in over 90% police agencies which responded to the survey in 1996 (Zhao et al PRJSM, 221 74 to 89) These programmes are designed to promote the basic objectives of the community policing philosophy which can be summarised as –

1. establishing trust and harmony between the neighbourhood residents and the beat officers;
2. exchanging information which will strengthen rapport and enhance neighbourhood safety;
3. addressing problems of crime and reducing the level of fear associated with criminal activity;
4. helping define service needs;
5. helping identify and resolve neighbourhood problems;
6. clarifying responsibilities on behalf of citizens and the police

The above mentioned objectives themselves suggest that a number of traditional operational assumptions will be challenged. The new policing policy and its accompanying operational strategies help in reexamining how the traditional, total delivery concept is defined and in altering the orientation and perspective of the patrol officer. "The evolution of policing strategies can be described along a continuum ranging from traditional policing which was incident-based and heavily reliant on mobile patrols, to community policing which employs a variety of programmes aimed at increasingly involving the public in the co-production of its own safety" (Friedmann, 1992).

However, these new strategies have not completely replaced the old ones; in many cases there is a change in the emphasis on individual strategies. For example, no matter how intensive a foot patrol programme is, it rarely replaces altogether the need for car patrols. These strategies have developed as part of an ongoing formal social control response to changing times and changing environments that have forced the police inevitably to adopt-not less quickly than other social agencies – to the changing conditions and pressures, as well as to different values and attitudes both written the police and the external milieu.

### *The Social Milieu*

There is a universal recognition that community policing is an idea whose time has come. Writers like Rosenbaum believe that community policing is part of a larger set of changes in progress throughout the United States. "Many of the management practices that community policing advocates – decentralised decision making, problem solving teams, attention to customer needs and others – are used widely in industry. Racial fairness, another theme in community policing, is a resurgent theme throughout society. Community policing is only one manifestation of a larger social concern with quality of life issues. And renewed faith in community empowerment and self help pervades discussions of how to address virtually any social problem. In short, there are many forces in society that support the full scale adaptation of community policing and discourage the decline of this reform movement" (Rosenbaum 1992). Others like Friedmann observe the forces of participative democracy in operation in the movement towards community policing. He says, "beyond the importance of proactive policing, reaching out to the community, long-range planning and greater effectiveness and efficiency in police work, the change and the differences in the direction policing is developing towards at the turn of the twentieth century lies in its ideological and political implications for policing democracies. Community policing is not only the epitome of what signifies participatory democracy. It is reflective of the attempt to redefine the relationship between the controlled and those who are in control. It is the attempt not just to share power in a different way than ever before; it is a way for the recipient of police services to determine not only how those services should be planned, delivered,

evaluated and who should be accountable for them, but it is also an attempt to approach the problems of crime control through what generates crime to begin with, and that is the community itself (Friedmann, 92). Placing community-oriented policing in the broader realms of community co-operation, Dr. L.J. Wilson asks just what is it that people in a community value? The primary, underlying tenet is that people matter. In reaction to a bureaucratic society in which we have often become mere numbers of statistics, community co-operation is gaining popularity because it emphasises the needs, desires and dreams of individual citizens. This "people value" is the foundation for all other critical values which include:

- the importance of service to each other and to our communities – sincere care and concern among all actors towards individuals and the community;
- personal safety and health;
- The respect for peers (friends, family and co-workers), and
- Quality of life (including property and its protection, pride in the community and peace of mind and freedom from fear).

These are the recognised values driving a return to a community orientation – an orientation expected to be successful in curbing social problems and reversing decay, while fragmented, dollar-driven approaches have failed. It is a philosophical shift in the way we view the functioning of society – from a separatist, political-economic view to an integrated social vision based on the importance of people. Community-oriented policing has its roots in that philosophical shift and shares the stage with progressive corporations and non-profit organisations that are making a difference in communities across the country (Birmingham University, Provo, Utah).

### **The Indian Context**

In a nascent democracy and a developing society like India, the inexorable move towards finding an equitable form of participative governance found its tentative, though halting, voice in the 73rd and 74<sup>th</sup> Constitutional amendments relating to the revitalisation of local self-governing institutions. As the movement towards people's

empowerment gathers momentum, the issue of public participation in the criminal justice administration is bound to come up sooner rather than later. The current preoccupation of the police as a law enforcement agency will be subjected to closer scrutiny and its relevance for good governance examined critically. The basic tenets of community policing, founded on community partnership and consensus, accord well with the process of empowering people through the Panchayati Raj movement and hold the promise for correcting many of the distortions that crept into the criminal administration system in India owing to historical reasons and should be viewed in this new light.

## Chapter-II

### A HISTORICAL PERSPECTIVE

The evolution of the community policing concept is of interest to the Indian observer not merely as history, but as the development of formal social control in a fiercely independent democratic society such as the U.S.A. in which every aspect of governance has been carefully modulated to jealously guard the freedom wrested from a common colonial regime. The comparison between these two largest democracies in the world do not end there; as succinctly pointed out by Prof. Bayley in his Forward to a recent comparative study of Indian and the U.S police systems "the two countries have both constitutions incorporating guarantees of human rights; both distribute power among levels of government according to federal principles; both achieved independence from the same colonial power; and both have very heterogeneous populations" (Forward to 'Policing and Democracy" : by R.K. Raghavan, 1999). As the study analyses in detail, the police response to crime and disorder in both the countries is dominated by common concerns relating to handling of civil disturbances such as riots, countering terrorist violence and protection of dignitaries etc. Public perception of the police role in maintaining order during communal or ethnic riots, for instance, is coloured by a strong disapproval of police attitudes towards the minorities – black antipathy to the U.S. Police and the Muslim distrust of the Indian police are too deeply ingrained in the popular psyche to be obliterated by police protestations about its neutrality. Allegations of police brutality are a common theme in the community's condemnation of police action, whether in law enforcement or order maintenance functions, lending a keen edge to the clamour for protection of human rights in both societies though historically and socially divergent in their perceptions of this issue. Similarly, sociologists in both U.S. and in India share a common view of the rising trend in violent crimes which causes utmost concern in both the countries: that trend of rising violent crime could be traced to 'social disarray, lack of economic opportunity and racial inequality' (R.K. Raghavan, 1999 (ibid). It is significant that despite the common background and nature of many of the problems of disorder and crime that confront the

police in both the countries, the police response to them has increasingly assumed a community orientation in the U.S.A., while in India the predominant police concern has generally been one of enforcement, with a strong identification of police professionalism with acquisition of superior technology, greater mobility, sophistication in weaponry and more manpower. The circumstances that led to the evolution of community policing in the U.S. are therefore of profound interest to policing policy in India.

### **Evolution of the American Police**

No other institution in the history of democracy would have been subjected to so numerous and so frequent reforms as the police in the USA where from the very start, people believed that police forces such as the Irish Constabulary, the Italian Carabinieri or the Spanish Guardia Civil, posed a grave threat to their civil liberties and political rights. It was therefore arranged from the very outset that police should be controlled by local officials and that police should have an essentially civilian character. Most Americans only had a few vague ideas about what the police should do besides maintaining public order. Few Americans were sure whether the police forces or the detective squads which were originally district agencies in Philadelphia, Washington D.C. and other cities, should be authorised to deal with crime. "Feeling more strongly about what the police should not do than about what they should, most Americans left the authorities a great deal of leeway in their attempts to define, and if need be redefine, the police function". (Fogleson, 1977) Redefine, in fact, they did over and over again the nature of police functions and the style of police work, that reforms have been drastic, thorough and wide ranging. According to historians of policing, the strategic history of policing in the U.S.A can be divided into three areas: political, reforms and community.

### **Subordination to local politics**

First the political, so named because of the close ties between police and politics, dated from the introduction of police into municipalities during the 1840s, continued through the progressive period, and ended during the early 1900s. The reform strategy developed in reaction to the political and took hold during the 1930s, thrived during the

1950s and 1960s and began to erode during the late 1970s. The community strategy can be said to have taken root during the early and mid-1980s, and has since become well established. In order to understand the driving force behind each of these movements, a brief look at some of the salient features of each would be in order. Even though inspired by the British zeal for establishing a police force in conformity with democratic ideals, the U.S. police had no central authority such as the Crown providing a unifying core mandate for their existence or activities. Although responsive to law, U.S. police derived both their authorisation and resources from local political leaders, often ward politicians. The relationship was often reciprocal: political machines recruited and maintained police in office and on the beat, while police helped ward political leaders maintain their political offices by encouraging citizens to vote for them, "Empowered to preserve order at the polls, the patrolmen decided whether or not to eject repeaters from the lines, protect voters from the thugs, and respond to complaints by poll watchers and ballot clerks... whoever dominated the police could assign to the polls hundreds of tough, well-armed, if not necessarily well disciplined men, whose jobs, the politician reminded them, depended on the outcome. Empowered to maintain order in the streets, the police decided whether or not to permit agitators to speak, protesters to march, and labourers to picket, and if so, judged whether or not the protests remained orderly. They also determined whether or not to intervene in racial, ethnic, and religious clashes, and if so, at what point, on whose side, with how many men, with how much force. Whoever controlled the police possessed an enviable flexibility to respond to confrontations and crises in ways consistent with their political objectives, which was a tremendous advantage in a society so prone to group conflict" (Fogleson, 77)

To control the police, or at any rate to influence departmental policy, was therefore, among the principal objectives of the political bosses. At issue during the nineteenth century in the U.S. was not whether the police departments would be operated in someone's interests, a point firmly settled but in whose interests they would be operated. The police man who survived with the department long enough learned how most officers derived their prerogatives and influence as much from their political connections as from their official positions. Police chiefs by accepting the patronage of

the politician lost their autonomy, as also control over their subordinates. Once the other party took office, it fired the incumbents. So extensive was the politician's influence over the police department's personnel and trainees and so formidable was their capacity to nullify departmental policies and practices that most police chiefs usually settled for nominal authority over their forces. Although the chief had the authority, the captains had the power. It was they, along with the ward leaders, who decided which laws to enforce, whose peace to keep, and which public to serve. For appointment to the force, political affiliation was the overriding consideration. "For applicants who had the machine's backing, the official requirements were no problem. Neither the medical examiners who gave the physical tests, nor the police officials, who made the character checks, were inclined to stand in the way of an influential politician, because they too were official appointees. Small wonder then that within a few days many applicants grew several inches taller and years younger, learned to read and write, and like the pilgrims who traveled to holy places, recovered from serious and even chronic ailments. Hence some recruits were overweight, undersize, and average; others were illiterate, alcoholic and syphilitic; and still others had outstanding debts and criminal records; and one Kansas city patrolman had a wooden leg" (Fogelson). The picture presented here offers a comparison, too close for comfort, with recruitment practices in police in independent India.

### **Public Protest and Clamour for Reform**

Steeped in corruption, inefficiency and lack of accountability, the U.S. police forces made themselves the object of public resentment, ridicule and lack of trust. Most citizens, especially the lower and lower middleclass new comers such as immigrants called on the police only as the last resort. It must however be remarked that the institution carried on a wide range of functions including municipal duties. The police profession also provided employment opportunities contributing to the mobility of new comers. It is estimated that the Irish-Americans had the largest share in police jobs followed by Germans and Scandinavians. The police also reinforced the movement of political decentralisation that was characteristic of 19<sup>th</sup> century America, by giving prominence to the precincts rather than headquarters in carrying out most essential



police functions. Fogelson is also of the view that big city police promoted the cultural pluralism that characterised urban America in the late 19<sup>th</sup> century. "By refusing to enforce the laws against drinking among the Irish and Germans, against gambling among the Italians and Chinese and against Sunday business among the Jews, the Big City Police sanctioned the life styles of the lower and lower middle class immigrants. From the perspective of the upper middle and upper class Americans who realised that notwithstanding the scores of sumptuary laws already on the books, the police would not impose their morality on the rest of society. It seemed painfully clear that the immigrants were gaining control not only of urban America's jobs and votes, which was bad enough, but of its soul, which was worse" (Fogelson – *ibid*).

The clamour for police reform arose from the protestant core of community which was organised on several pro-reform lines comprising business and social elite. Ultimately, the New York State Senate appointed a special committee in 1894 under Senator Clarence Luxaw to look into the changes of corruption and incompetence in the New York Police department. After conducting a number of hearings, the committee concluded that the police acted as agents of political parties during elections and far from suppressing vice, the officers regularly and systematically licensed vice in return for a share of the proceeds. Evidence also proved that detectives looked for stolen property only if the latter offered a reward and agreed to repay the pawn-broker the money advanced to the thieves. The police was also found to be frequently intimidating, harassing or otherwise oppressing the defenseless and law abiding citizens whose protection was their central duty. The committee however did not blame the outrageous practices on the patrolmen but attributed the scandalous conditions in general to the politician's pervasive influence on the police department and the other parts of the criminal justice system. Several other cities like Baltimore, Los Angeles and Washington D.C. also appointed committees of inquiry into police abuses. The thrust of the Reform movement arising from the findings of various committees was a moral crusade to preserve the sanctity of upper middle class protestant values at a time of vast influx of lower class Catholic immigrants. As Fogelson charts the course of the reform movement, the reformers mounted a many sided attack. "Committed to the concepts of an underlying social harmony and an overriding public interest, they labored

to replace ward with large councils, strengthen the Mayor's office and thereby eliminate the pervasive localism of urban politics. Convinced that City government should be divorced from politics and that its administration should be entrusted to professionals and experts, they struggled to extend civil service, introduce non-partisan elections and appoint non-political commissions. Confident in the electoral majority, yet distrustful of its elected representatives, they attempted to establish the initiatives, referendum, recall and other forms of direct legislation. From the reformer's point of view, "nothing less than the autonomy of urban America was at stake". This period represents the first major thrust in police reforms which is valid in the evolution of policing based on enforcement.

### *The Military Analogy*

It was as an offshoot of the effort to transform urban America, that Police reforms started out as a part of the progressive movement. Police reform subsequently gathered momentum as part of the so called war on crime. This effort which got underway soon after World War-I and continued through the 1920s, was designed to eliminate or to reduce criminal activity. Some reformers led by Fosdick evaluated police practices and devised policy recommendations on many critical issues according to what they thought were the principles of a large scale business enterprise. Most reformers however preferred to adopt a military analogy instead of a corporate model. According to this analogy, the American Police were engaged in a 'War on Crime' in which criminals were the enemy, lawyers their diplomat, policemen the main line of defence and civilians were combatants. The military analogy also implied that the American police should be controlled not by politicians especially not by ward bosses, but by police chiefs who should be as free of partisan interference as the army and the navy. Applying the military analogy, the reformers held that the departments should be centralised, the personnel should be upgraded and their functions should be narrowed. In order to shield the rank and file from political interference, the Reformers proposed to place them under martial discipline and to upgrade the physical and mental examinations. To narrow the police function, the reformers wanted that the departments to give up activities unrelated to the War on Crime. The famous Police Chief Vollmer even

advocated giving up vice-control and traffic regulation as well. His view was that as soon as crime prevention is accepted as the principal function of the police, the department would have a clear criterion to judge whether something was or was not a proper police activity. But after a while, the attempt to narrow the police function ran into formidable resistance. Critics pointed out that alcohol, gambling and prostitution were important sources of criminal activity and therefore police could not wipe out crime without first stamping out vice. Similarly, the reformers' attempt to transfer traffic control was strictly resisted by commercial associations worried about the impact of traffic congestion on business and by civil clubs which were troubled by sharp rise in road accidents. Public officials in charge of departments like Health also pointed out that without police assistance, municipal agencies could not persuade intransigent citizens to abide by unpopular regulations.

Reforms on the military analogy had progressed to such an extent Augustine Vollmer, a former Police Chief and a University Professor of police administration, noted in an article written in 1930 that between 1890 and 1930, the Reform Campaign had drastically transformed the Big City Police. But the actual position did not correspond to this assessment. By 1920, many citizens started insisting that a professional model rather than a military analogy was the appropriate basis on which to restructure the police. Moreover, the attempts made to centralise police work and to enhance the power of the Police Chiefs did not make much headway. The Police continued to retain responsibilities such as control of narcotics and juvenile delinquency. The multiplicity of federal, state and municipal laws also made police function ambiguous. As Fosdick pointed out in 1920, "Nowhere in the world is there so great an anxiety to place the moral regulation of social affairs in the hands of the police (as in the United States)." There was no agreement in society about what caused crime and what should be done about it. By insisting that the authorities apply the criminal sanction to reinforce conventional morality and by failing to come up with a coherent explanation of criminal activity, the upper classes severely undermined the usefulness of crime prevention as a criterion of the police mandate. By so doing, they also seriously if unwittingly weakened the Reform campaign to narrow the function of the police. Hence, the first wave of reform fell short of its main objectives. Apart from the fact that respect for law

enforcement had declined since the War, the police was also handicapped by the fact that they had little control over the outbreak of crime and less over its causes . There was conflict over the enforcement of social legislation including the implementation of vice laws which went to the extent of prohibiting playing baseball on Sunday! Police statistics for crime were not believed by Americans who were virtually obsessed by crime in the post-war years. This anxiety was manifested by the formation of the Wickersham Commission followed by the generation of interest in academic research on the reform agenda.

### **The Transition to the Professional Model**

Edgar Hoover and Wilson led the new thinking on Police principles and strategies. Among many measures to make the police autonomous was the civil service extension given to police. Criminal law and professionalism were regarded as the sources of police authority. Police agencies became law enforcement agencies and activities identified as social work became the object of ridicule. The President's Commission on law enforcement and administration of justice set up in 1967 reconceptualized the police as a part of the criminal justice system and ratified withdrawal of police from agencies of urban government including emergency medical services and fire fighting. The organisational form also underwent change by centralising command and control, resembling the scientific or classical theory of administration advocated by Fredrick W Taylor during the early 20<sup>th</sup> century. Using this theory, police leaders attempted to standardize police work and to limit police discretion. If special problems such as juvenile crime, drug abuse etc, arose, special units were created rather than requiring the patrol to look after these. There was also a distinct impersonal orientation in dealing with the public, including victims of a crime. The professional model also redefined the role of citizen in conformity with the professional theory of dealing with problems, i.e., as a client. The proper role of citizens came to be regarded as passive recipients of professional crime control services. Citizen's action to defend themselves was seen as inappropriate, smacking of vigilantism.

The police also adopted the primary tactic of preventive patrol by automobile and rapid response to calls for service. Foot-patrol, considered as outmoded and inefficient was given up as rapidly as the police could acquire automobiles. The initial reason for increased dependence on automobiles was to take the same advantage away from criminals but gradually preventive patrol became the standard anti-crime tactic. It was assumed that if police moved in conspicuously marked cars randomly through vulnerable areas, criminals would be deterred and citizens reassured. It was also expected that motor-patrols moving in the city would run into criminals in action and apprehend them. As telephones and Radio became common, the random patrol became even more popular. 911 systems and computer aided despatch were introduced as a complementary measure. Yet another development of the professional era was standardisation of crime classification and reporting known as the Uniform Crime Report (UCR). This helped in developing, assessing police effectiveness by considering number of arrests made, response time and distances covered by mobiles. The primary measure of police effectiveness was however the crime rate measured by UCR.

### *Challenge of Crime and Civil Disorder*

The professional model of policing, despite its impressive theoretical underpinning based on the scientific theory of management and its visible symbols of power and mobility represented by radio cars ran into serious problems during the latter half of 1960s and 1970s. The main reason for the disillusionment was the police failure to meet the public expectations about its capacity to control crime or to prevent its increase, despite substantial increases in the number of police personnel and expenditure in acquiring new equipment. Yet another important reason was that path breaking research programmes conducted during 1970s on police tactics such as preventive patrol and rapid response seemed to indicate that neither was an effective crime control or apprehension tactic. Moreover, fear of crime rose rapidly during this era with dramatic consequences. Citizens abandoned parks, public transportation, shopping centres, churches as well as entire neighbourhoods. Both the police and researchers were puzzled that levels of fear and crime did not always correlate; crime levels would be low in some areas but fear was high. Conversely in other areas where

levels of crime was high, fear of crime was low. It was only during 1980 that researchers reasoned that fear is more closely correlated with disorder than with crime. In their highly influential article published in 1982, two researchers Wilson and Kelling proposed that police need to protect communities as well as individuals by assisting in the order maintenance function. They argued that it is important to take care of disorders which included disorderly behaviour and disorderly people because they play a key role in making communities ripe for criminal invasion. They proposed a model suggesting a parallel between untended property such as a 'broken window' and intended behaviour. "Vandalism can occur anywhere once communal barriers – the sense of mutual regard and obligations to civility – are lowered by actions that seem to signal 'no one cares'. We suggest that untended behaviour also leads to the breakdown of community controls" (Wilson and Kelling: 1982).

The professional model was also faulted for its failure to provide equitable and impartial policing to all citizens especially Blacks complained of police misbehaviour and lack of inadequate police service. The civil rights and anti-war movements challenged the police. Students resisted police, minorities rioted against them and the public observing police through live television for the first time questioned their tactics. Lack of representation in the police for minorities and women was widely noticed. The unrestrained use of police discretion in its enforcement function also received public attention. At the same time, field officers working in the beats were treated as low status employees and were given little guidance in the use of discretion. Despite its success during the 1940s and 50s, it became increasingly clear the professional model of policing was unsuited and unprepared to confront the social changes which created unstable conditions during the 1960s and 70s, following the massive migration of minorities into cities, the movement for civil rights, increases in crime and fear and a general breakdown of informal social control mechanisms all across society.

### **Community Commitment – the New Mandate**

One important aspect of the Reform process which failed to come to terms with the social upheaval of the 1960s was the isolation of the police from the community

Apart from the minorities and the leftist organisations, other influential segments of American society targeted the police for severe criticism of the police attitudes and behaviour, as also for police failure to curb crime. Faced with increasing pressure to build bridges to the community, the police leadership in many cities initiated police community relations. The three main components of PCR programmes were Efficiency, Responsiveness and Representation. In 1955, a National Institute of Police - Community relations was set up with the objective of improving communications, reducing hostility and assisting both the police and the community in acquiring skills to promote improved crime detection and prevention by means of a team work approach. Despite setting up these ambitious goals, the PCR unit did not form part of the operations bureau of the police, thereby reducing its impact. During 1950s, another effort aimed at involving the community was made by introducing crime prevention units which hoped to educate the business and community about specific measures they could take such as target-hardening, to reduce their chances of victimisation and thereby help decrease the crime rate. At some places, both crime prevention and police - community relations were combined into a single unit. Due to poor staffing and lack of integration with the operational wings, these efforts also failed to make any impact. However, many communities appreciated these efforts as the first evidence of genuine willingness by the police to reach out to the community and address their concerns in an organised manner. These well intentioned initiatives did not however withstand the onslaught of violence and massive disorder that plunged American society into a domestic crisis. Police - community relations particularly suffered as militant groups like Black Panthers clashed with the police in the course of the civil rights movement. Meanwhile, the police came into conflict also with violent student mobs protesting on college campuses against the Vietnam war and compulsory military draft. As representatives of the establishment whose job included maintaining domestic peace the police often found themselves in conflict also with widely diverse groups collectively known as the New Left which had a weird agenda ranging from legalising drugs to ending draft. One of the most dramatic confrontations occurred in Chicago during the 1968 democratic convention when the police clashed with rioting youngsters in what was subsequently called as a police-riot. It was soon realised that the growing rift, within society could not be healed by well meaning but often ineffectual PCR and crime prevention efforts and that the growing

bitterness between the police and various splintered elements, within communities required a more imaginative approach. Among numerous new experiments conducted to see if a way could be found to build bridges with the community and fight crime and disorder at the same time was "Team Policing", which involved maintaining a permanent team of officers that responded to crime problems within a particular geographic area. Though the new concept took care to involve beat officers, it lacked the commitment required to make any lasting impact on police relations within the community.

### Research leading to Reform

The failure of the professional police model to prevent or control crime and the fierceness of police brutality witnessed during violent public agitations gave rise to not only widespread criticism but also major research efforts that enquired into the nature of policing, questioning traditionally held assumptions about how the police should ideally operate. Several major empirical studies were taken up by organisations such as the American Bar Foundation and by individual researchers such as Jerome Skolnick (1966), Egon Bittner (1967), James Q Wilson (1968) and Albert Reiss (1971). These studies introduced a new realism about the police role and functions and about citizen - police contact. Five national studies, each with a different focus were also initiated during these years to assess the state of policing in the country. These included the Presidents Commission on Law Enforcement and Administration of Justice (1967), the National Advisory Commission on Civil Disorders (1968), the National Advisory Commission on the cause and Prevention of Violence (1969), the President's Commission on Campus Unrest (1970) and the National Advisory Commission on Criminal Justice Standards and Goals (1973). Many of the recommendations that emerged from these studies related to the organisation and training of the police. But in their analysis and criticism, important questions were raised about fundamental aspects of police such as its function, its accountability and its relationship with the community. These questions were further pursued by civil rights and protest groups as also by several research foundations. Placed under such close scrutiny, the limitations as also negative consequences of the professional model of policing came into prominent view. "Like many who are enthusiastic about new movements, those who implemented the



Professional Model often went too far to achieve its objectives. In the effect to make the police apolitical, the police were sometimes cut off from all accountability to the public. In the desire to achieve effective controls over their personnel, administrators often destroyed important contacts with members of the community, stifled initiative and created a negative, distrustful working environment. And to achieve a high level of efficiency, operating procedures were adopted that in retrospect, irritated citizens on whose cooperation the police depend and reduced the effectiveness of the police in meeting community expectations (As for example, in dealing with less serious conduct or with fear)."(Goldstein - 1988).

### **Field Experiments**

Some important insights gained during these studies necessitated radical changes in perceptions of the role and functions of the police and the need for widening the police mandate. It became apparent that the police mandate extended to a wide range of functions that went beyond enforcement and included forms of behaviour that may not be defined as criminal but are vitally important to the community. Consequently the police is required to use an equally wide range of methods other than enforcement and which involves the exercise of broad discretion. An obvious consequence would be that the police can no longer perform these sensitive functions without being accountable through the political process to the community. Some of these points of view led to a spate of field experiments being conducted by perceptive police officers. One such study which ranks as a milestone in the development of the new police strategy is the Kansas City Preventive Patrol Experiment. It not only brought into question the value of random preventive patrol propagated by the professional model but also revealed that the isolation of the officer in the police car resulted in less dialogue between the police and the community. In reviewing the research on random police patrol, Kelling wrote that studies "suggest that available evidence supports a view that the critical issue for police today is how to overcome the alienation of well intentioned police strategies which have had the unintended consequence of alienating citizens". Several other experiments and research projects

conducted during 1972 to 1982 raised similar questions about the value of standardised operating procedures in which the professional model had placed great faith.

Eck and Spellman summarised the major findings of these studies as follows, "First, the Kansas City Preventive Patrol experiment questioned the usefulness of random patrol in cars. Second, studies of response time undermined the premise that the police should rapidly send officers to all calls. Third, research suggested and experiments conformed that the public does not always expect fast response by police to non-emergency calls. Fourth, studies showed that officers and detectives are limited in their abilities to successfully investigate crimes. And fifth, research showed that detectives need not follow up every reported unsolved crime. In short, most serious crimes were unaffected by the standard police actions designed to control them. Further the public did not notice reductions in patrol reduced speed responding to non-emergencies, or lack of follow-up investigations"(Goldstein – *ibid*).

### *Community Policing*

While findings such as these emerging from field studies conducted in various cities spread across the U.S. exploded many of the myths surrounding professional police strategies directed against crime, two specific experiments were launched and evaluated during the late 1970s and early 80s in Newark (New Jersey) and Flint (Michigan) to test the efficacy of the conventional method of foot patrol in restoring community faith in the police and in reducing or preventing crime. In Newark, the initial foot patrol experiment used foot patrol as a limited tactic: the goal was to see whether putting officers back into the community on foot would deter crime. The Flint experiment went substantially further, using foot patrol officers as part of a strategy to involve officers directly in community problem solving, with the officers trained to do far more than act as a deterrent to crime. Both reflected a growing realisation that professionalisation involving neutrality in enforcement and impersonalisation of policing reinforced by fast moving patrol cars might have robbed the police of an important, in fact the most vital deterrent of community support in crime prevention and that police strategy would become meaningful only if the mandate of the old fashioned beat cop is

broadened to address contemporary community problems. A new realisation had dawned that the police seriously erred in pretending for all these years that they could take upon themselves and successfully discharge all of the responsibilities that are now theirs. The police made the further error in relieving the citizenry of responsibility for policing themselves and adopted operating procedures that had the effect of divorcing themselves from the communities they policed. The 'Professional' commitment to enforcing the law without fear or favour, malice or ill will was accompanied by a commitment to keep personal feelings from influencing decisions. No value was attached to maintaining ties with members of the community. The new awareness of this acute dichotomy with the community led to the development of a number of programmes to promote ties with the community, known by various names such as Community Oriented Policing, Neighbourhood Policing and Neighbourhood Oriented Policing. Finally in 1988, the National Neighbourhood Foot Patrol Centre at Michigan State University was renamed as the National Centre for Community Policing as the best expression of what this new philosophy represents.

## CHAPTER – III

### **EXPERIMENTS WITH COMMUNITY POLICING : THE U.S. EXPERIENCE**

We have seen that the development of the community policing concept as a policing philosophy and as an organisational strategy in the U.S. can be attributed to three kinds of study and experimentation : first, a series of presidential commissions that looked into the role and functions of the police and its effectiveness in dealing with crime and public disorder in the context of extensive disturbances that shook civil society during 1960s and 1970s; second, a series of painstaking research programmes, stimulated by the recommendations of the Presidential Commissions, which went into the efficacy of current practices of policing, its strategies and tactics in dealing with problems of crime and disorder; third, bold and ambitious innovations in policing policies and patterns introduced by energetic and far sighted police chiefs and also by independent research organisations put to test the promises of community policing in selected jurisdictions that called for urgent attention. The first two movements, relating to the institutions of Commissions of Inquiry and path breaking research into current police practices, have been briefly touched upon in the earlier chapter; their influence on the subsequent experimentation with community policing models in the U.S. will be analysed here.

#### **Presidential Commissions and their Recommendations**

On being voted to office, President Johnson, determined to implement his predecessor's resolve to push through a regular civil rights legislation appointed an influential commission on Law Enforcement and the Administration of Justice headed by Nicholas de B. Katzenbach. In its report submitted in 1967, the Commission not only suggested far reaching changes in police organization and methods, but more significantly, exhorted the police to establish closer ties with the community and to be more responsive to community needs. The Commission also made some profound observations on the nature and quality of police action "since police action is so often so personal, it is inevitable that the public is of two minds about the police: most men both

welcome official protection and resent official interference. Upon the way the police perform their duties depends to a large extent which state of mind predominates, whether the police are thought of as protectors or oppressors, as friends or enemies. Yet policemen, who as a rule have been trained to perform such procedures as searching a person for weapons, transporting a suspect to the station house, taking finger prints, writing arrest reports, and testifying in court, have received little guidance from legislatures, city administrators, or their own superiors, in handling these intricate, intimate human situations. The organisation of police departments and the training of policemen are focussed entirely on the apprehension and prosecution of criminals. What a policeman does, and should do, instead of making an arrest or in order to avoid making an arrest, is rarely discussed. The peace-keeping and service activities, which consume the majority of police time, receive too little consideration. (The President's Commission on Law Enforcement and Administration of Justice" 1967 – page 92).

The concerns of community policing, however mutely heard in the above quoted observation, were substantially voiced in the two subsequent. National commissions which went into the causes of extensive civil disorder which rocked the country during the 1960s. The National Advisory Commission on Civil Disorders (Kerner Commission) and the National Commission on the Causes and Prevention of Violence (Violence Commission) were of the view that the police had failed to accord due priority to organisation and deployment strategies as also to the community needs (Trojanowicz and Bucqueroux, 1972). The impetus for change in police organisations and tactics outlined by all these Commissions came in the form of an Omnibus Crime Control and Safe Streets Act 1968. The Law Enforcement Education Programme (LEEP) and the National Institute for Law Enforcement and Criminal Justice (NILECJ) which pioneered path breaking research work in the field were a concrete outcome of the Act. As social violence provoked by discontent on many fronts such as labour disputes, racial conflict following large scale migration of black population into cities and corresponding exodus of whites to the suburbs continued to destabilise social life in the 1970s, there was a spiralling growth of crime in most U.S. cities during the 1980s. "A simplistic and controversial interpretation – perhaps racist in its tone – was that the black and Hispanic domination of cities had accentuated the fear of crime which, in turn, generated an

exodus to the rural and suburban area, while it was difficult to pin point which had been the cause and which the effect, levels of fear of crime became distinctly higher in cities" (R.K. Raghavan, 1999).

### **Empirical Studies and Community Policing**

Prompted by the findings of National Commissions and stimulated by generous research grants sanctioned by the government and private agencies, police managers and social scientists combined to undertake extensive field studies, complete with careful evaluation projects, to test the promises of community policing across the length and breadth of the United States. The first cluster of eight studies are discussed below in brief: Flint (Michigan) Newark (New Jersey – two separate programmes), Oakland, San Diego, Houston, Boston and Baltimore. In some cases, the only intervention involved was foot patrol; in others, foot patrol was implemented along with other community policing strategies.

**Flint, Michigan** The first Foot Patrol Project introduced 22 police officers and 3 supervisors into 14 experimental neighbourhoods, divergent in ethnic background as also economic status. Prior to the commencement of the programme, the police authorities hosted a number of meetings with community residents which identified three distinct underlying problems of concern to the police and the community: (1) lack of comprehensive organisation and services; (2) lack of citizen involvement in crime prevention; (3) depersonalisation of interactions between police officers and residents. Input from the community residents in the initial experimental beat areas targeted seven basic goods:-

- To decrease the amount of actual or perceived criminal activity.
- To increase the citizen's perception of personal safety.
- To deliver to Flint residents a type of law enforcement consistent with community needs and the ideals of modern police practice.
- To create a community awareness of crime problems and methods of increasing law enforcement's ability to deal with actual or potential criminal activity effectively;

- To develop citizen volunteer action in support of and under the direction of the police department aimed at various target crimes;
- To eliminate citizen apathy about reporting crimes to the police;
- To increase protection for women, children and the aged (Trojanowicz and Bucqueroux -1980).

Flint patrol officers were given wide latitude in defining and implementing foot patrol. In addition to law enforcement responsibilities, foot patrol officers were also expected to become "catalytic agents who encouraged citizens to band together in the effort to combat crime". Such activities reflected the expanded police role espoused by Wilson and Kelling. Results of the research on the Flint experimental programme was published as "An Evaluation of the Neighbourhood Foot Patrol Programme in Flint, Michigan". Analysis of the statistics showed crime declined in 10 of the experimental beats, remained the same in one and rose in three. Over the three year period, however, there was a progressive increase in the number of people who said foot patrol, did, in fact, deter crime. Similarly, at the end of the third year, roughly 70% of those surveyed reported feeling safer as a result of foot patrol, though many quantified their response by saying that they feel safe when their foot patrol officer was well known and highly visible. Impact of the programme on police officers differed. Foot officers felt that knowing the community and teaching the residents to report crime were important police goals. They also considered enforcing the law and maintaining public acceptance as top priorities. Other objectives of the programme were largely met successfully. Moreover, when the research confirmed the success of the Flint Pilot Project, the Mott Foundation which sponsored the project supported efforts to inform people nationwide about what community policing can accomplish.

**Newark I** The first Newark foot patrol experiment was conducted between 1978 and 1979. The project introduced foot patrol officers into Newark for the purpose of "upgrading and stabilising neighbourhoods". The Newark programme addressed the two issues identified by Wilson and Kelling: untended property and untended behaviour. Eight patrol beats where foot patrol was in effect were matched into four sets of two beats in each. One beat from each of the four sets was then assigned to drop foot

patrol while it was continued in the remaining four. Four additional beats were heavily saturated with additional foot patrol officers (56 patrol officers and 3 commanders). The results showed that in beats where foot patrol was added noticed a decline in street activity, a decline in the severity of crime and further positively evaluated police performance.

**Newark II** In 1983 and 1984 a second foot patrol study was carried out in Newark. This study was different from the first in that participating officers were instructed to give increased attention to social and physical incivilities. The patrolling effort was complemented by a clean up effort involving city and community personnel and the distribution of a community newsletter. The co-ordinated community patrolling included several interventions foot patrol, radar patrol, bus checks, road checks and enforcement of disorderly conduct statutes. The coordinated patrol programme was reported to have reduced perception of social disorder, worry about property crime and improved assessments of the police (Greame and Taylor, 1988). Together, Newark I and II along with Houston were termed as fear-reduction studies. In the study of the foot patrol programme of Newark, the Police Foundation (1981) found foot officers, as compared to motor officers, to be more satisfied with their work, to have a more benign view of citizens and a more community oriented view of the police function. It is also observed that Newark's programme was developed from the "top down" by the command staff of the police department and outside experts and incorporated core traditional enforcement tactics to reduce social and physical disorder (Skogan, 1991).

**Oakland** In 1983 a diversified patrol strategy intervention was implemented in a portion of Oakland's Central Business District. Local business persons could report directly things that were bothering them, by means of the 28 foot patrol officers engaged in the programme. The focus of the programme was "soft crime" which stand for social and civil disorders such as prostitution which tend to be fear-inspiring and persuading people to not to work or shop in the Central Business District. The outcome assessed was crime rate "Overall, there have been substantial drops in the rate of crime against persons and their property in the central area" (Reiss, 1985). Race relations, a sore point with Oakland population were of concern to those involved in the programme -



Blacks are the dominant ethnic group and the Black Panther party was founded in Oakland during the 1960s explicitly to defend the black community from what was perceived as police harassment. As part of the community policing initiative, the intake of minority community officers increased. As a result, the department has 39.51 percent sworn officers in 1993 as against 15.3% in 1973 (Skolnick and Bayley, 1988). Another significant innovation has been the constitution of a civilian complaint Board following police action in 1979 which resulted in the death of nine blacks. Oakland's experiment with "beat health" is in contrast to earlier conceptions of the police role defining the job of the patrolmen as "law enforcement" – beat health legitimates the expansion of the patrol officer's job to encompass such concerns as conditions contributing to neighbourhood blights; unsanitary conditions and the security of buildings; and the needs of the people who work in or visit the area "Beat health" is part of a more general department policy of proactive policing, which envisions the patrolman as a neighbourhood crime preventer (Skolnick and Bayley - *ibid*). In reading the "Beat Health" memorandum, one is struck by the parallels in checking between it and the famous Wilson and Kelling article "Broken Windows" published later in 1982, particularly that article's stress on the decaying neighbourhood as a causal factor in the development of street crime.

**San Diego** From July, 1973 through September, 1974 the San Diego police department implemented an innovative patrol project called Community Profile Development, which was a precursor to the city's problem-oriented policing programme of later years. The purpose of the project was to improve the delivery of police services by (a) increasing the patrol officer's awareness and understanding of the community the officer serves; (b) by improving his or her response to area problems through the development of new patrol strategies. In an evaluation of the project, an experimental group of officers was randomly selected and specially trained to utilise the community profile approach in responding to calls for service and in conducting self-initiated patrol activities during a 10-month field test. A second set of officers implemented a more traditional approach to patrol practice while working in the same beats at the same time as the experimental group. Boydston and Sherry (1975) employed several measures to assess the impact of the Community Profile Approach on the attitudes and behaviours of

experimental officers. Among others, they tested the hypothesis that the profile-trained patrol officers, when compared to traditional patrol officers, would:

- Change their perception of the police officer's role in relation to the community;
- Demonstrate greater beat accountability and service to the community;
- Show a higher level of job satisfaction;
- Draw on social service agencies and other community resources more often when handling problems on their beat.

A five part patrol officers survey was the principal source of data for the study. The project lasted approximately 12 months. The findings suggested that officers enacting the community profiling role changed their conception of police work, increased non-law-enforcement contacts with community members and developed a more positive attitude towards police and community relations.

***Houston*** A companion to the Newark II project discussed earlier, the Houston fear reduction programme was conducted between 1983 and 1984. The programme was designed to test the effects of five community policing and fear reduction strategies (1) a victim re-contact programme assuring victims of police interest in their cases (2) a community newsletter programme to increase citizen crime prevention activities and crime risk knowledge, (3) a citizen contact patrol programme to increase the interaction between the police and the community, (4) a police community station – a store front office where local residents might have direct access to the police and (5) a programme to organise the community's interest in crime prevention. Overall, the Houston programme appeared to be effective. Wycoff (1988) reported that researchers in Houston observed a number of positive changes in the officers who designed and implemented the programme, including the recognition that most citizens welcome the opportunity to interact with police and that policing can be approached in a variety of ways; that patrol work was stimulating and challenging; a growing sense of efficacy, pride and competence in their work and a greater identification with the police profession.

### **Boston**

In 1983 the Boston police department implemented a major plan for reorganising patrol services. In a city that had historically deployed about 80% of its patrol officers to two-officer motorised patrol units, the reallocation plan made foot patrol the dominant form of policing, while also increasing the use of one-officer motorised patrol units. In addition to altering the form of patrol, the Boston programme shifted police work load responsibilities such that foot patrol officers and one-officer motorised patrols were made responsible for less serious crime and non-crime service calls. The study showed violent crimes, such as aggravate or simple assaults, were unaffected by changes in foot patrol staffing, while street robbery dropped but commercial robbery registered increase.

### **Baltimore County**

Project COPE, Citizen Oriented Police Enforcement, began in 1981 with the creation of the COPE unit, employing 45 veteran police officers. The prime function of the COPE programme was to reduce citizen fear of crime. The project was also significant for introducing a new concept in community policing, namely problem oriented policing. COPE also stressed a patrol strategy that emphasised the ends of policing-solving community problems that lead to crime fear and disorder – rather than the means – any particular type of patrol (Goldstein 1977). COPE as a community-oriented police strategy falls in a long tradition beginning with the legendary beat cop and continuing through police community relations programmes to team policing and crime prevention programmes "(Cordner, 1988). The COPE programme had several components. Initially, the programme emphasised community surveying and some form of saturation patrol. The second stage of the programme replaced saturation patrols with crime prevention and the final stage emphasised community problem identification and problem solving. When fully developed, the COPE programme emphasised several of the features of the Wilson and Kelling model : a concern with community order maintenance problems, an expanded role for the police and greater interaction between the police and community residents. Results of the COPE programme suggested that citizen satisfaction steadily grew with the life of the programme. Fear of crime, a central issue in this programme, declined moderately through each stage of the project; however, given that fear of crime "was relatively low in most areas of the county also

makes it difficult for COPE to show marked decreases in fear following its efforts" (Cordner 1985)

### *Expansion of the Programme*

It would be seen that the experiments referred to above conducted in eight different locations in the U.S. during early 1980s were primarily based on the thesis propounded by Wilson and Kelling that order and crime are inextricably linked and that the police had to reorient their strategies to deal with disorder in a community and once again re-emphasise their order maintenance role if they were to be effective in preventing and controlling crime. The empirical studies also tested the efficacy of Goldstein's interpretation of the ends of policing as problem identification and problem solving, a contrast distinguished from the traditional police preoccupation with the strategies of policing such as random preventive patrol which were merely the means of policing. This involved the police going "beyond taking satisfaction in the smooth operation of their organisation; it requires that they extend their concern to dealing effectively with the problems that justify creating a police agency in the first instance" (Goldstein, 1990). The Police Executive Research Forum (PERF) undertook a systematic implementation of problem oriented policing as a specific form of policing and efforts made in this direction yielded a number of important innovations in policing which continue to significantly alter the content and method of police work in many police departments in the U.S. Some of the pioneering projects and a few of the prominent programmes currently under way deserve a brief mention in this context. It must be noted, however, that several community oriented programmes started in the 1970s also share a number of common features. COPE as problem oriented policing, for instance, represents an important convergence of the community oriented and problem oriented themes in police strategy development. The inventor of the problems oriented policing, Herman Goldstein remarked in 1987 that "the recurring themes in the news projects (more involvement of the community, greater accountability to the community, and improved service to the community) are synonymous with the values of inherent in the policing of a free society, one could argue that the label itself (i.e., community policing) is redundant". Some of the more prominent programmes that combined the

concepts of community-orientation with problem-solving approaches and which were developed on the basis of the fast cluster of experiments conducted in the early 1980s, are enumerated below:-

**San Diego POP programme:** In 1988, San Diego police department initiated problem-oriented policing approaches to drug trafficking, particularly street level sale of crack and cocaine and the violence associated with these deals. Officers were trained on a four-step SARA model as a guide to problem solving:-

- Scanning : the initial identification of the problem, which occurs in a variety of ways, based on frequent calls for service, repeated complaints, etc.
- Analysis : in-depth analysis of the underlying causes of the problems and the development of a strategy for resolving it.
- Response : the implementation of the problem-solving strategy, in association with all resources of the community.
- Assessment L: an ongoing review and assessment process to monitor the success of the response.

By 1991, the problem oriented approach was an accepted part of police practice (Capowich and Roehl : 1994)

### **Santa Ana : Community oriented policing**

Santa Ana which has a history of animosity between the police and the minority and a spiralling crime rate switched over to the community policing strategy early. An innovative feature of the new strategy was civilisation of nearly 40% of the department. Police sub stations were opened to make interaction with the public more free. Community mobilisation is energetically pursued with the help of police service officers who are civilian and block captains elected from among block residents. Through monthly community meetings crime information is made available and other community problems are discussed. The principal components of community oriented policing are perceived to be problem-oriented policing and response to incidents. These strategies

have brought about reduction in crime to the extent of 7.4% in 1994 and a 15% fall in gang related murders (R.K. Raghavan, 1999)

### **Detroit: The mini-station experiment**

Plagued by poverty, unemployment and ethnic conflict, Detroit earned the sobriquet 'the murder capital of the United States'. Recognising early that the police force is hopelessly unequipped to deal with the complex problems by itself, police leadership sought community cooperation for crime prevention. It gave high priority to an intensive community mobilisation for self defence by opening 52 mini stations throughout Detroit. A special crime prevention section mobilised community support for crime prevention programmes. In 1980 a functional division was brought about between precincts and mini stations – the precincts would enforce and the mini stations were to prevent. Many mini-stations also act as referral agencies, keeping people get access to appropriate authorities in non-criminal problems (Skolnick and Bayley, 1988).

### **Houston : The DART and Store Front**

For a major city with thinly-veiled racial tensions, the appointment of a black Police Chief in 1982 itself was an innovation of considerable significance. Lee P. Brown, the new Chief, brought to bear upon the department his value-based norms of police administration and gave expression to his commitment to delivering police services "in a manner that preserves and advances democratic values". The overarching goal was to be achieved through involving the community in all aspects of policing which directly impact the quality of human life (Skolnick & Bayley 1988) His 'Plan of Action' 1983' emphasised decentralisation and community involvement, introducing a new patrol programme called DART (Directed Area Responsibility Team). The principle governing this experiment was to entrust all policing tasks to a single group of police officers and detectives. Random patrolling was replaced by targeted and purposeful patrolling. Considerable freedom was given to patrol officers to determine their own priorities, to enable them attend to local problems in a proactive fashion. Brown also introduced a community police station or "Store front" which were intended to deal with matters of

concern to the community, though they may not be criminal in nature. They also took up resolution of conflicts between neighbours, dealing with disorderly people and following up complaints of poor municipal services.

### **New York : Patrol Officer Programme**

Launched in 1984, the programme of foot patrol was formulated as an important community policing strategy. The role expected of the C.P.O (Community Police Officer) comprised planning, problem solving, organising the community and serving as an information link between the police and the community. Problem solving involved active community participation and assigning priority to predominant concerns of the local community.

### **Madison (Wisconsin): Quality Policing:**

The Madison police department implemented a community oriented policing programme in 1986, after an employee group identified a need to "get closer to the people we serve" (David Couper, Chief of Police : 1988). Neighbourhood officers are assigned, under this scheme, fixed geographical areas in order to develop close contacts with the community and to render police services promptly, except investigation of serious offence. These officers were also encouraged to try new, different and non-traditional approaches to find long-term solutions to chronic problems. The management adopted a bottom up approach in decision making, allowing the beat officer a say in the process. Between 1987 and 1990 an evaluation was conducted by the Police Foundation which found that a new, participative management approach was successfully experimented in the target area and that employees attitude towards the organisation and toward their work improved.

### **The Experimental Police District**

The importance of Madison's undertaking and of the research rests on the fact that Madison was one of the first agencies to assert that there must be an internal

foundation for the successful external publication of community policing, or "Quality Policing" as the concept is known in Madison. The experience of the department in participatory management and decentralisation led to the creation of the Experimental District in 1986, as the organisation's laboratory for new ideas. Its initial change was to promote innovation and experimentation in these areas: (1) employee participation in decision making about the conditions of work and the delivery of police services; (2) management and supervisory styles supporting of employee participation and of community oriented and problem oriented policing; (3) the implementation of community oriented and problem oriented policing (Wycoff and Skogan: 1994). After its formal commencement, the EPD provided training to all members in Quality/Productivity training. Trainers discussed the use of data for problem analysis and ways of measuring success at problem resolution. The captain and lieutenant viewed themselves as facilitators of officers' efforts to identify and solve problems. They gave officers substantial latitude to decide their own schedule, determine their work conditions and decide to address neighbourhood problems.

Evaluations showed that it is possible to "bend granite"; it is possible to change a traditional, control-oriented police organisation into one in which employees became members of work teams and participants in decision making processes. Research also suggested that associated with these internal changes are external benefits for citizens, including indications of reductions in crime and reduced levels of concern about crime (Wycoff and Skogan: 1994).

#### Hartford – Weed and Seed Programme

In 1990, Hartford Police introduced the Cartographic Oriented Management Programme for Abatement of Street Sales (COMPASS) programme to deal specifically with drug sales in association with police, city agencies and the community. The programme employed a reclamation and stabilisation approach, which is synonymous with the 'weed' and 'seed' model for improving neighbourhoods. That is, the police – with the community's input and help – reclaim a target area, just by performing a drug market analysis and then by employing a variety of community policing and other anti-



drug tactics to weed out the underlying drug problem in the target area. Once an area is weeded, the stabilisation phase attempts to seed the target area with businesses and activities that can replace the weeded out drug business – this phase requires a strong partnership between community, the city and the police. After selecting a target area, which had a specific drug problem, the Hartford police placed reliance on the local community service officer assigned to that area for community mobilisation and co-ordination with the crime suppression unit which was deployed to undertake patrol operations. Weeding activities began with undercover operators to obtain arrest known drug dealers. Other city agencies were expected to help in establishing new business, once the weeding was completed. In Asylum Hill, a target area, the residents played a key role in seeding efforts. The COMPASS experience showed that the neighbourhood-oriented programme can succeed even in the poorest areas, provided that a viable neighbourhood, with obvious geographic boundaries, exist (Tien & Rich – 1994).

### **Aurora – Juliet : Neighbourhood-Oriented Policing**

The goals of the programme, funded by the University of Illinois, were to improve the quality of life, reduce criminal activity, reduce fear of crime and increase community confidence. The departments also sought to target gang and drug activity through problem oriented policing. In Aurora, with a strong tradition of centralised command, a new unit called Neighbourhood Action Base Station (NABS) was created by assigning selected officers to run the programme. The concept was to utilise a transportable police sub station that could be placed temporarily in high-crime, high-fear neighbourhoods. In Juliet, the police hierarchical structure was less rigid and more informal, though professionalism had been defined by aggressive enforcement and reactive patrol. Here NOP officers were kept separate from patrol duties and were allowed to have flexible schedules.

During 1991-92, an evaluation was conducted, examining all aspects of organisational and operational arrangements of the programme. It was found that in Aurora rank and file representation was poor, while in contrast participatory management style was evident. Level of emphasis on bureaucratic control of the

programme led to variations in implementation. The field analysis showed that unless organisational changes precede, problem solving activities may not thrive. A police organisation steeped in the organisational culture of rigid centralised command will have deficiency in creating an environment conducive to community policing. Participatory management is crucial to the success of these initiatives. The study also showed that the depth of an organisation's commitment to bureaucracy is inversely related to the speed at which it is able to implement community policing (Wilkinson and Rosenbaum:1994).

### **Philadelphia : Citizen Partnership Programme**

Following a study initiated as early as in 1980 on community interaction, the department constituted a Task Force in 1986 to adopt a strategy of community or problem solving police to be developed in consultation with citizens. Several schemes were initiated such as Neighbourhood Advisory Boards, Foot Patrol Programmes, Crime Prevention Officers, Mini Stations etc. As part of the community policing strategy, a serious effort was undertaken to decentralise decision making by involving field officers in policy planning and implementation. A Police District Advisory Council was constituted comprising members of the community which prepared a Plan of Action for adopting aggressive order maintenance tactics and crime prevention methods. To promote police – community interaction, mini stations were opened in each district. The citizens crime commission of Philadelphia even undertook evaluation of the decentralisation experiment and made recommendations.

### **Portland (Oregon) : Neighbourhood Liaison Officers**

Funded under the Innovative Neighbourhood Oriented Policing Programmes awarded by the Bureau of Justice Assistance, Portland Police Bureau took up a specific project at Iris court – a small housing project – to improve the quality of life and health of the residents, reduce the fear of crime and reduce the actual incidence of crime in the complex. The project changed over time but relied upon several interrelated components including a street enforcement unit, a Neighbourhood Response Team

consisting of two uniformed personnel, a community health nurse, community partnerships with outside organisations, crime prevention through environmental design etc. Evaluation of the project showed internal resistance in the police department to change as also community unawareness about the goals of community policing. There was need to educate the community about the fundamentals of the new philosophy and on the role of the community. Since 1990 when the city council confirmed its commitment to the philosophy by passing an official resolution, the programme has been closely monitored and deficiencies have been attended to. Perhaps the most important aspect of Portland's programme is the creation of Neighbourhood Liaison Officers, each of whom is assigned to a particular neighbourhood to interact closely with business and civic groups. This has contributed greatly to better understanding (R.K. Raghavan, 1999).

### **The New Haven Experiment**

A proactive approach to policing was adopted when violent crime was found to be going out of control. In order to foster close relationships with the community, twelve neighbourhood substations were created. Success of the programme has been claimed on the basis of reduced crime – a 10.3 percent drop during the first half of 1992 – as against a national average of 2 percent (R.K. Raghavan – ibid).

### **Los Angeles : Operation Cul-de-Sac (OCDS)**

During 1990, 60 LAPD officers were put through rigorous training in community mobilisation for crime prevention and a few selected were selected to serve permanently in an area considered the most crime-ridden. In association with the community, these officers took to removing signs of disorderliness and organised neighbourhood watch programme. True to expectations, the community responded positively and 'reclaimed' areas which had been abandoned for fear of gang activity. There was marked decrease in the incidence of violent crime. A study conducted by the California State University found that face to face contact of citizens with the patrol officer was twice as effect as mere visual contact. Such contacts made at home had a stronger impact than those in the streets. Most telling was the 80% opinion that officers cared for the respondents as a person (R.K. Raghavan, 1999).

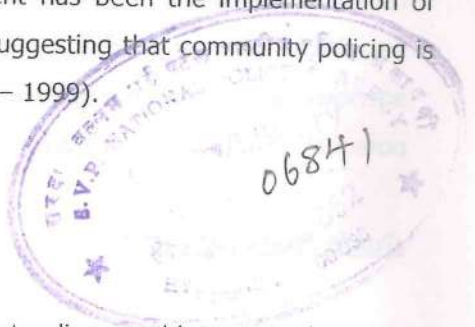
### **Denver : ESCORT**

"The Denver Police department represents the American standard in police strategy. Patrolling is the heart and soul of its programme. Intelligent, well-managed, and sensitive to community opinion, the Denver police department adhered to the belief that effective police service depends overwhelmingly on the quality of uniformed patrol" (1986 Skolnick & Bayley). An upscale city based on high tech industry and services, Denver has experimented with police innovation right from 1990, creating special units such as SCAT ((1972) (Special Crime Attack Team) targeting burglaries; Juvenile Crime Prevention Unit (1975) before coming up with the aptly named ESCORT (1975) a motor cycle patrol unit for high-crime areas. However, all these are based on saturation patrolling; the only exception was Community Service Bureau (1971) which did neighbourhood crime prevention and directed four store front police stations. The crucial assumption behind this steadfast loyalty to visible and well directed patrol is that serious crimes like robbery, burglary, sexual assault on the street and theft from autos are "patrol preventable". Besides, Denver proceeded in the classical mould by creating in 1968 the Special Services Unit to handle situations requiring particular skill in the application of force, notably riots, hostage taking and barricaded suspects. ESCORT which stood for "Eliminate Street Crime on Residential Thoroughfares" represents the order maintenance role of the police, controlling behaviour in public places in order to demonstrate that a normative-legal order exists even in areas fraught with high crime and turbulent street life. "The art of 'Escorts' work consists in using every handhold in the law to maintain failing moral discipline" (ibid). Active, visible, flexible patrol is the centre-place of the department's operations, supplemented by expert investigations. No wonder, then that Denver is predicted to set standards for the likely future of American policing" (Skolnick and Bayley – 1986).

### **The Impact of Community Policing in U.S. Society**

The multiplicity of municipal police forces and the wide variety of programmes that come under the fabric of community policing make it well-nigh impossible to make sweeping observations on the impact of the new philosophy on the country as a whole.

However, certain themes stand out. Since 1990, community policing has seen widespread acceptance and adoption in the country, stimulated by the strong endorsement of the new philosophy signified by the passage of the Violent Crime Control and Law Enforcement Act, 1994. This statute represents the largest Federal anti-crime legislation in the Nation's history. The federal govt. has been actively engaged in the nation wide implementation of community policing, hiring almost 100,000 officers for achieving the community policing goals. This effort to promote change in American policing induced the establishment of office of community oriented police services (the COPS office) or (OCOPS) which co-ordinates and supervises community policing programmes and the recent creation of over 30 regional community policing institutes across the nation. Another prominent development has been the implementation of community policing innovations across the nation suggesting that community policing is becoming institutionalised in the U.S.A. (Zhao et all - 1999).



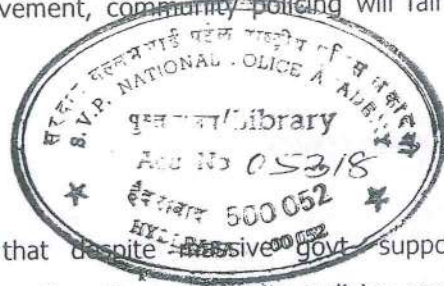
**Implementation Issues**

Federal support of such magnitude notwithstanding, problems raised in police agencies in the implementation of the policy seem to be still persisting. Certain theoretical issues such as the "will of the community" where no homogenous community does not exist, aggressive order maintenance which may operate against economically weaker sections who legitimately live and work in a given area, and the problems of partnership with the community for the purposes of co-production of safety are all serious constraints in the conceptualisation and implementation of the new philosophy. These apart, evaluations of programmes already undertaken have brought up practical difficulties in community mobilisation, decentralisation of police powers and not the least of all, overcoming resistance to reform from within the police force.. Evaluation also does not present conclusive evidence so far that those programmes have succeeded in preventing or reducing crime or criminal victimisation.

The American experience in community policing seems to suggest that if objectives such as service provision, fear reduction and community mobilisation are only

means, important as they are, to the traditional end of crime control, then more evidence needs to be presented to show that these programmes actually succeed in producing the desired results. While the police and the research community seem to be divided on this issue, the larger society appears to value the police for providing essential services and for reducing fear even if it is not particularly effective in criminal victimisation. As Skogan observes "There is evidence in many evaluations that a public hungry for attention has great deal to tell police. When they see more police walking on foot or working out of a local substation, they feel less fearful" (Skogan-1988). Evaluation also show that police has not been able to make full use of the community's goodwill for want of proper training of the community. "The education and training of community residents in their role in community policing is almost non-existent. Without meaningful involvement of patrol officers in the planning process, participation by all city agencies, and true community involvement, community policing will fail to realise its potential" (Sadd & Grinc 1988).

### Guide Posts for India



It is a sobering thought that despite massive govt support, relentless experimentation and impressive innovation, the community policing concept has not been fully endorsed by the American community or even by the various police agencies for various reasons. Among the factors that are relevant in the Indian context, the following seem to be important: (a) the U.S.A did not have a long history of community organisation when the introduction of the new concept was compelled by policing failures; (b) police faced total isolation from the community due to a pronounced bias against the minorities on the basis of race and ethnic considerations; (c) police brutality was seen as a direct assault on human dignity as well as individual freedom cherished by every citizen; (d) police isolation from the community was aggravated by the cessation of community services, in favour of enforcement; (e) the police was resistant to sharing of powers with the community; (f) decentralisation was not easily accepted by the police hierarchy. Basically, community policing represents strengthening of informal social control mechanisms in the community which have not been traditionally strong in the American experience and policing which represents formal social control

has been the object of resentment. Whether in embracing the community policing philosophy as a potential alternative to traditional law enforcement, India stands to gain in comparison to the U.S. should engage our attention next.

## CHAPTER – IV

### TRADITIONS AND TRIALS : THE INDIAN EXPERIENCE

It is an irony of history that India which has a hoary tradition, dating back to nearly 4000 years, of conflict resolution through conciliation and consensus firmly established in the Panchayat system, should be looking to USA and other Western societies for enlightenment on adopting community policing based on the same principles. Village councils – or Panchayats – have performed adjudicating functions in this country for thousands of years. In fact, ancient texts such as “Neethisaram” and various inscriptions speak about the autonomy enjoyed by the Gram Sabha and the Panchayat in all matters affecting life, permitting direct participation by the village community in all decision making processes. The Panchayat system which is as old as recorded Indian history continued virtually unchanged by the tides of conquest, consolidation and anarchy that have swept over India in the past millennia, until the British came to these shores; in the words of A.L. Basham, “In the past, whenever the rains have been inadequate, there has been famine; whenever a local government lost grip and has become ineffective, irrigation has been neglected, dams have broken, canals have been choked with mud and weed, and great hardship has resulted. Thus villagers have learnt to be co-operative independently of their rulers, by forming their own village government, under a committee of locally respected leaders, the Panchayat, to care for matters of common concern such as irrigation, and to settle disputes, as far as possible outside the royal courts. On a large scale the climate has perhaps encouraged autocracy, but at the local level it has necessitated government by discussion”. (A.L. Basham, 1972). The hall mark of village life in India has there fore been a spirit of consultation and a search for consensus, down the centuries and the Panchayat tradition grew out of this spirit. The British Colonial administration’s dislike and distrust of the system ultimately led to the establishment of a heavily bureaucratic form of administration, aided by a police agency developed exclusively to serve its interests. A brief look at the history of Indian police will amply demonstrate this truth.



In ancient India, as in medieval England, the principle of community responsibility was fundamental to the detection of crime. From the scanty historical information available about the early Hindu period, there seem to have been four main elements in the organisation of society against crime—communal responsibility, village watchman, espionage and severe penal provisions. The first source of history for this period are the reports of Megasthenes in the fourth century B.C. while the second, and more authoritative record, is that remarkable work known as *Arthashastra*, ascribed to Kautilya, counsellor of Chandragupta. While the duties of *Nagarikas* in charge of municipal laws are set forth in detail, this ancient record suggests that in the villages, the responsibility for crime control was entrusted to the village community which operated through its elected representatives in the *Panchayat*. Since India is and has always been a nation of villages, it is natural that the basic unit of the traditional police system is the village. Village security and prevention of crime were in the hands of the headman. Some accounts of this system refer to the fact that the headman was required to make up out of his own pocket the value of property stolen and returned. Sometimes the headman remained autonomous and where there was a dominant landowner, the headman acted as his agent. None of the ancient empires – Mauryas, Guptas and much later Moghuls – ventured to interfere with the village system which continued until the British came on the scene. The cities and towns however had more elaborate systems, culminating in the office of the *Kotwal* who raised and maintained a police force during the Moghul period.

### *The Colonial Era*

When the British firmly entrenched themselves in India in 1757 with the battle of Plassey, they found the need for stability and began to move into the administrative void created by the dissolution of the Mughal empire. During the nearly two hundred years between 1757 and 1947, the British continually experimented with the existing police system. They were confronted with two issues – what use should be made of the traditional rural police and how should revenue administration be efficiently organised. In 1792 Lord Cornwallis introduced the *darogha* system directly responsible to the govt. in place of the *Zamindars* who were till then supervising the village headman. However

the system proved a failure as the darogas could not command the loyalty of local castes and traditional leaders as a hereditary landowner could. The darogha and his men were a creation of an alien authority. In 1814, the Company was forced to abolish the darogha system and to return to the traditional method of village policing. The Court of Directors while condemning the darogha system and ordering the revival of the traditional police arrangements pointed out "that the village police secures the aid and co-operation of the people at large in the furtherance and support of its operations, because it is organised in a mode which adapts itself to their customs; that any system for the general management of the police of the country which is not built on that foundation must be radically defective and inadequate; and that the preservation of social order and tranquility never can be effected by the feeble operations of a few darogas and peons stationed through an extensive country, wanting in local influence and connections with the people, insufficiently remunerated to induce respectable men to accept the office, placed beyond the sight and control of the Magistrate and surrounded by various temptations to betray their trust" (Report of the Indian Police Commission, 1902).

Despite these profound observations, the Company officials seemed powerless to check the state of crime and insecurity, in the absence of the darogha system. In divorcing Zamindars from police work, Cornwallis was breaking away from immemorial tradition and his system had failed to work. Unlike Hastings who had a great deal of interest in all things Indian and believed in making use of indigenous institutions wherever possible, Cornwallis distrusted all Indian institutions and built his policy on the principle of putting as much control as possible in European hands (Percival Griffiths : 1971). The select committee appointed in 1802 to look into internal administration of the Company also had felt in principle that the reintroducing of something like the pre-Cornwallis system was desirable, but it was doubtful whether the old system would work in view of the curtailment of the powers and influence of the Zamindars. As the Company administration struggled to come up with a model that would meet the requirements of the Indian situation, help came in the form of a successful effort in Sind which was annexed in 1843. Sir Charles Napier who conquered Sind found that it had neither a village police system nor a revenue administration and was malleable to

innovation. Napier found the Irish Royal Constabulary the ideal model to introduce in Sind. He was undoubtedly familiar with Sir Robert Peel's pioneering efforts to set up the Metropolitan Force in London, moored in a strong service orientation, but the Royal Irish Constabulary appealed to him more, as filling more exactly the situation he faced in the conquered territory. The semi-military and self contained force he set up in Sind soon became a source of inspiration to his contemporary George Clerk who introduced a similar system in Bombay Province. Napier had in fact established a pattern which was soon to be followed in other provinces. The turning point came in the outbreak of the Mutiny of 1857 when for a time the British was dispossessed of the province of Oudh. "When Lucknow was recovered, the rest of the province was still in the hands of the mutineers and the police force then established had of necessity a para-military character" (Griffiths – *ibid*).

### *Attempts at Reform*

Meanwhile in the Madras Presidency, the findings of the Torture Commission set up in 1854 proved that the torture prevailed in a much more aggravated degree in Police cases than for realising the Revenue. The recommendations of the Commission led to the separation of the police and revenue function and to the setting up of a police system throughout the Presidency under European Superintendence. In Bengal, once the vexed question of relations between Magistrate and Collector and the Police was resolved by the Governor General deciding in favour of re-uniting the posts of Magistrate and Collector, soon Superintendents of Police were appointed in every district and pay of darogas raised. It was against this background of mutiny, disorder, debate and controversy that the Police Commission of 1860 was appointed to bring about uniformity and reform in all the Provinces of British India. Two principles had overriding consideration: economy and centralisation of the organisation in the hands of the government. The duties of the police were to be civil, but some degree of military organisation and discipline would be necessary. The principles contained in the terms of reference were already in operation to a considerable degree in several provinces and the Commission was therefore able to submit its report in a very short space of time. It is significant that just as Sir Charles Napier chose to ignore Peel's famous principles of

civil police, the Commission also did not make any mention of the community orientation so clearly enunciated in Peel's organising principles. Even on the question of reviving the village police system, the Commission confined itself to a grudging acknowledgement that "organised police cannot be informed of all that occurs of public consequences, unless they have some tolerably reliable agency in the villages – the village watchman, is of course, such a person". The Commission's recommendations were presented in the form of a Bill to the Legislative Council and was enacted as Act V of 1861, the Police Act. What signified the Police Act of 1861 to the British Administration was that the Act provided immediate answers to the two questions implicit in the British experimentation of the previous hundred years, namely, what should be the relations between imperial and rural police and how should imperial police administration be coordinated with other functions of imperial authority. Fundamental issues concerning the legitimacy of the police and its community context did not interest the British.

As wryly observed by Prof. Bayley, the British during the next hundred years after the Police Act, 1861 made no structural reforms in police administration, "as if this colossal outpouring of energy and legislation had exhausted the spirit of innovation" (David H. Bayley-1969). Two facts, however, may be noted: although the Police Commission in 1860 had been opposed to military police, their need was universally recognised and they were gradually accommodated within the system; second, despite promulgation of a village Chowkidari Act in 1870 to regularise their service, the control and supervision of village Chowkidars passed to the Superintendent of Police and the district magistrate further eroding the power of the Panchayats. Both these developments have substantially contributed to the enforcement orientation of the Indian Police and the alienation of the police from the community. A new Police Commission set up in 1902 found a great deal to criticize in the Police function; but did nothing to change the guiding principles or organisational structure established in 1861. The Commission of 1902 did however strongly recommend making the village police a community-based organisation, rather than a subordinate wing of the civil police in the rural area. The recommendations remained largely on paper. Overall, the police legacy left behind by the British to independent India has been described in the following words

of a perceptive observer "First, they bequeathed the structure of the police system. The system today has been handed down virtually intact from the reforms of 1861. Second, they bequeathed perceptions, attitudes and pre-dispositions toward the police on the part of both public and policy makers which remain vital today. Thirdly, they bequeathed a concept of the role police should play in Indian society. That is, "proper" police duties today are very much what were considered "proper" police duties under the British. Moreover, the two great questions of British police experimentation – relations of government police with village constabulary and relations among agencies one of them police, within government – continue to dominate debate about contemporary police organisation. The continued importance of these questions, of course, is not due to the perspicacity of the British but to the persistence of social needs and administrative structures" (David H. Bayley, 1969).

### *Negative Influences*

The British legacy of policing bequeathed to its former colony is a negation of both the principles of partnership with the community propounded by Robert Peel who established the Metropolitan Police Force of London and the spirit of consultation and conciliation ingrained in the Indian psyche. The Police Act of 1861 which reflected the immediate concerns of the colonial administration itself is an offspring of the uneasy and incompatible wedlock between the British liberal tradition and the British colonial practice. As Prof. David Bayley puts it, "the police philosophy in India involves subordination to the rule of law and popular accountability on the one hand, and passive relations between the police and the public except in emergencies, on the other" (D. Bayley, 1977). A cursory glance at some of the provisions of the Criminal Procedure Code and the Police Act, both framed during the same period, would amply illustrate this point. As succinctly summarised by the Supreme Court in *A.R. Antulay vs. R.S. Nayak* (AIR 1984 SC 718) these provisions show that the English common law principle requiring every citizen to bring offenders to justice was sought to be incorporated into the Indian legal system in a number of ways. Thus, Section 37 of the Cr.P.C. casts a duty on the public to assist Magistrate and police; Sec. 38 Cr.P.C. provides that any person may aid the execution of warrant directed to a person other than a police officer.

Sec. 39 of the Cr.P.C. requires the public to give information of certain offences. Similarly, Sec. 40 of the Cr.P.C. casts a duty upon the officer employed in the officers of a village and every person residing in a village to report to the nearest magistrate or to report to the nearest police station certain categories of information relating to the commission of criminal offences or any matter likely to affect the maintenance of order. These are duties enjoined on the citizen in accordance with the principle of bringing offenders to justice in the interest of protection of the society. In fact, there is even a penalty provided for not giving assistance to Magistrate and Police (Section 187 of the IPC read with Sec. 37 of Cr.P.C.) or for not giving information to them (Sec. 118, 196, 106 and 202 of IPC read with Sec. 39 of the Cr.P.C. (Sec 176 of the IPC read with Sec. 40, Cr.P.C.).

Similar mandatory provisions have been built into the Police Act 1861, as regards citizen's duties relating to the maintenance of public order. Sec. 17 of the Act permits appointment of Special Police Officers from among "residents of the neighbourhood" and gives powers to prosecute the citizen for neglect or refusal to serve as such Special Police Officer (Sec. 19 of the Act). What is perhaps common to all the legal and statutory provisions cited above is the unstated assumption that the common citizen forms a class different from and perhaps inferior to, the administrator and that the only point of contact between the two should be in an emergency or during the process of law enforcement, both abnormal situations. The tone and tenor of the language are intimidatory rather than persuasive, authoritative rather than friendly, coercive rather than conciliatory and bear no relation to the spirit of public support and partnership envisioned in Peel's philosophy. Even the fundamental duties of citizens incorporated into the Indian Constitution by an Amendment as recent as 1976 fail to recognise the role of the citizen as a partner in the societal task of preventing crime and disorder, which has been considered a monopoly of bureaucratic agencies, except in times of emergency referred to Prof. Bayley. This is strongly reminiscent of the least desirable elements of the so-called American professional model of policing, though developed in an entirely different context. The dichotomy is no doubt a direct manifestation of the vestiges of the colonial perception which saw the community's role as subservient to the interests of the administration and led to a cleavage between the two, despite the

establishment of a sovereign democratic republic in India. The police ethos and culture have also been profoundly influenced by the colonial perception, unfortunately carried over into the governing system of independent India by enactments like the Police Act which have remained unchanged and have been instrumental in shaping police attitudes and behaviour treating the public at best as an adjunct, or often times an adversary rather than as a partner, in the process of law enforcement. Police insensitivity and police brutality are a manifestation of this distorted vision distancing the public from the police and rendering citizen assistance only a fiction created and maintained in the statute book.

In fact, the advent of the British and the setting up of their own courts to deal with civil and criminal complaints was the first step that started the process of decline in the influence of the panchayats which were the indigenous dispute resolution agencies, thereby reducing public participation in the administration of justice next to nothing. Formal drafting of laws such as the Cr.P.C. and the Indian Police Act further widened the gap between the community and the criminal justice administration system by interposing the law-enforcement function of the police to the virtual exclusion of the concept of community partnership in the process. The colonial legacy therefore not only destroyed and dislodged the traditional system of local dispute resolution through conciliation, but put in its place a mechanism which, besides being coercive by the very nature, was rendered even more oppressive by being made subservient to the executive and not accountable to the people. As lucidly enunciated in the reports of the first truly 'National' Police Commission of 1977-81, Section 23 of the Indian Police Act which insists on prompt obedience and execution of all orders lawfully issued by any competent authority underlies the total submission of police to executive authority and is only an assertion of the colonial will expressed earlier in the report of the Indian Police Commission of 1860 "we have arranged for this force being in all respects subordinate to the civil executive government". There was no trace here of the reforming zeal of Robert Peel who laid down the famous nine principles underscoring public support and public approval for the London Metropolitan Force and reminding them that police are only members of the public who are paid to give full time attention to duties which are incumbent on every citizen, in the interest of community welfare and existence. Any

effort to reorient police function and police attitudes in tune with its community moorings is beset with structural, sociological and organisational handicaps in the Indian context and likely to face stiff opposition from within the police force and even the community, for these negative historical influences.

### **The Indian Experiments**

Though not systematically conceived nor empirically tested as done in the USA., variants of community engagement for law enforcement have been subjected to experimentation in India both means of formal legislation and through individual initiative of innovative police officers in different States. "The Karnataka Defence Parties Act, 1964" is the last legislation attempted in this direction and introduced the institution of "Dalpati" as the interface between the Police and the rural community. Its implementation has been uneven partly due to certain inherent weaknesses in its constitution and partly for want of proper commitment by police officers who are responsible for its supervision but the fact that the organisation is still vibrant and effective in certain areas of the State speaks of its promise and potential as a community policing programme. This will be discussed in detail in the next chapter as a case study. Apart from several individual initiatives launched in different States which are discussed below, a significant dimension of police – community relationship is sought to be projected in the service-oriented schemes started in Delhi, Bangalore and a few other places which seek out, with help of voluntary organisation, victims of social injustice or other forms of exploitation to provide emergency relief as well as long-term rehabilitation. The best known among these are 'PRAYAS' an internationally reputed organisation based in Delhi and engaged in Juvenile Justice Programmes and Child and Women Help Line Services set up in the city police office in Bangalore with volunteer support. Individual police officers in Delhi have also launched NGOs to work with neglected juveniles, drug addicts and wayward youths through organisations like NAVJYOTI and URIVI CHARITABLE TRUST.

### **Delhi Police Initiatives**



Delhi has pioneered several important steps in community policing in India. The institution of Special Police Officer has acted as a bridge between the police and the public for a long time and have played a very useful role in controlling property offences, educating the local public in various security measures to protect their lives and properties. The Institution of SPO has been dove-tailed into the policing system of Delhi and there are 2077 SPOs in Delhi who are available to the local police stations for various measures pertaining to prevention and detection of crime. Delhi Police has also introduced Neighbourhood Watch Scheme in 65 colonies and has also been successful in areas where the citizens are responsive. Delhi Police has also set up Police Boxes in every nook and corner of the city, making the police highly visible. Organisations such as Residential Welfare Associations, Traders' Associations and Thana Level Committees have been playing a useful role in crime prevention. Recently, private security guards and chowkidars have been organised in Delhi since then total number is 24,000 which is almost equal to the Civil Police Strength in Delhi.

### **Orissa Innovations**

Operational since August, 1999 "Surakhya Samiti" is the latest project in community policing enforced through a Home Department Resolution in Orissa. Through an order, DGP/Orissa has directed all district SPs and Range DIGsP to list out Gram Panchayats, wards of Municipalities/Notified Area Committees (NACs), police station wise to select members from each village and ward keeping in view the eligibility and function of Surakhya Samiti. The incharge of police stations have been asked to consult the designated Executive Magistrates to finalise the list and the Range DIGsP have been directed to closely supervise the functioning by obtaining monthly reports from the district SPs and DIGsP have also been directed to invariably meet the Surakhya Samitees giving them close support to ensure better functioning and reflect their views in the monthly and quarterly reports.

In its preamble, the said Resolution of the Home Department has stated 'with a view to associating the citizens with the police in solving neighbourhood problems, in enforcing laws of the land, in minimising crimes, in restoring order and peace in the

community, in reducing crimes against women and the weaker section of the community, introduction of a Community Policing Scheme', has been contemplated. The scheme is divided in several parts which are briefly discussed as under:

Aims and Objectives: Broadly, to provide and improve community support for maintenance and enforcement of law and order, both in rural and urban areas, to provide security, collect intelligence, to attend to petty quarrels and disputes, ensure communal harmony, organise volunteers to attend to natural calamities, riots, festivals etc., causing awareness against crimes and atrocities on weaker sections, help the police in traffic control, coordinating the 'peace and sahi committees', etc., locate and report about strangers of doubtful character and other such activities in their locality.

Constitution: Each Gram Panchayat will have Panchayat Surakhya Samiti in urban areas, Sahara Surakhya Samiti in each ward. There would be 12 to 21 members of the said committee with President and members being purely voluntary with no salary or honorarium to be paid and the term of the committees will be for two years. Eligibility for members: The eligibility provided for the members are broadly – age 25 years, literate with clean image and high reputation, no convictions, no member of the political organisations, should not hold elected office, to have proper representatives of SC/St, women and minority communities. The Selection Body will consist of the Executive Magistrate like Tehsildar, HC/CI of Police, ADWO or Welfare Extension Officer, Disagreement of the committee is to be referred to the Sub-Collector. The officer-incharge is to be the convenor of this selection body. The body will have two members from area besides members from societies, youth clubs, cultural bodies and Mahila Samities.

Functions: Samiti is to be headed by the President with a Vice-President to preside over the meetings and a constable or a literate Home Guard or Grama Rakhi selected by the officer incharge of police station to act as Secretary. Samiti is to meet at least once a month in a school building or thana premises, always attended by an officer from police station who will also be operating as community policing officer for the Samiti. The officer incharge of supply the basic writing material, the quorum would be least half the

members and in their meeting, they will review law and order and crime situation in Panchayat or Ward and take appropriate preventive measures and organise community support with volunteers during natural calamities, festivals, functions, etc. The Secretary will maintain the record of proceeding for their follow-up action and keep the Executive Magistrate and the SP informed. The list of the volunteers will also be kept ready. The Samiti will also recommend for legal aid service to the Taluk Committees and District Legal Aid Committees.

Duties and Responsibilities of Samiti will include making sincere attempts to sort out disputes at the community level, redress people's grievances or injustice, provide help to police and district administration on prevention of crime and maintenance of order. In all matters, impartiality, patient hearing and adherence to laws and rules will be insisted upon. It is also made mandatory that IG/DIG/SP shall visit and review the functioning of community policing at least in 5 Samities in a year.

Training and Reward: To give incentive to this innovative system of policing, the State Government is to set up Surakhya Padaks to reward 3 best Surakhya Samities besides 3 individual members at district and State Levels on the recommendations of SPs. In addition, a district level confidence and orientation-cum-training programme is to be organised by the SP who would be also reviewing the functioning to ensure better implementation of the scheme.

Needless to say that the community policing scheme now being implemented in Orissa is perhaps going to be the most notable formal official experiment giving it some kind of legal form. This appears to be more radical and first of its type since, in past, except for the Karnataka Defence Parties Act, 1964, in all other places, the experiments have been carried out mostly based on the Police Headquarters circulars and standing orders and they have not been properly implemented except during the times of the officers who have initiated the same.

## Kerala

In 1998, "Crime Prevention Committees" were formed at the police station level to provide a platform for the local public and the police to discuss crime problems locality-wise and to control crime with the help of locals. Monthly meetings are held with residents' associations and the local police in Trivandrum city to devise strategies to control crime and to foster good police – public relations. Kerala police has also launched a novel programme to educate and train students in matters relating to traffic. This programme is known as "Student Traffic Education Programme". The "Crime Stopper" facility is another form of community policing, where people can call police on a non-metered telephone number and share information about crime and criminals without disclosing the caller's identity.

## Maharashtra (Bombay City Police)

### Mohalla Committees

Following communal riots in Mumbai city in December, 1982 and January, 1993, Mohalla Committees were set up in Mumbai city with an objective to provide a platform for the people of different communities and background to meet, plan and walk together to solve common problems. In Mumbai city, there are 73 police stations and each police station has 4 to 5 Beats. Mohalla Committees have been set up at Beat as well as Police Station Levels. Beat committees are presided over by Beat Police Inspector or Asstt. Police Inspector whereas Police Station level committees are presided over by Sr. Police Inspector incharge of the police station. The Mohalla Committees have been dealing with trivial disputes, N.C. complaints, civil problems and sort out the same with amicable settlement amongst the parties concerned. It has been successfully holding street-plays, cleanliness drives, medical and health checkup camps. They have also set up libraries, study room and Women Grievances Redressal cells in some of the localities as a part of communal harmony programmes.

**NEED BASED JOINT PATROLLING WITH CITIZENS SHANTDOOR,**  
**GANESHOTS SAVE VOLUNTEERS**

*Joint Patrolling Team for Crime Prevention:*

In Mumbai city, some of the police stations are having 'Joint Patrolling System' comprising youngsters and enthusiastic citizens who can spare time for the said purpose. The areas affected by night house-breaking, thefts and robberies are identified by the Police Station. Such areas are then divided into small sectors wherein a party consisting of one police man and 2/3 volunteer go for night patrolling. Each party reports to the Duty Officer at the Police Station. Night Round Checking Officer of the Police Station check the parties to see that they are doing only assigned jobs.

*Sahntidoot – An Ambassador of Peace*

Shantidoots are our ambassadors of peace. Society cops, who spread the message of peace and goodwill amongst various communities. Genuine nationals, who can resolve petty issues and help remove misunderstandings, if any, and thus help in maintaining harmony in the society.

*Ganeshostav Volunteers*

During "Ganeshostav" the most popular religious festival, the volunteer of individual Sarvjanik Mandals do help police in maintaining peace and order. They do protect Ganesh idols, prevent mischief, help maintaining queues of devotees and thus help police to maintain law and order.

Similarly, there is a Central Committee known as of "Sarvjanik Samanvay Mandal". This Central Committee members interact with police and the local Sarvjanik Ganeshostav Mandals all over the city and ensure better rapport and co-ordination to pass off the festival peacefully. Their volunteers have been found useful for maintaining peace and law and order.

### Alert Citizen's Programme

With a view to encourage citizens to give useful information which they may have to police, even while keeping their identity anonymous, Mumbai police has launched a new crime resistance programme called 'Alert Citizen' with effect from 8<sup>th</sup> May, 1998. This programme is inspired by the "Crime Stoppers" Scheme in existence in some countries abroad. For this purpose, a dedicated telephone service on Tel.No. 2633333 or 103 has been installed in the Main Control Room and the officer of the rank of Asstt. Police Inspector attends such calls and monitor further process.

Many citizens witness a crime when being committed or are in a position to describe the criminal: some may even know their identity. They also give the registration number of the get away vehicle or its description. Citizens may pass information relating to unauthorised storage of weapons, firearms, explosives, narcotic drugs, etc. Such information is of great help to police for preventing/detecting a crime, identifying/arresting the criminals, seizing the drugs, contrabands, explosives, firearms, weapons, vehicles and stolen property, etc.

### Jammu and Kashmir

A pilot project on community-oriented policing scheme has recently been launched in Jammu city. The objective of the scheme is to promote positive interaction and establish stronger bonds between police and the public and to involve the citizens in crime prevention and detection. Under the scheme, a police – public squad will be established for each sector/colony. The public will be represented by volunteer citizens and establish stronger bonds between police and the public and to involve the citizens in crime prevention and detection. Under the scheme, a police – public squad will be established for each sector/colony. The public will be represented by volunteer citizens while police will be represented by beat staff. A cluster of 100 houses will form a block and assigned to a constable. Four such blocks will be under a Sub-Inspector designated as beat police officer. Weekly meetings will be organised between the beat officer and

the volunteers. SHO/SDPO will participate in such meetings at least once in a fortnight. A cops cell will be established at DPO.

The block staff will carry out various duties in crime prevention such as surveillance of suspicious persons, verification of antecedents of hawkers collection of information regarding drug addicts and eve-teasers. Upgradation of beat dat regarding landlords/tenants/servants, resolving major conflicts, helping victims of crime, including accident victims etc.

The State police of Jammu and Kashmir has also taken steps to create Village Defence Committees with a strength of 1 to 20 members to check militant intrusion and resist militant attacks on civil population. The members have been provided weapons and have been trained in their use. Some members are ex-army personnel. Though the scheme is largely of volunteers each group has one or two SPOs who are paid remuneration. The VDC scheme has paid rich dividends and VDCs have repulsed a large number of militant attacks in remote areas.

### **Other Indian Initiatives in Community Policing**

No account of the Indian initiatives in community policing however tentative or however short-lived, would be complete without reference to significant experiments undertaken by two young and energetic police officers who served in different States and under varying community contexts. These are the Friends of Police (FOP) movement in Tamil Nadu and the "Khorpade Pattern" in District Bhiwandi, Maharashtra. These experiments also reflect some of the weaknesses in the movement towards community participation in police functions, induced more by organisational problems within the police rather than by the lack of sustained public support as sometimes experienced in the U.S. discussed earlier. What is unique to these two experiments is that they were individual initiatives without institutional support or organisational commitment and became somewhat isolated in the prevailing social and organisational culture. A brief account of their genesis and development is given below:-

## **1. Friends of Police Movement**

Starting off with a rather startling premise that "fear of the police can sometimes be greater than fear of crime among many communities", a young I.P.S. Officer Shri P. Philip then S.P., I/c of District Ramnad in Tamil Nadu State, took upon with missionary zeal the arduous task of bridging the police-public divide and ending the isolation of the police 'from friends and foes alike'. He devised an altogether novel strategy of community organisation to assist the police, terming it as 'Friends of Police' movement, with the avowed objective of 'fostering the hitherto untapped well spring of public goodwill for the police', in his own words. The FOP was described as a "useful, holistic and proactive concept and a tool to transform the police image, strengthen the force, and promote mutual respect between police and the public..." It is different from conventional community policing and neighbourhood watch programmes in that it encourages much closer integration between people and police on the basis of genuine co-operation: (P. Philip – 1993). The young officer also believed that "friendship is a powerful universal relationship, the police, a powerful universal institution, coupled together, they produce a tremendous synergy, empowering people and enabling the public to fulfill their part of the social contract to secure a safe and just order". (P. Philip – *ibid*).

Fired with the zeal of his convictions and borne along his youthful enthusiasm, this officer set about planning and implementing a programme of community mobilisation which achieved spectacular success in a short period of one year. "Membership criteria were made simple and straightforward; and FOP candidate must be a resident of the district in which he or she applies for membership; no candidate shall be involved in any civil or criminal case – to exclude people who might have an axe to grind with the police; no educational or employment qualification is prescribed, but candidates should preferably be literate to enable written communications; and they should be at least 18, and under 70 (years of age)" (*ibid*). The application format offered a large number of activities of partnership with the police to choose from; ranging from Crime Prevention; Traffic Assistance, Anti Immorality Campaign, Environmental Protection, Communal Harmony and Student Clubs to matrimonial



counselling, Victim Assistance and Prisoners' rehabilitation. According to estimates, within 12 months of starting the movement in Ramnad, it had spread to all parts of Tamil Nadu and about 100,000 citizens were said to have enrolled as FOPs. According to results of a survey published, 76% of FOPs surveyed did not ask for any monetary or other material incentive and considered the opportunity for community service and social recognition adequate rewards. A few prominent among FOPs were designated as Community Service Officers. The FOP concept has received recognition from the State Govt. and, judging from the initial citizen response, it is likely to gain momentum in the future (R.K. Raghavan/99 quoting Balasubramaniam 1994).

According to many senior police officers of Tamil Nadu who were contacted to assess the quality and extent of public response to the FOP movement, there was near unanimity of opinion that the programme failed to strike root in the State despite recognition and encouragement given by the department and the State Govt. Many reasons were ascribed to the sudden and unexpected decline of the movement, one of which was lack of commitment and conviction on the part of the senior police officers who succeeded the originator in the district as also others who experimented with the concept in different areas of the State mainly under pressure from the State headquarters to implement the scheme. "Like other similar exercises in the past, the FOP scheme failed to take off. It was there only for a month or two. Later on, the officers themselves did not know what happened to the concept, remarks an Assistant Commissioner" (Unwanted Friends" The Hindu dated 4.8.1997). But one important element that failed in the conceptualisation of the new strategy appears to be the expectation that there is a fund of goodwill and ready cooperation in the community waiting to be discovered by the police. There is also considerable hostility and cynicism within the police department towards the idea of sharing police responsibilities, and to a certain extent police powers with members of the public in prevention of crime and maintenance of public order, except in the face of grave danger. More than anything else, police resistance to transparency in the exercise of police powers appears to have proved a stumbling block in promoting the scheme beyond an initial display of willing cooperation and enthusiasm. The negative police image and almost universal distrust of police operations also stand in the way of true and committed public participation, if the

movement's gradual decline is any guide. As the National Police Commission observed in its Fifth Report (1980), the 1902 Fraser Commission's view that people 'do all they can to avoid any connection with police investigation' held true even after a lapse of nearly 80 years. Such adverse and strong reactions notwithstanding, one question that remains unanswered in the whole experiment is how, in the first instances, the police initiative managed to enthruse thousands of ordinary citizens who had nothing to gain except a short lived and rather nebulous recognition of association with a law enforcement agency, and that too, a much discredited one. It is equally baffling how such outpourings of goodwill petered out into a trickle and ultimately appeared to cease altogether.

### **The Bhiwandi Story:-**

At least a part of the answer to the confounding questions referred to above seems to be provided by the success story of yet another pioneering police initiative in organising a community which scotched the flames of communal passion and distrust in Dist. Bhiwandi, Maharashtra when communal riots raged elsewhere in the country during the post - Babri demolition period. The credit for this extraordinary achievement in proactive policing goes to another high-spirited, young officer who was at the helm of affairs in the 'hypersensitive' district during this critical period. Bhiwandi which had witnessed two bloody riots between Hindus and Muslims in 1970 and 1984 remained peaceful, though tense, even as communal riots broke out in many parts of the country, including Bombay. The young officer Shri Khopade appears to have done a remarkable job of mobilising a 'community of interests' with unparalleled success to stave off the fall out of communal passion in this sensitive area by forming 'Mohalla Committees' comprising representatives of people professing different religious faiths and belonging to all avocations and professions in the city. The idea was simple but brilliant: mutual acquaintance promoted trust and goodwill; in all the mixed localities the residents were consumed with the fear that unknown members of the other community would pounce upon them, burn down their houses, kill their children and rape their womenfolk, but as the Peace Committee meetings brought them together face to face, again and again, anonymity vanished and acquaintance took its place. Secondly, the

police was successful in promoting a sense of community by urging upon residents that protection to their families and possessions depended upon the safety of the mohallas to which they belonged. The human relationships nurtured by the frequent meetings and the sense of belonging to a limited geographic area helped in virtually creating a community of interests where none earlier existed. The sense of identity to a local community expressed itself in these words – 'whatever happens elsewhere, we would see that nothing happens to disturb my mohallah'. "These were heartening, trustful words that began to issue from their lips ... at the root of our triumphs is the psychology of the human mind. We aimed at closing the ranks of likeminded lovers of peace, who had a stake in it, and therefore, wanted to preserve it any cost" (S. Khopade-1998)

It is also significant that prior to the active mobilisation of the community, the police had extensively prepared the ground work for strongly dealing with criminals and communal agitators who had taken active part in the carnage and destruction in earlier riots. After unobtrusively watching the conduct of mischief makers during religious processions, the police proceeded to arrest them and got them convicted. During the next season of processions, the same exercise was repeated and further those who had previous convictions were taken under preventive custody. "Festival after festival, round the whole year, we never slackened over vigil, nor swerved from the rule of the game laid down in our plan of operation, until with the next calendar year, the cycle of festivals, Hindu as well as Muslim, began to repeat itself: (S. Khopade-1998). All this however assumed that the police enforce the law in absolute fairness and neutrality, asserting the might of law against those who violated it and in the process of exposing and isolating them, and maintaining public order with a firm hand so that the peace-loving citizen could celebrate the religious festival without torpidation or interference. The police force had to be indoctrinated to eschew all forms of bias and unfairness in dealing firmly with offenders, irrespective of religious affinities. Similarly the local community had to be continuously educated about the wiles of the bigots and the greed of professional looters who had a vested interest in provoking riots and victimizing innocent citizens, including women and children who suffered the most during these holocausts.

The resounding success of the Bhiwandi experiment in community mobilisation and violence prevention stands in sharp contrast to the regrettable failure of the Friends of Police movement in Ramnad. Both were individual initiatives and succeeded (at least initially) in galvanizing a slumbering community into purposeful organisation and a flurry of activity. But crucial differences in the objectives and the methodology of organisation are evident even to the casual observer. The police leadership in Bhiwandi provided focus and thrust to their preventive operations by stressing upon the common stakes which were very high and by promoting a sense of identity to the local community. It also enabled the warring factions to come together face-to-face, reducing blind animosity born of anonymity and putting down embers of distrust, smouldering from memories of past violence and hatred. The police also added forcefulness and a firm sense of purpose to the mission to maintain place at whatever cost and by maintaining absolute neutrality in times of bitter hatred. The police strategies were specific, well-directed and tailor made to suit the disturbed conditions and targeted to achieve clearly defined objectives.

The organisation of the FOP movement, in contrast, appears to have been grandiose in design, lacking in clarity and bereft of a cohesive objective to hold disparate elements together for long. The initial euphoria in the public mind speaks of the dazzling novelty and sweep of the idea: that ordinary citizens should be invested with the status of partnering law enforcing efforts, rubbing shoulders with those who exerted authority. The stress was more on the individual recognition to be earned rather than on the need of the community to act together, despite protestations of a common objective, namely to assist the police, which was too vague and amorphous. The good will and the camaraderie was perhaps built on the public perception that the police would now be less coercive, more friendly and prepared to shed its exclusiveness whereas there was no evidence of an organisational change either attempted or achieved in this direction. The goodwill was soon dissipated, the enthusiasm slackened and the zeal for the common welfare soon withered in the absence of clear objectives, purposive action and sustained support. A magnificent mobilisation effort, so full of idealism and so full of promise, lay in ruin, despite bureaucratic recognition and official

patronage. The community refused to come into being while individuals asserted themselves.

From the manner in which the FOP movement and the Bhiwandi pattern of community organisation, impressive as they are, ended up with altogether different results seems to offer a classic illustration of Goldstein's differentiation of two streams of community policing. According to Goldstein, from among the wide range of programmes to engage the community, two quite different patterns are emerging. "The first is a rather broad, ambitious but somewhat amorphous effort to develop a new relationship with all or designated parts of the total community, create a reservoir of goodwill, and ultimately enable the police and the community to work together to solve community problems. The second is a narrower effort in which the initial objectives to deal with a specific problem. If, on exploring the problem, the police conclude that it could be eliminated or significantly reduced by some forms of community involvement they then set out to bring about such involvement.

"Because the programmes that fall into the first pattern are so much more ambitious and comprehensive, calling for major institutional adjustments, they raise many complex issues. What is meant by "community"? Is the community an entire city, a portion of the city, a neighbourhood, a block or the residents of a specific apartment house? Are the assumptions made about the degree of consensus that exists within a community, once it is defined correct? It is recognized that there are communities within communities. A comprehensive, institutional effort to build new relations with the "community" carries with it some uniform expectations of what the police should elicit from a community... Other questions arise as well. Are the police, by engaging with the community, prepared to share decision making and power with the community? Is this desirable? Will the community make demands that result in the police exceeding that authority? And what happens when community interest fades because there is no problem of sufficient magnitude to bring the citizenry together?

"In contrast, the more limited pattern of police community engagement does not raise these complex issues... There is no expectation that they (the police) have

identified a community with shared values. On the contrary, the problem of concern may be one of tension between groups living or doing business within the same area. In identifying the community or communities concerned with a problem, it is taken for granted from the outset that people to whom one seeks to relate will vary a great deal. In a middle class area, a well-functioning neighbourhood organisation may already exist. Police are not so naïve as to expect that they can develop an equivalent community force on a crime-ridden skid-row. They may, however, be able to reduce the problems even if they can elicit a greater sense of community by rearranging the inhabitants to look out for one another – protecting against assaults, robberies, and harm caused by alcohol, drugs or the elements...

“Although the police will, in this more limited form of police-community engagement, extend themselves to a community, expressing a desire to learn about their needs and problems and to respond to them, this does not carry with it any sharing of decision-making. The police clearly reserve for themselves the ultimate decision of how to deal with the situation. The links that are established between the police and the community in the more limited pattern are not expected to be permanent, they are maintained as long as the problem that required their development exists. The community may be left stronger, but the measure of police success does not depend on a continued tie with the police – on, for example, the number of subsequent meetings held and the participation in these meetings. Communities are shifting groups, defined differently, depending on the problem that is addressed. Yet, out of this total effort, maintained over a long period of time, one would expect the total community, eventually, to view the police in a different, more positive light and to recognise increasingly that the effectiveness of the police depends on community involvement (H. Goldstein – 1990).

This remarkably perceptive analysis of the two approaches to community mobilisation, entirely justified in the extensive quotation, seems to answer the basic questions relating to the failure of the FOP movement and to underscore the sagacity and practical wisdom that shaped the Bhiwandi experiment of Mohalla Committees to prevent violence.

### **Bombay City : Reconciliation through Voluntary action**

Theoretically an extension of the Bhiwandi experiment, Peace Committees set up in Bombay city at the height of communal riots in Bombay city during Dec, 1992 lay dormant as the citizens, particularly those belonging to the minorities had lost confidence in the neutrality of the police and for want of a credible leadership acceptable to both communities. A change of guard in the police towards the end of 1993 and the emergence of a team of eminent social workers and police leaders transformed the atmosphere. The police leadership demonstrated remarkable qualities of humanness, compassion and understanding towards not victims who had undergone terrible suffering and the psychological rehabilitation of those who had suffered trauma was facilitated by the dedicated work of prominent social workers committed to the cause of communal harmony and the healing touch of compassion. Slowly the hostility and distrust towards the police gave way to a new understanding and interaction and grew steadily as constructive and corrective action was initiated under expert guidance of social workers. Gradually the peace committees took on many issues effecting the quality of life of the community, particularly in the areas affected by extreme poverty and utter civic apathy. The strong bonds of good will painstakingly built up by the efforts of the social workers and the police paid rich dividends when communal passions threatened to erupt again in Dharawi, a sprawling slum with a population estimated around 7 lakhs, during the Ganapati festival of 1995. The healing touch of social action, helped by police commitment to maintain peace, brought about a miraculous change in another area called Jamamwade where recurrent communal clashes had scarred the community psyche. A community centre set up for the youth, in association with an industrial house, accelerated this transformation to peace and harmony.

The Bhiwandi and Bombay city experimentation with Mohalla Committees were important initiatives in community policing, particularly underscoring its two core components namely community participation and problem solving. The pioneers in these two local efforts had not built on any elaborate theory but appear to have based themselves on sound principles of human psychology and traditional methods of

achieving conciliation and harmony. The successful demonstration of community mobilisation in these two areas, as also in connection with the FOP movement in Tamil Nadu, points to the potential of invoking the sense of community in India which is basically rural in character, despite the development of urban slums like Dharavi in Bombay. Community can be successfully engaged for the 'co-production of safety' envisaged in the community paradigm, provided the police leadership is able to give a proper focus to the effort. The Bhiwandi experiment, remarkable for its originality and singular sense of commitment, holds out great promise for community partnership and problem solving. In Bombay city the same experiment did not automatically succeed until the right kind of leadership provided a human touch and secured competent assistance of social workers for building trust and goodwill with the community. Once the environment was right, the great traditions of the Indian community life seem to have taken over the functions of mobilising the community card promoting community partnership in maintaining order in all the examples examined here.



## CHAPTER-V

### **COMMUNITY POLICING IMPLEMENTATION : LEGISLATION, EXECUTIVE ORDER, VOLUNTARY ACTION**

#### **Background**

While individual initiatives by energetic and enterprising police officers have been in the forefront of the community policing strategy in India, there have been a few though divergent, attempts at institutionalisation of such arrangements sporadically made in a few States. West Bengal has had a scheme of Village Resistance Groups initiated as early as in 1950 on an experimental scale, limited to a few villages to start with. In the early years of their formation, these groups were effective in combating the menace of dacoits and other violent gangs of criminals, but they appear to have become dormant later on, as observed by the National Police Commission, in its Third Report (1980). Gujarat has been another prominent example of constituting citizen voluntary associations for crime prevention in the rural area. "Gram Rakshak Dals" as they are known were formed under the provisions of Section 63 of the Bombay Police Act, 1951. Volunteers from among villagers conforming to certain prescribed qualifications of age, literacy and physical fitness are appointed as Members. A Dal has an average strength of 20, supervised by civilian group leaders appointed by village community. Civilians are also appointed for supervision at the Taluk and District level. However, the entire structure of Gram Rakshak Dal comes under the administrative and disciplinary control of the Supdt. of Police assisted by a whole time police officer of the rank of Inspector of Police who is required to co-ordinate and activate all the Gram Rakshak Dals in the State. The Gram Rakshak Dals are not organised in villages with more than 5000 population which have a village Home Guards unit, independent of the police administration. Orissa is another State which introduced a voluntary Organisation comprising villagers to form 'Gram Rakhis' to discharge the same functions as were earlier performed by the village Chowkidar. The Gram Rakhis work under the administrative control of the Revenue Department. In Maharashtra, S.Ps in mofussil districts constitute village Defence Parties by selecting able-bodied persons between the

age group of 20 and 50 years who are considered fit to perform the duties of Village Defence Parties. Under Rule 510 of Police Manual, the members of the Village Defence Party appointed under section 66-B of the Bombay Police Act, 1951 when called out for duty, shall have the same powers and privileges and protection as a Police Officer appointed under the Bombay Police Act. A Sub Inspector of Police is designated as Village Defence Officer to supervise the work of the VDPs in a district and is assisted by a Joint Village Defence Officer who works in an honorary capacity. "The experience in the field is that the Village Defence Parties are formed by the officers in charge of police stations in the villages where there is outburst of crime" (B.S. Mohite, Commissioner of Police, Thane, 1999).

### *Karnataka (Rural Policing)*

In Karnataka a system of Village Defence Parties headed by village Dalpatis was statutorily introduced by the Karnataka Village Defence Parties Act of 1964. Karnataka appears to be the first State to have attempted legislative measures exclusively to support a programme of crime prevention through community participation. Section 3 of the Act authorizes the State Govt. to issue Notification directing any Supdt. Of Police in charge of a district " to constitute for such villages in his jurisdiction as he may consider necessary, volunteer bodies called Village Defence Parties, the members of which shall discharge such functions as duties in relation to the defence of villages, the protection of persons, the security of property and the preservation of public order in such villages as may be assigned to them in accordance with the provisions of the Act and rules made thereunder". The S.P. has been designated as the Head of all Defence Parties in his district and supervises and controls the administration of the parties with the assistance of Dalpati appointed by him. The Members of the VDP are declared as public servants for purposes of Section 21 of the IPC and are accorded the status and privileges, also duties of special police officers under Sec. 17 of the Police Act when they are called upon to perform duties under the Act. While these provisions are to similar to the constitution of village volunteer organizations in other States, what is perhaps unique to the Karnataka scheme in the prohibition against political activists from becoming Members in the Defence Parties. The relevant section says "A person to be

appointed as a member of the village Defence Party should have the following qualification... (iv) He should not be a member or otherwise associated with any political party or any organization which takes part in politics or engaged in political activity of any kind".

The ordinary functions and duties of the village Defence Party member consists of:-

- (a) guarding the village;
- (b) patrolling for the purpose of preventing crime;
- (c) protection of persons and property in the village;
- (d) assisting, when necessary, the regular police in maintaining public order and peace; and performing such other duties as may be assigned to them from time to time by the State Govt. or the Superintendent of Police.

The Dalpati who heads each Defence party has special responsibilities assigned to him under the Act such as communication of information to the nearest magistrate or the Station Officer information relating to the commission of crimes, residence of any vendor of stolen property and the movement of any proclaimed offender in his jurisdiction. In regard to unnatural death, the Dalpati is required to pass on information promptly to the Station Officer, arrange for the guarding of the corpse, assist in inquest and to aid in providing conveyance when called upon to do so. The Dalpati is also required to render all assistance to the Station Officer in maintaining peace and order and to furnish any reports or information called for by such police officers. The charter of duties of the Dalpati and the Defence Party number is quite wide and in consequence of the promulgation of the Act, appointments to the posts of Village Patels under the old scheme were stopped and their police duties and functions were taken over by the Dalpatis. Out of 29,850 villages in the State, 16,254 have been covered by the new scheme (NPC, 1981).

## The Urban Context

While the village Defence party is a concept exclusive to consideration of security and crime control in the villages, Karnataka Police in the larger cities, particularly the metropolitan city of Bangalore, has created an alternative channel for enlisting community participation in police functions through voluntary effort. Two toll-free telephone lines have been set up in the office of the Commissioner of Police for children and women in distress, designated respectively as MSV-1098 (Makkala Sahaya Vani) and VSV-1091 (Vanitha Sahaya Vani). The co-ordinating unit is located in the CP office but acts through a wide network of over 80 NGO and voluntary organizations in the city. The most striking feature of the set up is that it is purely voluntary in nature and is managed by young lady volunteers who have specialized in counseling and social welfare activities. A few lady constables have been recently deputed to assist in the working of the co-ordinating unit. Well over 24,000 calls have been handled by the Child Help line since its inception in 1998 and the Women's Help Line; established in January, 1999. It has also been receiving calls from women in distress in large numbers. Both the help lines provide immediate counseling, medical aid, information, temporary shelter, legal aid and most importantly, an opportunity for a distressed person to share her/his anxiety with a sympathetic listener. A few NGOs, the National Law School of India University, the Children's hospital which is a large private hospital and some multinational companies have pooled in resources to provide facilities for treatment, shelter, transport, legal aid etc, responding to the voluntary initiative of the core team, assisted by the city police. The system is working admirably, with close assistance and guidance of a lady DCP. Its reputation has travelled far, attracting voluntary agencies from foreign countries and the attention of UNICEF which has come forward to help the programme. In the city of Bangalore, there has been a surge of public goodwill towards police initiatives in the welfare oriented programme.

Yet another initiative of the Bangalore city police to involve the community with problems of disorder came to prominence during the 'Urdu-language riots' that rocked certain sensitive areas of the city in 1996-97. The city police had struck an alliance with 'The Rainbow Forum', an umbrella organization co-ordinating NGOs during the days

prior to the onset of disturbances and the active collaboration of the volunteer body, designated as 'Parisara Santhi' achieved remarkable success in containing violence and in initiating a dialogue between the contending parties. There has been no recurrence of the violence since. The forum extended its co-operation even outside Bangalore, assisting the police to deal with the Bhatkal riots two years ago and is at present engaged in carrying out a study on the genesis of the communal riots in Bhatkal. The 'Rainbow Forum' has been active also in socially significant cultural activities in which the police have taken a prominent part. What is significant in the various experiments in police-community participation in the city is the voluntary participation of NGOs and other committed social workers and a comparatively subdued role played by the police who have chosen to remain discretely in the background lending the weight of their authority and presence only when emergencies demanded them to be on full play. It has been a partnership effort, prominence being given to volunteers.

### **Voluntary Action**

In contrast to the impact of volunteer participation in community related programmes initiated by the city police, the success of the village Defence Party scheme, amply supported by legislation, has been very limited. According to senior police officers, the scheme is virtually defunct in South Karnataka whereas in districts of North Karnataka, Village Defence Parties were reported to be active and successful in providing assistance to the police in crime control. While the variation in implementation of the Act in different parts of the State deserves a detailed study and analysis, it appears probable that the rural programme is different from the Bangalore city police initiatives in two important respects; (i) the city police programme is proactive and service oriented, seeking out areas of human distress in the community, rather than being directed exclusively towards crime prevention; (2) the city initiative came from, and is sustained by, volunteer participation by members of the community who provided active partnership to police efforts. The accent of the city police initiatives has been on consensus and consultation which is at the heart of community policing. By networking NGOs, a large reservoir of expertise and resources has been created which is readily available at a focal point and is liberally drawn upon for problem solving and for

rehabilitation and other forms of follow up action to consolidate the gains of immediate intervention by the voluntary bodies. Association of the police is confined to only emergencies which require active police intervention and initiation of the legal process. The partnership with the voluntary agencies has helped in reducing areas of police intervention in disputes and conflicts which have their origins in family tensions and at the same time in preventing violent crime by timely intervention through volunteers who are specially trained to deal with these problems. In the process, the police has gained tremendous good will of the public who co-operates with the police more willingly than in the past with other areas of order management such as Traffic Warden System.

In contrast, the comparative non-performance of the Village Defence Party System, supported by legislation, seems to be rooted in two basic infirmities: (1) the legal enactment did not emerge from popular conviction or community initiative, but rather from the police perception of what the community ought to do to prevent crime and maintain public order; (2) the legislation was drafted providing for a heavy preponderance of police presence and police supervision over the methodology of its operation. While the concept of enlisting community participation in crime prevention was unexceptionable in principle, and was path breaking in its originality and scope, the legislation suffered from a tendency to take the people for granted and to superimpose on the community yet another structure of police supervision and control with a regulatory and restrictive role, originally intended to help the community, help itself. Instead of creating a partnership with the people, as was done in the city, the legislation only sought to create a parallel enforcement apparatus, without genuine community consent or consensus. Yet another factor which could have led to lukewarm public response might have been the fact that the objective of the legislation was confined to crime control which is commonly perceived as a police function and did not attempt to identify and resolve other problems of immediate concern to the community or to address them meaningfully with community participation. The Village Defence Parties Scheme was therefore taken up for a detailed study in the field.

## THE KARNATAKA VILLAGE DEFENCE PARTIES ACT : A CASE STUDY

After selecting for the purpose of case study two representative districts, namely Davangere District (formed in 1997) and Belgaum (the oldest and one of the largest districts) in rural Karnataka, I visited far flung villages in Harihar and Gaglur Taluks (in Davangere) and two large villages not far from Belgaum city where the Dalpati system was reputed to be active and met a large number of Dalpatis, VDP members and also addressed two largely attended meetings organized in Belgaum rural area. The visit and interaction were highly useful in assessing the impact of the VDP Act in rural areas. My observations are briefly summarized below:-

- (1) The Dalpati system has suffered irreversible damage in the large majority of villages which are highly stratified with sharp accentuation of caste distinctions.
- (2) In comparatively homogenous communities where the predominance of one or two castes was very pronounced, the Dalpati system was still vibrant and very purposive.
- (3) VDP remained active also in areas where the local police officials particularly the SHO and the PSI were deeply committed to the ideals of community participation in police functions and conversely, it remained only on paper where such police commitment to the legislation was absent.
- (4) Superior police officers, including IGPs remained highly skeptical about the relevance and usefulness of the VDP Act, 1964.
- (5) Even in semi-urban villages, the citizens generally remained ignorant of the provisions of the Act and were indifferent to it wherever the local police officials were not enthusiastic.
- (6) The VDP system and the office of the Dalpati are not likely to sustain the pressure of the Pradhan, Sarpanch and the MLA who resent parallel power centers developing at the grass roots level, unless Govt. gives proper recognition to the services of VDPs either by sanction of a regular allowance as demanded by most of them or accords priority to the Dalpatis and his Members in the matter of Government employment or other allotments.
- (7) The survival of the Dalpati system which is crucial to empowerment of the community at the gram sabha level, consistent with the Government of India's

commitment to treat 1999-2000 as the year of the gram sabha, depends on according the office, legal status in the Panchayati Raj movement to make it an effective instrument of the administration of criminal justice.

- (8) A suitably recast and reorganized Dalpati system properly integrated into the Panchayati Raj movement by legislation is likely to provide the most viable model of community policing in India, with proper orientation and training to the Police based on a realistic reappraisal of the police role and functions.

My observations are based on discussions held in the two districts with senior police officers and a number of Circle Inspectors and Sub Inspectors of the concerned areas, Dalpatis and a member of village elders and activists who participated in the formal functions held in these villages. While senior police officers were forthcoming and outspoken in their criticism of the Village Defence Parties Act, 1964 and the Dalpati system, junior officers particularly those who work in the rural police stations appeared to place faith in the system, while acknowledging the fact many Dalpatis and Members were interested in making demands for privileges and allowances and in building up local clout by virtue of their police contracts. For the seniors, the weakness in the systems lay in its inability to sustain interest in crime prevention patrolling and in parting with information useful to the police whether for crime work or for public order. Evidently, senior police officers were inclined to treat the VDP as an adjunct to routine police work for collecting information and for assisting the beat constable on other odd duties. The Act itself would appear to support such a view with its delineation of duties prescribed in sections 16, 16-A, 16-B to 16-F, with a heavy emphasis on compliance with directions of the police authorities, rather than on the initiative of the Dalpati and the members in establishing close ties with the community and in proactively participating in identifying problems and finding solutions within their own community. The S.P. of the district, therefore, does not appear to appreciate the importance of ascertaining the 'reputation and social influence' of Dalpati before appointing him to that post, as required in Sec.5 (Sub Section 2) of the Act. Junior field officers confided in me that this has resulted in the appointment of a large number of Dalits as Dalpatis who are shunned by other members of the VDP or by the majority community, their appointment more dictated by the consideration that the Dalit Dalpati would be more amenable to



the local police. Senior officers were also of the view that the VDP was instituted in an age in which communication facilities were primeval and with the installation of STD booths in remote corners, their relevance had dwindled. Here again the officers had failed to take note of the Dalpathi's real role as a prominent member of the community who has an understanding of the problems of the community and who can find solutions to them through a process of consultation. In other words, the senior officers appeared to consider the Dalpati far inferior to the Pradhan and the Sarpanch and less useful than the traditional Chowkidar. What the legislation intended by constituting Village Defence Parties and making the DGP the president of the VDP, in the State, as contemplated in Section 5 of the Act, was surely difficult. It appears most likely that the legislature intended to put an institution capable of substituting the Village Patel, feared for his oppressive practices, and made accountable to the police administration and through it to the legislature.

The utility and the effectiveness of the VDP, in areas where the position of the Dalpati had not been compromised by wrong selection, were evident whether in crime prevention or maintenance of public order. In a typical example, 112 members of the VDP (for in excess of the mandatory 46) were assembled in uniform and in perfect discipline in V Mastmardi, ably commanded by Dalpati with advance notice of a few hours only. The village was remarkable in many respects. The VDP had a regular office room, daily patrolling of houses and standing crops, occasional surveillance of the National Highway stretch for movement of suspects and had performed active election duties in uniform (now inadequate) which has been provided from interest accrued on an amount of Rs. 20,000/- deposited in Fixed Deposit by a prominent Gandhian and freedom fighter, who actually presided over the public meeting organised on the occasion. The C.I. and S.I. proudly told me that not a single property crime has been reported from the village during the last 3 years and the DSP who attended the meeting endorsed this statement. The Dalpati and some of the members carried photo identity cards and were proud of the fact they were able to resolve all disputes in the village, particularly relating to property and domestic problems, by mutual consultation and discussion and not by police intervention. Two facts were however evident: the village was predominantly Lingayat, a powerful community to which all the influential elders

and the Dalpati belonged; second, there was an apparent exclusion of Gram Panchayat politics and politicians from decisions making processes. Though there was no evidence of high-handedness or miscarriage of justice by suppression of lower castes or minorities, it was obvious that the decisions of the majority community could hardly have been contested in the absence of proper safeguards. But within the constraints of the existing organization, the village appeared to justify and even flaunt the vibrancy of the VDP Act in the local area. I was told that many such villages exist in the Gulburga and Bijapur districts of Karnataka State.

In sharp contrast to my experience in village Mast-mardi which boasted of an active VDP unit, another village in the same sub-division by name Maacche situated in the Marathi-speaking north was conspicuous by its total abandonment of interest in the VDP movement. Prosperous, educated and well developed, the village had elected a Lady as Pradhan and that too, hailing from a southern Karnataka district who had settled in this area three decades ago. Progressive by any standards, the villagers were also outspoken about police apathy and inactivity. Apart from neglecting routine duties, the local police was accused also of keeping the people in the dark about the provisions of the VDP Act and in not having issued ID card even to the Dalpati who was appointed a few years ago. There was a clear cleavage between the community and the police which was evident to everyone present and the local officials could only observe silence in the atmosphere of unconcealed hostility. This despite the fact, that the Dalpati was not only a Doctor, but the husband of mahila Pradhan. The only matter in which the public expressed sympathy with the police was that no thana building was available to the policemen who suffered hardship in a rented accommodation unsuitable for living. Otherwise, there was wide spread criticism that the local S.Is had not cared to call the VDP meeting for several years in continuation.

Later on, the local police officials confided that the village was sharply divided by political rivalry and caste intrigue. There was also some hostility on the issue of Kannada speaking Pradhan presiding over a Maratha majority area. The local police apparently did not encourage VDP activity because the Dalpati, appointed to that post by some local manipulation, had sought to interfere in police administration and

investigation work, particularly using the leverage of his wife's position as Mahila Pradhan. The local police did not wish to complicate matters by activating the VDP unit under the present Dalpati and thought it best to leave it dormant. Section 9 of the VDP Act provides for termination of the appointment of Dalpati which is normally of a period of five years. But the S.P. of the district perhaps did not exercise this option because of its political sensitivity. The inherent weaknesses of the Dalpati system appeared to have made the police officials wary and for good reasons. The VDP Act and Rules made thereunder (1965) specifically prohibits the appointment of a person "who is a member or otherwise associated with any political party or any organization which takes part in politics or engaged in political movement or activity of any other character" as Member of a Village Defence Party. According to field police officers, this provision leaves very few in the villages fit for appointment to VDP. The obvious course is not to exclude political activists, but to make them strictly accountable.

In fact, central to the distrust of the political process so evident in the legislation of the VDP Act and the apprehensions of most senior police officers about the 'infiltration' by politicians into the VDP system is the fundamental issue of people's participation in administration and decision making. The legacy inherited from the colonial, revenue-oriented, top-to-bottom and reactive administration of the British has obliterated faith in the people's wisdom and capability to decide what is best for themselves and has encouraged the notion that wisdom and integrity is the prerogative of the bureaucrat, growing with seniority in Government jobs. It is easy to obfuscate people's demand for a closed and cloistered system of government. Community policing which seeks to secure participation of the people in police functions and to acquire greater legitimation for enforcement action through consultation has to necessarily avoid this pitfall and has to be based on a firm commitment to the cause of community involvement by strengthening institutions like the Dalpati and the Village Defence Party. The key to the transformation of the Dalpati as a true symbol of community participation in police function is by making the institution accountable, not to the police hierarchy, and not even to the Assemblies or Gram Panchayats which are merely representative bodies, but to the Gram Sabha which is the only genuine democratic forum for direct participation of the people in the decision making process. 1999-2000 has been

declared as the 'year of the Gram Sabha' and the govt. has pledged its firm resolve "to set the process of decentralized democracy in motion, with human development as the core of planning". In the true spirit of reform, Madhya Pradesh assembly passed a historic Bill in March, 99 empowering people to recall their elected Panchayat representatives, being the first State in the country to enact such a law. Articles 243-5 and 243-A of the Constitution may have to be amended to further strengthen the democratic microcosms of the Gram Sabha in the country so that each revenue village has its own Gram Sabha and where the population exceeds a given number, say, two thousand, a separate Gram Sabha can be formed for each block of two thousand people so that individuals are truly empowered in a natural arrangement of "one village – one Gram Sabha – one Panchayat". In fact, Kerala has already divided each Gram Panchayat into several constituencies, and each constituency of a Gram Panchayat has been declared a village under Art.243(9). What is important in this national as well as regional initiatives is the earnest desire to make government more truly participative and to render each government agency accountable directly to people. It is against this background that the role and function of the Dalpati in the scheme of community policing has to be viewed.

It is however unfortunate that in the very State of its origin, namely Karnataka, the Dalpati system is being relegated to the background in the political skullduggery relating to the reformation and rearrangement of the Panchayati Raj institutions. The Dalpati system could have drawn strength and sustenance from its accountability to the Gram Sabha, but political parties are busy whittling down the concept of direct forms of democracy through Gram Sabha, for political expediency. To start with, the Governor promulgated the Karnataka Panchayati Raj (Amendment) Ordinance on 28<sup>th</sup> January, 1999 providing for one elected Member of a Gram Panchayat for a population of 1000 as against the present ratio of one for a population of 400 or part thereof. The Ordinance also changes the population criteria for declaration of a Gram Panchayat area. At present, a village or a group of villages with a population of not less than 5,000 but not more than 7000 can be declared a Panchayat area. Now such a declaration can be made only if the population is not less than 10000 but not more than 16000. (This will not apply to Belgaum and certain other districts where the criteria has

been changed to one of not less than 6000 against the present one of not less than 2500). As a consequence, on the day of my visit to district Davengare, the Deputy Commissioner issued a Notification reorganizing 229 villages in the district into 85 village panchayats thereby effectively further reducing the scope of direct participation of the Gram Sabha and the people in the decision making process. Correspondingly, each Dalpati may be now required to reconstitute his Defence Party by including representation from adjoining areas outside the regular village, thus violating the natural bond of community which is at the heart of community policing. The legitimacy of the Dalpati which is already fragile because of the overriding bureaucratic orientation may suffer further erosion in the process of reorganization of the Village Panchayat, as an unintended consequence.

One of the recommendations regarding the strengthening of the Gram Sabha as an effective instrument of self-governance contained in the letter addressed to all Chief Ministers sent by Shri Babagouda Patil, Union Minister of State for Rural Areas, is that the relationship between the Gram Sabha and the Gram Panchayat must be similar to that existing between the legislature and the Government. The Panchayat must be made accountable to the Gram Sabha and members of the Gram Panchayat must hold office only as long as they enjoy the confidence of the Gram Sabha. But in actual practice, most State Governments with the honorable exception like M.P. and Kerala, have only done lip service to the constitutional directive to "by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level". State Governments have not only not recognized the Gram Sabha as a proper level for the devolution of powers, but have merely contented themselves with only transfer of functions to even large Panchayats, which amounts only to decentralization without transferring powers, as many examples like Rajasthan and Orissa clearly show. It is only in Kerala, alone among other States, that a substantially well defined paradigm for devolution of powers to the Panchayat has been developed. In a report submitted by the Committee appointed in 1996, under the Chairmanship of Dr. Satyabrata Sen, a comprehensive eight-point charter for devolution of powers to the Panchayat was

presented with a significant stress on including the General Body Meeting (equivalent to Gram Sabha in other States) and Ward Committees to form local organization like "Neighbourhood Groups" to stimulate and direct people's participation in development and administration. Kerala's recent success in organizing broad-based and voluntary community participation in the "Total Literacy" movement is a clear pointer to the potency of direct participation by the people for achievement of community goals.

While certain States have developed individual models for institutionalizing direct citizen participation in development administration in the true spirit of the Panchayati Raj movement in the country, the potential for including the existing institution of Dalpati to provide a parallel thrust to wards public participation in the administration of criminal justice, particularly in the rural area, has not received consideration or study. The key to this exciting possibility lies in the partial revival of the Nyaya Panchayat and integration of the Dalpati system into the Nyaya Panchayat which will permit true public participation in the administration of justice at the lowest level and accord greater legitimacy and acceptability to the criminal justice system, including the enforcement of law. Stated briefly, the process will consist of several legal and administrative reforms to enable Gram Nyayalayas to be set up, instead of Nyaya Panchayats, under the guidance of experienced judicial officers on the revised pattern recommended by the National Police Commission in 1981 and to enable the panchayat to be nominated from among Dalpatis who will be appointed directly by the Gram Sabha on a panel recommended by the police. This will at once obliterate the preponderance of the police role in the appointment and control of the Dalpati and raise the present status of the Dalpati by virtue of his direct participation in the proceedings of the judicial body, as a true representative of the community. Adequate representation to Daliths and women can be incorporated in the institution of Gram Nyayalayas in the new system. The Gram Sabha which is the source of people's power and the repository of democratic values will retain the power to recall the representatives, (as is already done in M.P.) whether in respect of development activity or the administration of criminal justice, so that they remain truly accountable to the community.

Integration of the Dalpati system into the Nyaya Panchayat (Gram Nyalaya) as indicated briefly above, appears to be the nearest approximation to the ideals of community policing in rural India and the only solution to the problems of Police – Panchayati Raj collaboration which have baffled innovators in the field such as Rajasthan which unsuccessfully experimented with sharing of police powers with Panchayats in the 1960s. The State of Rajasthan set up regular Panchayats and Nyay Panchayats for democratic decentralization of administration and invested the Nyay Panchayats with considerable powers relating to the administration of criminal justice as well as the maintenance of public order. Nyay Panchayats were conceived to be judicial bodies invested with both civil and criminal powers and were competent to take cognizance of a number of offences such as Section 160 IPC (Affray), 264 to 267 PIC (weights and measures) 323 IPC (simple hurt), 341 IPC (wrongful restraint), 379, 380, 381, 411 IPC (theft and receiving stolen property), 425, 428, 430 IPC (mischief) 447, 448 IPC (criminal trespass) 504/506 IPC (criminal intimidation) and a number of others. There was concurrent jurisdiction with the police in respect of many of them. Similarly for the maintenance of public order, the regular panchayat was authorized to raise a Village Volunteer Force much like the Village Defence Parties in Karnataka in intent but distinctly different in many important elements as regards the source of authority. Not only did the Panchayat reserve the right to raise the force, the police authority was consciously excluded from even verifying the antecedents of the volunteers, thereby making the Panchayat the sole source of power for exercise of legal powers and for establishing accountability. The Volunteer Force was to be commanded by Chief Officers who were again nominees of the sarpanch. Further, the police could requisition the services of the force only through the sarpanch and the application had to be forwarded to the chief officer only through the sarpanch. Most important, the general superintendence of the volunteer force rested with the District Magistrate. The separation of the Force from the control of the police was complete and might have been intended to ensure freedom from the coercive image of the police and to enforce accountability only to the Magistracy.

The Nyaya Panchayat and the Panchayat both however failed in exercising their powers and duties in respect of criminal justice administration and the maintenance of

public order, because of several inherent weaknesses of the systems. On the one hand, concurrent jurisdiction led to conflict between the police and the Nyay Panchayat and resulted in serious failure of justice. Accountability of either agency could not be established in many individual cases; on the other hand, the conscious effort made to exclude the police totally from the control of the Village Volunteer Force which was primarily meant for the assistance of the police in crime prevention and public order duties, led to its growing disuse by the police and ultimate decline. The intentions of the State Legislature in attempting to empower local self governing institutions in these important functions affecting the community might indeed have succeeded if certain inherent imbalances had been corrected at the conceptual stage itself. For instance, in its anxiety to insulate the village volunteer force, which was in effect an active community policing initiative, from the influence of the police, the legislature brought the Force under the control of the Sarpanch who is elected through the political process and further prohibited screening of members by the police. This led to the entry of undesirable persons into the Force and created factionalism in its ranks. In contrast, the Karnataka legislation which gave birth to the Dalpati institution provided for an over-dominating role for the police in the appointment and control of the Members and the Dalpati, to the virtual exclusion of the Panchayat in the process of managing the force. Transparency in the selection and appointment of Dalpati could not be ensured in this system nor could the Dalpati be made accountable to the local community. The Dalpati system which could have formed a nucleus of genuine community policing failed to achieve legitimacy and effectiveness on account of its failure to ensure transparency, and accountability to the local community.

In order to strike a balance between the extreme view points, which went into the drafting of the Rajasthan and Karnataka legislation, it has been proposed that the Dalpati may be directly nominated by the Gram Sabha on the basis of a panel of names screened and forwarded by the S.P. It is also necessary to incorporate the Gram Sabha's inherent power to recall the Dalpati in order to promote accountability. The Dalpati, so appointed, is likely to reflect the true interests of the community and become the Chief Organizer of the community in all matters relating to the administration of criminal justice. The elevation of the Dalpati to the Panch will further reinforce his



position in the local community and will help in providing public participation in resolving issues that are vital to the community's common interests, thereby enhancing legitimacy and acceptability to law enforcement functions in a greater degree than a police force imposed from outside can ever hope to achieve.

The Karnataka experiments in community policing, therefore, seem to offer important insights which are crucial for deciding the future direction of community policing in India, particularly in devising a reliable framework with legislative and administrative reform. It is also important to observe that the Bangalore city police initiatives in community policing have created an environment in which there is considerably improved relation between the police and the public which is conducive to greater participation in areas of mutual interest.

#### **Community Policing through Executive Instruction**

Karnataka which has been in the forefront of legislation on community policing for the rural area, and voluntary initiatives in the cities has not lagged behind in its effort to reorient its own police force to the concept of community partnership with intensive training and executive instruction. In Standing Order dated February 1994, the Director General of Police laid down clear and comprehensive guidelines to bring about active involvement of the community in the prevention of crime and the maintenance of public order. The object of the Standing Order was two fold:

- (a) to initiate measures at the police station level to befriend the people through better service, communication and interaction;
- (b) simultaneously to enlist the active participation of the community in both rural and urban areas in crime prevention and maintenance of public order. The measures initiated at the police station level aimed at making police-citizen interaction less threatening and influencing the environment of the police station to welcome the public. One important proactive measure introduced in the order is to emphasise the service orientation of police function by directing police personnel visiting villages/mohallas to be receptive to problems other than those related to crime, but are of concern to the community such as street lighting, water and power supply,

condition of roads, vacancies in Govt. schools and primary health centres, sanction of old age pension and grants to the physically handicapped, juvenile counselling, supply of essential commodities etc. The S.H.O – was directed to communicate in writing these grievances to the concerned departments for speedy disposal. Referral work of an extensive nature was therefore contemplated in these orders in order to generate goodwill and trust of the community.

The second important objective of enlisting active community participation was sought to be achieved by convening citizen's committees at regular intervals, not less than once a month, and more frequently whenever breach of law and order is apprehended. The citizen's committees, which should be representative of all sections of society, were expected to maintain communal unity and carry out other order maintenance functions and crime prevention work that are assigned in the rural area to VDP members. The existing institutions like VDPs, Home Guards, Traffic Wardens as also voluntary organisations were also considered as useful channels of communication with leaders in society. Incentives were proposed to be given to police personnel for significant contribution to community mobilisation and improvement of police public relations to facilitate increased participation of the public in community policing.

### **Other Models – National and Foreign**

States other than Karnataka which have resorted to the issue of executive instructions for implementing community-oriented police strategies include Andhra Pradesh, Meghalaya and Orissa. The Punjab Police Rules of 1941 have recognized the necessity of public co-operation for police work Rule 21.1 of PPR clearly states: 'the criminal law of India and the police organisation which is based upon it are both founded on the principle that public order depends essentially upon the responsibility of every member of the community within the law to prevent offences and to arrest offenders. The magisterial and police organisation is set up to enforce, control and assist this general responsibility'. This is closely akin to the principles enunciated by Robert Peel, particularly the well-known seventh principle : 'To maintain at all times a relationship at all times with the public that gives reality to the historic tradition that the

police are the public and the public are the police; the police being only members of the public who are paid to give full time attention to duties which are incumbent on every citizen, in the interest of community welfare and existence'. The British concept of policing by consent has evolved out of a long tradition of police community relationships based on these noble principles. Yet, it was found necessary to enact a legislation in 1984 incorporating the legal requirement to consult the community in section 106 of the Police and Criminal Evidence Act. The Home Office subsequently issued two advisory circulars a non-statutory blue print setting out appropriate forms and terms of consultation. As a result all but one or two of the 43 police authorities in England and Wales have set up formal police consultation committees. The Home Office has also advised on the kinds of issues that could usefully be the subject of discussion. They include ways of maintaining a relationship of mutual trust between the police and the community; ways of maintaining community peacefulness and improving the quality of life; promoting greater public understanding of policing issues such as the cause of crime; police procedures and law enforcement policies; considering the pattern of complaints against the police; fostering links with local beat officers; promoting joint crime prevention efforts through community action; developing victim support services; and so on (Mollie Weatheritt – 1988). These requirements were formalised through legislation and executive orders on the basis of the report of the Scarman Commission which looked into the causes of riots in Brixton in 1981 and which identified police behaviour as the precipitating cause of the riots.

As Friedmann points out, as important as the strategies of community policing, is the source of authority behind initiation of these programmes and to what extent powers can be shared. "Despite the obvious operational need to develop organisational plans at the agency level, which designs and provides policing, initiatives should emanate from citizens who as individuals and groups do not need to wait for the police to review and reform its services. Such initiatives are also advantageous in providing a variety of avenues for increased power sharing, which is a major concern in several countries. Power sharing means greater accountability and it means greater representation for citizens' grievances. It also means that through a sense of empowerment and ownership over their affairs, citizens gain a greater control over

seemingly mundane, but truly important aspects of their lives: (Friedmann -1994). The models of community policing attempted to be implemented in India would appear to fall into three categories as far this sense of "empowerment and ownership over their affairs" is felt by members of the community. The first set of programmes falls in a category of 'enforcement model' which continues to rely on police judgment and police discretion in the use of coercive force or other forms of enforcing the law, confining citizen partnership to carrying out auxiliary functions that the police considers appropriate to assign to the community or selected groups in a community to perform in the interest of 'co-production of safety'. Village Resistance Groups fall into this category. The police still engaging the community strictly by the law or police appreciation of it continues to engender community opposition. In certain circumstances, the community, despite its partial involvement in 'co-production of safety' might then protest, activate its own resources, often in other directions than the police's definition of law and order. In other words, the community may react grudgingly and may continue to remain alienated from the community. The second group of community initiatives, such as the 'Mass contact programmes' in Karnataka or more stridently as in the 'Police Image Project' launched in 1994 by the Tamil Nadu Police Department in which the police are predominantly or exclusively concerned with the improvement of their image, than the result of image building (essentially through public relations campaign) that is not accompanied by structural and procedural (Operational) change can be found to be disappointingly ineffective. In the third set of programmes seems to lie the seeds of community co-operation in proportion to the opportunity incorporated in these diverse initiatives, for the community to influence the decisions that might affect the nature of disorder or crime in its collective life. Through citizen participation initiatives of police and citizens alike can contribute to greater co-operation, such as the volunteer-based proactive programmes of Bangalore city or Mohalla Committee in Bombay amply demonstrate. This is not merely a case of citizens pushing the police 'to do something' but an attempt at a planned and structural approach to achieve viable change through increased participatory decision-making and some power sharing.

Legislative efforts and executive fiats would appear to have not attempted to address the cardinal issue of power sharing, while seeking to make policing participatory

in character. On the contrary, the direction in which these attempts proceeded would indicate that the community or the individual citizen was being told more explicitly and more firmly than before, that the task of policing entails specific responsibilities on the recipient of police services and that the executive reserves the right to decide what these responsibilities should be and in what manner and to what extent these should be performed by the community. It is probably for this reason that even an otherwise forward-looking legislation like the Karnataka Defence Parties Act, containing as it does the potential of alternate leadership and authority in the concept of Dalpati, did not find favour with many rural communities in the State, apart from other structural weaknesses which are more amenable to correction. The only genuine source of power-sharing and the one most congenial to the Indian genius is evidently the Panchayat in which decision making is achieved through a time-honoured process of consultation and consensus. No doubt, the Panchayat system was often subjected to gross abuses by the subjugation of subordinate castes, but the fact remains that with the new wave of awareness and even self assertion by these components of society there is a much greater degree of assurance against over-dominance and exploitation by the so-called upper castes or other affluent branches of the community. Panchayats also became breeding grounds for political polarisation, factionalism and extensive corruption in handling developmental funds. But, again, abuses that have crept into the system do not render the concept any less viable or desirable. The crucial question to be considered is in what manner and to what extent police can share power with the Panchayat.

## CHAPTER – VI

### THE PANCHAYATI OPTION

#### The revival of the Panchayat

Mahatma Gandhi conceived and visualised the notion of "Gram Swaraj" or "Panchayati Raj" as a complete, self supporting village republic vested with the combined functions of legislature, judiciary and executive. His theory was based on the fact that India had an ancient tradition of elected local bodies since time immemorial, entrusted with various functions and powers. According to tradition dating back more than three thousand years, qualified persons were elected in urban and local bodies vested with enormous powers and authority to administer them. All activities of village life – civil, educational, spiritual, cultural, judicial – were woven around the Village Panchayat and village temple, until the centralised administrative system brought by the British replaced village autonomy with control by the revenue district. Soon after India became independent, the Balwant Rai Committee was constituted to examine whether self-governing institution could be revived in rural India in consonance with Gandhiji's vision. Panchayats were formed throughout the country and though in some instances they were vested with judicial duties in the form of Nyay Panchayat, they were, by and large, as agencies of local development, mobilisation of local resources and of local participation in programmes of development.

#### The Gram Sabha

The Balwant Rai Committee envisaged only a three tier system of Panchayati Raj, the lowest tier being the Panchayat at the level of village. Although the Committee did not recognise the need for a body consisting of the residents of the village and to which Panchayat, an elected body, could be made accountable, several States constituted Gram Sabhas, or village assemblies facilitating direct and participative democracy in the ancient tradition. However, the Gram Sabhas, in the absence of a clear cut conceptual frame work and legislative support, did not function in most places

and remained dormant. One of the members of the Diwakar Study Team constituted in 1962 to assess the progress of the local self governing movement lamented the neglect of the Gram Sabha and observed "the report has not recognized unequivocally that at the village level the panchayat is the administrative body and the Gram Sabha the decision making body... by giving an advisory status for many years to come, it relegated (the Gram Sabha) to an inferior position vis-à-vis the Panchayat, leaving the field open for a few influential members of the Panchayat or at most the majority in it to have the run of the things in the village. This, I earnestly feel, will keep more people away from the Gram Sabha and will lead the Gram Sabha to wither away in course of time". Writing much later, Prof. Rajni Kothari expressed similar sentiments, "representative bodies have their inherent dynamics of power politics and willy-nilly end up vesting effective authority in the politician-bureaucrat nexus. The only way of making this nexus responsible and accountable is to provide larger citizen involvement in new variants of old institutions like the Gram Sabha which can combine older forms of informal consensus-making mechanisms with the more formal, institutionalised and legal forms decreed by legislation. With the new awakening in rural areas, these bodies have the potential of overseeing the working of elected bodies and overtime, with growing confidence that they cannot be brow-beaten by dominant individuals or castes, become a force to reckon with"(N.I.R.D – 1999).

### **Empowerment of People**

The 73<sup>rd</sup> Constitutional Amendment Act passed by the Parliament in 1992 gave a concrete shape to the popular aspirations to provide participatory democracy at the grass roots level, by enabling State Governments to empower Panchayati Raj institutions to function as institutions of local self-government and to plan and implement schemes of economic development and social justice. The Amendment also provided guidelines to institute Gram Sabha as a vital component in the respective Panchayati Raj Acts to be enacted by States. According to Article 243(b) of the 73<sup>rd</sup> Amendment to the Constitution, Gram Sabha means a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level. In general, most States have conceived the Gram Sabha as a primary body in the

Panchayati Raj system, intended to facilitate direct participation of the people in the decision making process at the local level. The Gram Sabha, thus, is at present a statutory body and an integral part of the Panchayati Raj system. However, in respect of functions assigned to Gram Sabhas, there is no uniformity in different States. Generally, the powers of the Gram Sabha have been made advisory in nature. The Panchayat, being the executive arm of the Gram Sabha, is admittedly a subordinate body but the reality is otherwise. The relationship has to be the same between legislative and government, in order to make the concept of participatory democracy a reality. The fact that Gram Sabha is a truly democratic forum wherein people can participate and interact directly and face to face and take decisions on issues of community interest makes it an institution full of promise and potential for true empowerment of people. The Central Govt. appears to have recognized this fact by declaring 1999-2000 as the year of the Gram Sabha.

### **Nyay Panchayat**

Economic development is not the whole story of the Panchayati Raj movement. The traditional role of Panchayats as adjudicating bodies was not forgotten. In fact, the Panchayati Raj legislation had provided for establishment of Nyay Panchayat to perform this traditional function. Nyay Panchayats were to be composed of people elected from the village gram panchayat or several gram panchayats in a cluster of villages. In this way the function of development administration and dispute adjudication were kept separate. Nyay Panchayats were to have both civil and criminal jurisdiction. Civil jurisdiction was limited by the value of the property involved, often not more than Rs.250/-; criminal jurisdiction was limited to offenses for which small fines could be imposed and jail sentence was not involved. There were many practical benefits in the system. Panchayat courts would be close at hand, uncomplicated and relatively speedy. Emphasis was placed on conciliation, not litigation. Lawyers were barred from appearing before them. Informality is stressed' contending parties could appear for themselves in the sight of the community. Nyaya Panchayats could also relieve an already overburdened judiciary of a multitude of petty offences and complaints.



The obvious advantages of the Panchayat Courts were evident even to the Indian Police Commission of 1902 which observed that "it is expedient to relegate the trial of petty offences to village headmen and Panchayats, and that where the system does not exist, it should be cautiously and experimentally introduced". The Law Commission of India (1954) endorsed the views earlier expressed by the Civil Justice Committee of 1925 "the Village Panchayat – villagers mediating between contending parties in their own village – has, in some form or other, existed in this country from the earliest times and that without resort to any elaborate or complicated machinery. The judicial work of the Panchayat is part of that village system which in most parts of India and Burma has been the basis of indigenous administration from time immemorial" (NPC, 1981). The Law Commission's recommendations in this regard and subsequently the report of the Study Team headed by G.R. Rajgopal helped in conceptualising the composition, jurisdiction and function of Panchayat Courts.

It is in this background that Nyay Panchayats were constituted in several States by Special Legislation. However, the findings of various committees appointed by State Governments to evaluate the working of the Nyay Panchayats presented a dismal picture. The Orissa Committee (1958) found that the Adalati Panchayat established itself only as a "compromising body". The Badal Team of Punjab (1960) felt that judicial functions be withdrawn from Gram Panchayats to enable them to perform their regular functions better. The Maharashtra Evaluation Committee (1971) felt that the entrustment of judicial functions to Panchayats "on the basis of democratic elections or otherwise are both out of place and unworkable" - and recommended its abolition. The Rajasthan Committee (1973) felt that Nyaya Panchayats were languishing for want of funds, secretarial assistance, lack of powers and peoples' faith and should be abolished (NPC 1971).

### **A New Model**

After examining the different views expressed and after carefully considering the innumerable practical difficulties in the functioning of the Nyaya Panchayats, the National Police Commission expressed itself in favour of the recommendations regarding

the composition of these bodies, with certain modifications. Preferring the nomenclature of "Gram Nyayalayas" in order to avoid any impressions of extension of the Panchayats, the Commission proposed that the court be presided over by an experienced public servant, assisted by two lay members to be appointed by the District Judge from a panel of names recommended by the Panchayat Samity/Block Committee. While several courts within the jurisdiction of a Panchayat Samiti (comprising 8 to 10 Panchayats) will be presided over by the same officer, the lay members of each court will be separate. The court will be held in different locations by rotation. Criminal jurisdiction of the same has been restricted to known accused and to offences of a minor nature. Division of powers and duties between regular courts and police stations from Gram Nyayalayas has been drawn up with care to avoid any confrontation or duplication of work. These courts shall not be bound by procedural codes or law of evidence and their proceedings shall be in the nature of inquisitional enquiry which involves the court ascertaining facts directly instead of merely functioning as an adjudicating body to give its view on two persons put before it. For this purpose, assistance could be procured from functionaries of village police or duly constituted voluntary bodies. Parties to the proceedings in the court shall not be allowed to be represented by lawyers. The court shall not be competent to award any sentence of imprisonment, even in default of payment of fine. It was estimated by the National Police Commission that if Gram Nyayalayas were set up on the lines it recommended, there would approximately be about 24,000 such courts, facilitating quicker disposal of cases and preventing vexatious litigation. Schedule prepared by the Commission listing offences under the Indian Penal Code over which Gram Nyayalayas will have exclusive criminal jurisdiction is appended as Annexure-I.

### **A Natural Ally**

No other agency in democratic experience could have achieved the ideal of community participation so perfectly as the Gram Sabha and Nyaya Panchayat, if they were allowed to develop and take root in the Indian community policing context. The traditions of the natural village community are preserved in the concept of the Gram Sabha and the Nyaya Panchayat is only an expression of people taking charge of issues of immediate concern to their lives. Their relationship with the police however need to

be freshly defined as police system introduced by the British virtually destroyed the native traditions and could not identify itself with the community's perception of crime control or order management. According to Bayley's analysis, the Panchayat system touches the police in two ways: first, through its jurisdiction in certain classes of criminal offences; and second, through its authority over the rural police (Bayley:1969). Common jurisdiction of Nyaya Panchayats and the police may cause problems of co-ordination, as demonstrated in the police-panchayat collaboration efforts in Rajasthan. In some cases, the police have taken the view that cognizable offences within the purview of Nyaya Panchayat are not longer a police affair and that enforcement should be left to the village and Panchayat personnel. In other areas the local police have undertaken to assist Nyaya Panchayat by turning over records to them, by urging attendance of witnesses, and even by acting as prosecutors before the Panchayat Courts. Under the existing law, police have a duty to investigate cognizable offences and cannot avoiding doing so even though Panchayat Courts have joint jurisdiction with magistrates courts. The Study Team of Law Ministry attempted to solve this problem by recommending that the police should hand over such cases to the Panchayat Court after completing investigations, for hearing and judgement. In this way, they hoped, village self direction, police responsibility and public safety could also be ensured.

Panchayats also become involved with the police in areas where they exercise authority over rural police and volunteer bodies in terms of payment of allowances and supervision of duties. Again owing to dual authority, Panchayats and district officers may come to confrontation with each other. Where Panchayats were authorised to exercise magisterial powers, requiring enforcement by the police, similar clash of interests arise. The Study Team of the Law Ministry were of the view such powers should not be exercised by Panchayats, in conformity with the principle of limiting panchayat jurisdiction to minor criminal matters. But the abuse of legal powers, either out of ignorance or out of perversity can be considerably curtailed by reforming the Grama Nyayalaya as suggested by the NPC and by making the Nyayalaya strictly accountable both to the Gram Sabha of the concerned area and to the higher judicial authority. The obsession with restricting Panchayat Court with petty offences also needs to change in consonance with the improvements sought to be brought about in

the court's structure, as also the empowerment of the gram sabha by devolution of more powers in course of time. What is important is to recognise the autonomy of the village, represented by the Gram Sabha, subject of course to the rule of law and the principles of natural justice. Participatory democracy cannot be pursued meaningfully unless there is readiness to share power. So is the case with community policing which can thrive only in an environment of co-operation. By empowering the Panchayat Court gradually to deal with a wider category of cognizable offences, the law courts and the police would be required to share power and strengthen the participative process of administration. As prophetically observed by Bayley three decades ago, "members of Panchayats are bound to feel that village democracy is truncated if basic conditions of life and property are completely outside their proper consideration". The prophecy has come true; it is not an ordinary member of a village panchayat but a Senior Cabinet Minister who has said that purposeful decentralisation could be attained only by bringing policing and law and order mechanism under local bodies and Panchayati Raj System. "I believe decentralisation is not only distribution of funds but also administering effective law and order" the Minister is quoted as having told a Seminar on 'Government and Social Justice' (The Hindu: dated 17<sup>th</sup> January, 2000).

### **Rural Police Reforms**

"Co-production of Safety' by active involvement of the community in police tasks is likely to be more frequently raised in political discourse is bound to confront with certain other issues of police effectiveness. One such issue is reforms of the rural police, to be taken up along with wide-ranging reforms in development administration and in transparent governance that are currently under way. Vestiges of the traditional Chowkidari system still remaining in parts of India are in a deplorable state, owing partly to the neglect of the institution and partly the decline in its efficiency. Abolition of the Chowkidar system has not been favoured for many reasons'. On the contrary, suggestions have been made to improve it. But some of the reasons referred to in Bayley's analysis no longer hold good. For instance, it is not realistic to believe that the Chowkidar's presence deters criminal activity. But it is true that replacing them with beat constables would be prohibitively expensive. What is perhaps more compelling is

the fact that the village police agent like Chowkidar is an integral part of the village as no outside policeman can ever be. Therefore he is able to provide criminal intelligence of a unique order. Bayley also believes that the Chowkidar is part of a village tradition which is close to people's hearts. "Indians believe, as many Americans and British do, that there is virtue in local control. This is a first axiom of political life, to which people are deeply committed emotionally. Better to be in the hands of the Chowkidar, is the thinking, than of a Sub Inspector police who knows nothing of the village, was himself brought up miles away, and who takes orders from remote authority" (Bayley, 1969). Whether the same nostalgia still clings to feelings in rural India even today is difficult to say. But the Chowkidar is a connecting link with the past and the abolition of the post would represent an unacceptable break with that past.

One suggestion for improving the rural police arrangement has been conversion of armed police personnel to civil duties in the rural area. While there is some merit in the argument that the maintenance of a bloated armed wing is in contradiction with the principle that a civil constabulary should be unarmed, as Robert Peel believed, but the danger of insecurity owing to terrorism, insurgency, communal strife, gangsterism etc. has been staring urban society in the face and any large scale depletion in armed reserves would only heighten the sense of insecurity and fear of crime. Caught in this impasse, Indian Police has no option except to break out of the mould of the past and to experiment new, bold innovations, feels Bayley (D. Bayley, 1969). There could be no disagreement with such an assessment of the situation even today, leaving the door wide open for considering alternate options to improve police effectiveness in the rural area. It is here that the concept of community participation becomes particularly relevant and pressing. Voluntary police agencies such as Defence Parties duly empowered through power sharing is one obvious option but how to achieve it without unduly disrupting the existing police fabric will continue to engage attention of policy makers and police leaders. Will it suffice to bring the regular civil police under the control of Panchayats, as apparently suggested by a Senior Central Minister? For one thing, changing the pattern of control of police is not going to solve the basic issue of shortage of manpower. There are just not enough men to do beat patrolling or take up any other new responsibilities as organising crime prevention or problem solving.

Developmental work in the villages also means greater opportunities for committing crimes. Insecurity spreads to the rural area through terrorist/gang movement. Social unrest, political upheavals and communal/caste strife affect villages directly. There is therefore a greater need for more policing, than less and of course, better policing. Changing control of police, for the mere sake of change, will not do.

### Options for Change

As briefly alluded to earlier, one major reason for failure of legislation and executive orders to involve the community in police work and thereby provide additional resources for the police to lean back upon, is the absence of incentive to the average citizen to come forward to help. More than monetary rewards, the conscientious citizen would be drawn by the sense of participation and a need for recognition, in collaborating with efforts in which the whole community has a stake. Co-production of safety signifies a mission of honour, provided it is clothed in a symbol of authority. Any organised effort to mobilise the community in the aid of the police has to be preceded by an open acknowledgement that the power of the police to maintain order and to prevent crime can be shared with the community. In concrete terms such a policy and strategy involves the following essential components:

- (a) An adequate legal framework within which such power sharing can take place effectively without inhibition;
- (b) A psychological environment which promotes the feeling of partnership and equality with the police;
- (c) Physical and material support such as training, uniform, weapons if necessary and premises;
- (d) Social recognition and advancement in circumstances and status.

These may be discussed one by one.

Legal Frame Work: (a) to empower the Gram Sabha;

(b) to enable Dalpati to perform functions effectively.

Empowerment of the Gram Sabha is of the highest priority, because for any sustained and meaningful community participation in police work, the Gram Sabha should act as the source of authority. Among other powers and duties at present assigned to the Gram Sabha, maintenance of order may be added by legislation. The Gram Sabha has to be accorded the status of the legislature for purposes of equation with the Panchayat which will remain the executive. Once the Gram Sabha has been formally invested with the status and authority to maintain order in the area of its jurisdiction, other subsidiary powers may be conferred on it such as the power to nominate a panel for the appointment of Dalpati and the power to recall a Dalpati found wanting in efficiency or good conduct, to regulate assemblies or processions through the Dalpati, to assess the conduct and performance of any particular police official in charge of that area, to regulate sanction of firearms, to remunerate volunteers from Panchayat funds and such other functions to ensure stability and order in the community. For this purpose, the Gram Sabha may meet as frequently as possible or as necessary and at least four times a year as prescribed at present with a quorum of 75% members present and attending.

(1) Authorisation of Dalpati:

He may be authorised to assist the police in all the tasks enumerated in the Karnataka Act and in addition to take lawful steps for the maintenance of order in his jurisdiction subject to the general control and supervision of the Gram Sabha on. He may also be authorised to carry out surveillance, verify antecedents, recommend licenses, conduct enquiries as Panch or on behalf of another Panch, carry out part investigation of cases as may be required by SHO I/c of the police station, not involving summoning of witnesses/arrest etc., serve all processes except execution of non-bailable warrants, produce witnesses etc. The Dalpati will be eligible to be nominated as Panch. He will also be authorised to accompany suspects/witnesses to the police station and remain present with them during interrogation. The Dalpati may also conduct drill and training for school children and youth and supervise traffic control through VDS members, when necessary. For these duties, the Dalpati has to be recognized as a

Special Police Officer by public notification. Provision should be made to compensate his expenses for official duties including visits to the police station which may be frequent.

## 2. Psychological environment:

Order maintenance goes with the prestige of the office. The Dalpati may be designated as a key official of the Gram Sabha and given a pride of place in all meetings. He should invariably be allotted a separate room for his use in the police station, which may be shared by Dalpatis visiting the police station. He should be entitled to compliments from police constables. The Supdt. Of Police may call monthly meeting of all Dalpatis or in groups and discuss all relevant issues with them. The Dalpati may be issued with an official free pass for journeys by public transport and allotted a seat, such as done in States for MLAs on long distance buses. Whenever applicable, govt. should liberally sanction loans for acquiring motorbike/scooter for his personal use and for purchase of a licensed firearm.

## 3. Social Recognition, Material Advancement:

More than salary or allowances, the Dalpati will be eager to earn the recognition given on social occasions through invitations from SP/DM and a special place in all gatherings in his own locality. The status of a full-fledged S.I. in uniform may be extended, by official protocol, so that the community views him as a leader properly recognized. Dalpatis may be given priority in allotment of sites, shops and other public utilities. He should be made eligible for loans from financial institutions and preference for recruitment to Police/Army. Incentives of appropriate level could be considered for Members who may also receive a token honoraria in acknowledgement of their services and status as may be viable financially.

Apart from giving recognition to various agencies of the Panchayat involved in the order maintenance functions of the community, it would be essential to bring about a closer integration of the civil police with the community not by subordinating it to the Panchayat as discussed above, but by making the police accountable to the Gram



Sabha, the legislative body, through an appropriate mechanism for performance appraisal in respect of duties performed by police personnel in the jurisdiction of each Gram Sabha. The Gram Sabha's assessment of work and conduct should carry a lot of weight in determining postings, rewards and promotions for police station staff, including the Sub Inspectors. The SHOs work however will not be subject to scrutiny by any individual Gram Sabha. Care should be taken to eliminate bias in the assessment. Gram Sabhas should also be authorised to sanction monetary rewards and commendations to police personnel. It would be desirable to make it obligatory for visiting senior officers to personally attend Gram Sabha meetings and discuss order maintenance, as also issues relating to crime. Deployment of special police, beat arrangements, special crime drives, posting of fixed pickets and similar other police arrangements should be discussed and finalised in consultation with the Gram Sabha. Another important aspect of police supervision would be to deal with complaints against police personnel. A Civilian Board could be constituted at Panchayat Samiti level for hearing major complaints while Gram Sabha could be used as a forum for ventilating minor grievances. The objective of the entire strategy would be to ensure that police personnel, especially those at the cutting edge level, are made to feel accountable to the Gram Sabha which is the source of democratic power and legitimacy for enforcement functions. The required provisions will have to be made in the Police Act and made statutory.

### *Dimensions of Panchayati Option*

The challenges offered by the Panchayati option of community participation in policing are multi-dimensional. The distribution of population in the villages is the first major consideration for community participation. According to figures published by the Ministry of Rural Development 48.5% of the villages, comprising 3,18,663 villages come under the category of a population range of less than 500 people and 24.5% villages, comprising 1,32,990 villages come under the category 500 to 1000 people. Again, 16.9% the villages, numbering 81,973, have population between 1000 and 2000. People's mobilisation for participative functions, whether in the realm of development or in order maintenance, under such circumstances, offers the biggest challenge to

administration. The task of revitalising the Gram Sabha therefore assumes the total involvement of all agencies concerned with rural development. With the transformation in the police role into one promoting quality of life issues in the neighbourhood community policing holds great potential in promoting this mammoth task. In a programme entitled Local Initiatives Support Corporation launched in New York city in 1994, experiments have been conducted which examined how police and community development agencies might join forces to make communities safe enough for successful, reasonably sustainable economic development. The strategy applied is 'the threshold identification of tractable problems common to both development and order maintenance (W.A. Guller – Crime and Delinquency, 1998 January). Innovations of this type will further accelerate community mobilisation and enrich police-public partnership.

The Panchayati option also involves civilisation of the police, to a considerable degree, particularly in the context of widely distributed rural communities. Voluntary participation not only reduces the cost of policing substantially, but permits utilisation of the regular civil police for more arduous tasks such as handling organised gangs, dealing with emergencies and attending to other enforcement tasks. The availability of volunteers for multifarious duties relating to order maintenance functions releases the pressure on regular police. Skolnick and Bayley who surveyed community policing efforts in six U.S. cities concluded "our investigations have persuaded us that the more a department is civilianised, the greater the likelihood that it will successfully introduce and carry out programmes and policies directed towards crime prevention". The reason is that civilisation or volunteer participation, tends to promote community mobilisation as there is a greater degree of cohesion in such groups. With proper motivation, volunteers are likely to achieve superior quality of community mobilisation than what an outside police agency can hope to make.

The Panchayati orientation to policing also raises a fundamental question of how to delineate the areas for informal social control and for formal police intervention. "As police take over crime scenes, they receive legitimacy from the public but if such relations between formal and informal social control aspects are not more clearly defined, the formal control of policing may get in the way of informal control as well as

lose the much sought after legitimacy and support" (Friedmann 1994). The police also has to prepare itself to co-operate with the community and its agencies. Not only police structure and practice will lead modification, but the nature of co-operation with the public and other agencies. Manning (1984) acknowledges the need for police organisational change, legal change, change in the practice of dispute definition and resolution, performance evaluation and a reward structure for police officer. "Such changes, of course, will not be achieved without sufficient preparation and readiness to overcome external as well as internal resistance or competing visions of policing" (Morre and Trojanowics, 1988). In a way, policing policy is to be developed by both public and private resources and agencies to guarantee their effectiveness under acceptable democratic standards (Bayley, 1988).

## CHAPTER – VII

### THE CHALLENGE OF POLICE REFORM

#### Resistance to Reform

It must be readily acknowledged that the path towards the goal of community orientation to the police has many hurdles, the chief among which is an entrenched tradition of resistance to change and reform in the police ethos and organisation – a tradition nurtured not only by vested interests in the police system, but equally strongly by the political executive, the civil bureaucracy and strangely enough, even by large segments of the community who happen to be the opinion makers. The reasons differ but attitudes are similar. For the police, the motivating factors to maintain the status quo are partly operational and part attitudinal. Civil strife, mass violence, group clashes and organised crime which have characterised India's social and political life for the past several centuries have created a climate in which a centralised, well organised and highly disciplined and trained law-enforcement agency alone can maintain a reasonable degree of social stability which makes civil society possible. The Indian police which was organised on a semi-military pattern managed to establish control over violent groups during the British colonial days and could not relax its vigil and the degree of armed preparedness even after the country attained independence. Police resources to deal with violence and disorder multiplied several times, as the maintenance of law and order became the highest priority. It even defied the federal structure of the country and the division of powers between the Centre and the States by creation of central police forces like the C.R.P.F. which were often called out to control violence in all parts of the country. A special unit called the R.A.F. (Rapid Action Force) had to be created to deal exclusively with communal disturbances in various States. All these developments underscore the perpetuation of a militarist, enforcement role of the police which is not conducive to the growth of a community orientation. Operational requirements have thereby tended to mould the psychology and attitudes of the police agency which has continued to call itself a force and consider its main function as enforcement.

For the political executive, reform in the police holds no attractions. The Police Act 1861 drafted by the British eminently suits the objectives of the executive authority by leaving the unpopular job of using coercive force to the police force without being bothered by the legitimacy of such action. Obedience to the executive is the key to police work, conformity with the law and the community's interests being secondary in nature, despite frequent claims made to the contrary. The total subjugation of a force-wielding arm of government to the political executive and to the civil bureaucracy does not leave room for debate or discussion on redefining the role and function of the police. The subordination of the police also has enabled the party in power to direct the use of force towards achievement of partisan objectives, in total violation of the rule of law. Perpetuation of the police culture of repression has helped political leaders to project an image of exclusiveness and elitism which are part of the trappings of power. The civil bureaucracy habituated to remaining in the shadow of the political leadership has similar reasons to resist change or reform in the police.

Little wonder then, that the bureaucracy and the political executive laid aside the crucial recommendations made by the National Police Commission appointed in 1977 and which submitted eight reports between 1979 and 1981, each comprehensive in its sweep and path-breaking in the direction of its recommendations. The second report, in particular, contained the seeds of what would have developed into a new orientation to the police function of service to the people and not merely as an adjunct of the political and executive arm of the govt. by according legitimate authority and providing for corresponding accountability to the head of the police force. The Commission struck at the root of the police ineffectiveness and police isolation from the public by recommending doing away with provisions in the Police Act of 1861 which perpetuate total submission of police to executive authority and underlined "police responsibility for absolutely impartial service to law in complete independence of policy" (emphasis added). The Commission went on to add, "we hold this as the most fundamental concept for observance in the police system in democracy". The Commission also drew pointed attention to the fact that law enforcement cannot, however, be held as an objective by itself and that it may be viewed as a fundamental duty and responsibility with the ultimate object of preserving peace and order, protecting the life and property

of the people, and what is more, protecting the constitutional rights conferred on them. These profound observations of the Commission, coupled with a call to make suitable working arrangements and safeguards that would enable the police to perform this role, remained a cry in the wilderness as successive governments of different political hues, came and went, both at the Centre and in the States, which had a particularly high stake in the administration of the police.

### **Reform in other Countries**

As earlier discussed, the United States which was born out of a struggle for independence fought by 13 British Colonies against their English masters, much like India, offers an interesting study in contrast, as a remarkable story of evolution of policing in a democratic society. What is significant to recall here is that after setting up a Constabulary patterned mainly on the British model between 1845 and 1855, the American passion for individual freedom and democratic values did not permit the status quo to remain and impede the quest for improvement and reform in the police role and function. With unrelenting experimentation and painstaking study, as already noted, the American model has always remained adaptive to the aspirations of the people and rooted in the rule of law. Police reforms in the country of its origin, Britain itself, reflected the basic responsibility of police for enforcement of law in a fair and impartial manner without any obligation to implement the mere intentions or desires of the government as expressed in their policy declarations, as different from duly promulgated law. Friedmann (1992) observes that perhaps in no other country has such a comprehensive dialogue concerning police policy started as early as in England. "Following the formation of London metropolitan and paid police force in 1829 traditional policing was ever since challenged by questioning the extent to which policing can be carried out by consent, particularly at times of social change and upheaval" (Friedmann, 1992). How unlike India!

For instance, in 1960 a Royal Commission was appointed with terms of reference wide enough to look at the fundamental principles underpinning the police service. The Commission was asked to review the constitutional position of the police and the

arrangements for controlling and administering them. "The years following the publication of the report – and the subsequent recommendations of the Police Act of 1964 – were fertile ones for police innovation" (Mollie Weatheritt – 1988). Once again, it was the report of another Commission, the Scarman Commission which looked into the urban riots of 1981 which paved the way for bringing about a series of reforms mainly aimed at making police more responsive locally and led to the enactment of the Police and Criminal Evidence Act ((PACE) 1984 incorporating an important provision making it legally mandatory for the police to consult the community on important issues of law enforcement. As a result of this legislation, consultative neighbourhood committees were constituted in all 43 police forces in the country, significantly advancing the implementation of the community policing concept in U.K.

Nearer home, the bold innovations adopted by Singapore in its policing policies stand out in their scope and effectiveness. Singapore which gained independence in 1965 shared many of the problems that India is facing to-day, including ethnic conflict, soaring crime, insurgency and politician-criminal-police nexus (S.K. Rizvi – 1999). Today the same Singapore is rated as one of the safest cities in the world and much of this dramatic turn-around is attributed to the adaptation of a radically different reform process based mainly on the Koban system of Japan. These reforms brought about a significant shift in police relationship with the public as one of partnership in addressing problems of crime and disorder. The Singapore govt. at the same time, enacted strong legislation to control proliferation of firearms and to check the drug menace. Contrary to the Western tradition, the interest of the law abiding majority has been placed well above the rights of the criminal minority in Singapore (Rizvi-ibid). As a result of these revolutionary steps in reform, Singapore is credited with substantial reduction in crime rates during the short span of one decade commencing 1988 when the reform process was first introduced.

### **The Challenge of Crime and Disorder**

The movement for police reforms has evidently been an ongoing process in all the countries mentioned above, despite wide divergences in their social and political

traditions. The main thrust of the reforms would appear to have been the enhancement of organisational effectiveness in terms of the quality of its service to the people and securing a fair degree of legitimacy to its enforcement functions. Such universal concerns have seldom been voiced in India and the response of the political executive to the first such initiative by the National Police Commission has already been commented upon. It is certainly not the case that the police organisation has become effective in controlling crime and in maintaining order or that it has secured the degree of public legitimacy in its enforcement of function, and therefore, there has been no urgency in introducing reforms. On the contrary, things have only taken a turn to the worse. Crime has been steadily on the increase, as borne out by official figures published in the 1997 issue of "Crime in India" brought out by the NCRB. According to these data, the rate of total cognizable crimes in the country during 1997 was 671.2, an increase of 5.0 per cent over 1987, with a compound growth rate of 0.4% percent per annum. The trend is continuing as the figures furnished in the Mid-Term Review - 199 show: compared to January-June 1998, the incidence of IPC crimes and Special Local Law crimes each recorded an increase of 2.3 per cent and 4.7% respectively at the national level.

**INCIDENCE & RATE OF TOTAL COGNIZABLE CRIMES UNDER INDIAN PENAL CODE (IPC) AND LOCAL & SPECIAL LAWS (LSL) DURING 1989-1999**

Sl. No	YEAR	ESTIMATED MID-YEAR POPULATION* (IN LAKHS**)	INCIDENCE			RATE		
			IPC	LSL	Total	IPC	LSL	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	1989	8118	1529844	3847665	5377509	188.5	474.0	662.4
2	1990	8270	1604449	3293563	4898012	194.0	398.3	592.3
3	1991	8496	1678375	3370971	5049346	197.5	396.8	594.3
4	1992	8677	1689341	3558448	5247789	194.7	410.1	604.8
5	1993	8838	1629936	3803638	5433574	184.4	430.1	614.8
6	1994	9000	1635251	3876994	5512245	181.7	430.8	612.5
7	1995	9160	1695696	4297476	5993172	185.1	469.2	654.3
8	1996	9319	1709576	4586896	6296562	183.4	492.2	675.6
9	1997	9552	1719820	4691439	6411259	180.0	491.1	671.2
10	1998	9709	1703312	4325137	6028449	175.4	445.5	620.9
11	1999\$	9866	1721158	4593676	6314834	174.5	465.6	640.1
12	% Change in 1999 over 1989	21.5	12.5	19.4	17.4	-7.4	-1.8	-3.4
	% Change in 1999 over 1998	1.6	1.0	6.2	4.8	-0.5	4.5	3.1



The gravity of the level of insecurity in the country can also be gauged by the fact that there has been a steady increasing trend, during the last 3 years, in 'violent crime' in the country. 'Violent Crime' has been classified in the following manner:-

**1. Violent Crime affecting Life**

- a. Murder
- b. Attempt to murder
- c. Culpable homicide not amounting to murder
- d. Dowry deaths
- e. Kidnapping and abduction.

**2. Violent crime directed against property**

- a. Dacoity
- b. Preparation and assembly for dacoity
- c. Robbery

**3. Violent crimes affecting public safety**

- a. Riots
- b. Arson

**4. Violent crime against women**

- a. Rape

Of the total 2,49,800 violent crimes reported in 1997 39.6% were those affecting life (98,638 cases), against property 12.5% (31,507 cases), affecting public safety 41.8% (1,04,175 cases) and against women (Rapes) 6.1% (15,330 cases).

The annual survey also finds that an increasing trend has been steadily discernible in those categories during the last 3 years, particularly in respect of violent crimes affecting life which went up from 95,939 in 1995 to 98,638 in 1997 and those directed against women which went up from 13,754 in 1995 to 15,330 in 1997. The crime scene in India does not obviously offer much comfort to the police leadership or to the policy maker.

### Order Management Problems

The state of public order, posing serious challenge to the effectiveness of the police and often challenging the legitimacy of its operations, is not any more reassuring to the citizen. The bewildering complexity of conflictful situations that the police is called upon daily to mediate, resolve or disperse and the equally striking inevitability of public hostility to police action to restore order can be glimpsed, at least partially, from a cursory glance at the daily reports splashed in major newspapers published from important cities in the country. On a typical day like Friday, the 1<sup>st</sup> October, 1999, the following samplings of important events and debates are collected from English national dailies such as the Indian Express, The Statesman and the Hindu:

1. In an article entitled 'Politics muddies river water issues', the Hindu notes that Water has traditionally been an emotive issue the Karnataka-Tamil Nadu region whipping up public passions and leading to large scale riots and loss of lives in the past. An impending crisis referred to in the article was averted not by police preparedness, but by sudden showers in the affected areas! Referring to similar other issues simmering elsewhere in the country, the article recalls the recent gunning down of two engineers at the site of construction of the Sutlej-Yamuna link canal.
2. The Indian Express notes the current stage of an on-going agitation by those spearheading the Narmada Bachao Andolan (Save Narmada Campaign) directed against the construction of Sardar Sarovar Dam, forcing the World Bank to cancel its earlier commitment to provide aid. The intrepid leader of the popular movement and 385 associates have been in jail since September, 23. The leader has

announced that she would be going on indefinite fast in Dhula Jail in M.P. from 2<sup>nd</sup> October.

3. In the city of Calcutta, the police opened fire in Tigala to control rioting mobs protesting against the failure of the civil administration to check flooding from the drainage system which is 144 years old, reports the Indian Express. The paper remarks that the people's growing impatience and frustration with the city administration was once again evident (yesterday) when passengers, angry at regular traffic snarls, pushed two policemen out of a running bus, leading to the death of one of them.
4. Meanwhile, the government in the national capital territory New Delhi was gearing itself upto face a serious water shortage, according to the Statesman. Deputy Commissioners have been asked to stop all direct water connections from the mains as the practice leads to both theft and wastage of water. In East Delhi, near riot situations were averted by the police, following continuous failure of electricity for over 24 hours. The situation is complicated by the theft of electricity in the 107 unauthorised colonies, with the open patronage of local legislators, reports the paper.
5. The "Hindu" has banner headlines "shoot-at-sight" orders in Amethi, Berhampur" referring to stringent security measures enforced in the two sensitive parliamentary constituencies for the final phase of the Lok Sabha elections under way. The news item starts like this "The curtain came down this evening on the longest, dirtiest and most tiresome political campaign in independent India for any general election". The news item goes on to add that "shoot-at-sight" orders have been issued against poll-offenders in the two sensitive constituencies of Amethi in U.P. and Berhampur in Orissa.
6. "The Indian Express", reporting from Hyderabad quotes an order of the Andhra Pradesh High Court directing officials to take stringent steps to ensure peace during poll in Narasaraopet where earlier in the week a bomb blast had caused death and

destruction and further raised a serious controversy about unfair practices alleged in police investigations into the blast. A delegation met the State Governor to demand suspension of police officers who showed a "complacent attitude" in the investigation of the case, as observed by the High Court which ordered transfer of investigation to the CBI.

7. The mammoth exercise of maintaining order in 7, 73, 708 polling stations in the country to enable 620 million voters to exercise their franchise in the world's largest democracy is further complicated by militancy and insurgency in some parts and an underlying current of communal tensions in others. The Indian Express news item captioned "They come calling at night, chop off fingers that voted" gives a chilling account of extremist reprisal against those villagers who voted on 18<sup>th</sup> September, in defiance of the poll boycotts call given by Maoist Co-ordination Centre in Tendura, Bihar. The report says that extremists have chopped off the hands and fingers of those who voted. The same paper reports on the extremist ambush of a police party escorting ballot boxes in Dimapur Nagaland. While the Hindu refers to violence in Kashmir leading to the death of a Nationalist Party leader, some militants and one police constable, 'The Statesman' speaks about the attempt made by ULFA militants on the life of a Minister of Assam leading to the death of one policeman and three civilians in Darrang.
8. Even the comparatively peaceful State of Kerala is rocked by poll-related violence according to "The Hindu". The police was reportedly planning a massive search operation to unearth stockpiles of explosives following the killing of two party workers in bomb blasts in Kannur.
9. Stoking of communal passions during election time is another subject on which many reports focus. In a Delhi report, 'Statesmen New Service' narrates how the State Govt. has accused the opposition party of attempts made to install a statue clandestinely in Bawana with the intention of provoking castiest and communal passions. The Hindu refers to the torching of a Church in Nagarcoil district of Tamil Nadu and warns of attempts to disturb communal peace in the state. "The Hindu"

also features a centre piece by Rajeev Dhawan captioned "Is India a Communal National?"

### **Public Hostility**

Viewed against this backdrop of violence and disorder faced by the police, the reports of adverse public reaction to police action stand out in sharp relief. At a time when we read of "Shoot-at-sight" orders issued by certain State Governments, two prominent news items appearing in "the Statesman" make startling reading. Captioned "uproar in Gujarat Assembly over Surat firing" and 'suspensions draw IPS ire" the despatches from Ahmedabad depict the dilemma of the police by showing how the Gujarat assembly witnessed uproarious scenes clamouring for the suspension of senior police officers who opened fire in Surat to quell a rioting mob of communal agitators and how the IPS association of the State protested against Govt. action and further obtained a stay order from the Gujarat High Court against the proposed punishment. The officers claimed that the suspension was politically motivated and any decision as to whether excessive use was used by the police should be left to the judicial inquiry to make. The fact is that seven persons were killed when police opened fire to control disturbances following a religious procession and there was a public outcry against police action. "The Hindu" reporting from Ahmedabad added yet another dimension to the incident by presenting the State Govt.'s response in a different light, suggesting that the Chief Minister was hard put to meet the allegation that communal violence in Surat was being provoked by none other than his own party workers who were no larger under his control. The controversy, it appears, will take a long time to settle down.

### **Police Misconduct**

Apart from the pressures constantly exerted by the external environment in what the police is placed, the organisation is often convulsed by reports of gross abuse of authority and serious misconduct within its own ranks. "Two specific problems which confront civilised democratic governments are police brutality and corruption, both of which greatly affect police image". (R.K. Raghavan, 1999). This is no doubt a

phenomenon not unknown to even highly developed countries like the USA and the U.K. What is alarming in the Indian context is that the evil of corruption has shown no signs of abatement since the days of the British Raj. The Police Commission of 1902 made trenchant observations "There is no part of our system of government of which such universal and bitter complaint is made... The evil is essentially in the investigating staff. It is dishonest and it is tyrannical" (Police Commission Report 1902). The National Police Commission of 1977 found that the situation had hardly changed "What the Police Commission said in 1903 would more or less fully apply even to the present situation. If anything, the position has worsened" (Third Report of NPC 1980:25). There are frequent outcries in the Press, also in other social and political forums, against the gross abuse of police authority to collect money and other favours to benefit an individual officer or groups of policemen. The commonest methods of doing in this non-enforcement of liquor, prostitution and drug laws and a highly dangerous dimension is added to this bleak scenario when gun-running is allowed on the sly. As observed by the N.N. Vohra Committee in 1993, crime syndicates and mafia organisations have developed muscle and money power and established linkages with government functionaries, political leaders and others to be able to operate with impunity. (The Hindu, 2<sup>nd</sup> August, 1995). Other forms of corruption exist in arbitrary arrest and bail decisions as also unauthorised detention of suspects is gross abuse of the wide discretionary powers vested on the police.

### **Use of the Third Degree**

Perhaps the most serious charge raised in the Press and other forums against the police is that they resort to use of force to extract confessions from suspects under police detention, sometimes to the extent of causing deaths in police lock up. This is one area where the Govt. has been forced to bring about legislation in the form of setting up the National Human Rights Commission in 1995, headed by a retired Chief Justice of the Supreme Court. There is also a provision to hold a departmental or administrative enquiry to be held in the case of custodial death often by Executive Magistrates to inspire public confidence in the impartiality of the enquiry. However the fact remains that the discretionary powers of arrest, complete with the denial of access

to police records, render the process of redressal of public grievance more an illusion. Despite detailed directions issued by the Supreme Court in *Joginder Singh vs State of Uttar Pradesh* (1994) the fact of arrest can still be effectively concealed by the police by making incorrect entries with regard to the time of arrest or by altogether failing to make any such record while the suspect is held in detention without knowledge of any of his friends or relatives as public access to the police station is severely restricted in practice. The police continues to link such obnoxious practices to the vexed issues of the law being weighted heavily in favour of the accused, with no reliance placed on police testimony. Be that as it may, the important question raised here is whether any democratic government can remain insensitive and inattentive to problems in policing philosophy and practice that have a direct bearing on the citizen's rights enshrined in the Constitution and protected by procedures prescribed under law. Govt. lethargy and inaction in the matter of police reforms has another pernicious consequence in that it creates a vicious circle which perpetuates public mistrust in the police with a corresponding degree of police insensitivity to citizen's rights. This is particularly evident in unrealistic public expectations that the police will prevent crimes, failing which it will bring the offender to book expeditiously by its own investigative efforts and prosecution action. When police efforts fail and public pressure mounts, police resorts to illegal methods of arrest and interrogation which in turn produce public mistrust and public hostility to every enforcement action taken by the police. How to break this vicious circle remains the greatest challenge to police reform in India and in every democratic society.

### **Recent Trends**

The resolute and persistent resistance to legal and organisational reform notwithstanding, the recent movement forward towards a reorientation in police attitudes to the community is certainly reassuring and full of promise. There is reason to believe that enlightened leadership, both in the political executive and the police, seems to be veering round to the view that police effectiveness in terms of crime control and order management and police acceptability cannot be restored and revived unless the police is placed firmly back in the community context which history conspired to

divorce it. Such a conclusion is reinforced by the ground swell of public opinion, particularly in the rural areas of the country, in favour of community participation in local self-government in the Panchayati Raj institutions, particularly the Gram Sabha which is the nucleus of participative democracy. The empowerment of the Gram Sabha, eloquently espoused both by the President and the Prime Minister in the recent past and subjected to intense study and debate in national forums such as the N.I.R.D. is a strong indication of the awareness that community mobilisation and community participation are central to the interests of development and progress. It is here that the movements towards community policing and gram swaraj can converge and reinforce each other, constituting a premier national agenda in the days to come.

As regards the initiatives for community focus to the police recently taken by police leadership in India, the most prominent are the following:-

1. Community policing was chosen as one of the themes in the All India D.G.Ps' Conference held in New Delhi on 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> of December, 1999. Preparing for the deliberations, the national committee set up for this purpose (of which this Researcher was member) requested States and U.Ts to send their views and experiences in regard to the concept and practice of community policing. All the responses received were positive and in the course of discussions on the subject, the delegates to the Conference expressed themselves strongly in favour of adopting a community orientation. Formal recommendations of the Conference are yet to be formulated but one of the important decisions was to recommend to the M.H.A. to circulate to all States parameters of the community policing paradigm to be adopted for purposes of achieving a minimum degree of uniformity.
2. Earlier during the same year, all States/U.Ts had been addressed by the Director, S.V.P. N.P.A drawing attention to the experiments in Karnataka in community policing, based on the case study conducted in the course of this research project. In the many responses received, DGP., Andhra and Orissa communicated their intention to introduce community policing schemes in their respective States. While the A.P. scheme was termed as 'MAITHRI' promoted by the D.G.P. for adoption by his



department, the Orissa Govt. issued a Home Department Resolution to implement community policing, of which Gram Suraksya Samiti was the nucleus. D.G.P., J&K., expressed his intention to work towards bringing out a legislation based on the Karnataka Defence Parties Act, 1964 (Annexures II & III).

3. The Director, N.P.A., not only chose community policing as the theme for the 1999 Sardar Vallabhbhai Patel Memorial Oration in the series of annual lecture as being delivered in the Academy ever since its inception in 1984, but succeeded in persuading an international authority on the subject, Prof. David H. Bayley, to deliver the Address. In the course of his scholarly exposition on the subject before an audience of over 200 IPS probationers belonging to two batches (50<sup>th</sup>, 51<sup>st</sup>) and other senior police officers who were present in the NPA on the historic occasion, Prof. Bayley gave a resounding call to adopt the community policing philosophy at least on an experimental basis. Prof. Bayley made the same exhortation to another distinguished gathering in Delhi in a function organised by the Commissioner of Police and answered many queries regarding the implementation of the concept based on his international experience. In a meeting of the national committee on community policing presided over by Director, C.B.I on the same day, Prof. Bayley explained to the Committee members the tremendous advantages of community policing to a country like India which the police faced problems of communal clashes and caste divisions and discussed the various options presented by the Researcher in the meeting.
4. The National Police Academy, Hyderabad, also conducted a two-day workshop on the 'Role of Community Policing in the Prevention of Communal, Caste and Tribal Violence' during December, 1999 which was attended by senior I.P.S Officers from many States and addressed by eminent persons from various professions.
5. The D.G.P., U.P., has chosen the same theme of community policing as the main item for discussion in the forthcoming senior officers conference in the Annual Police Week to be held in Lucknow from the 9<sup>th</sup> of February and asked this Researcher to present the subject to the conference, indicating the awareness of the largest police

force in the country to the relevance and urgency of the community policing concept.

6. In the course of brain storming sessions held in the NPA, Hyderabad and the U.P. Police academy, Moradabad (U.P.) during February-March, 99 at the commencement of the research study three groups comprising officer-trainees and senior officers were requested to give their views on two related topics:

1. 'How can you bring community closer to the police for better policing?'
  2. 'In what domain/areas of police activity, community participation may be of use?'
- (Annexure:IV)
3. Community Policing initiatives (for senior officers).

Responses were received from 63 I.P.S Probationers, 117 Dy.S.P. Probationers of U.P. Provincial Police Service (two batches: 53 and 54) and 26 senior officers who attended a Vertical Interaction Course from 19.2.99. The broad range of suggestions and the degree of commitment indicated by the responses clearly suggest a profound awareness of the subject among both fresh recruits and seasoned field officers and indicate the dawn of promise awaiting the new concept in India. Though not meant as a quantitative study or analysis, the brainstorming exercise has brought out some interesting insights to the understanding of the subject. They are briefly indicated below:-

1. There was a clear convergence of views, expressed by individuals belonging to such a wide spectrum of police ethos and culture, on several crucial components of the community policing concept such as (a) enlarging the sphere of police duties to make it service-oriented; (b) increasing public contacts through various fora; (c) encouraging and promoting self policing; (d) enlisting public co-operation through changes in police attitudes and behaviour. Similarly, the participants identified similar areas in which community participation may be of use, such as (a) maintenance of communal harmony (b) dealing with social evils such as drugs, dowry etc. (c) combined crime prevention and (d) formulation of policing policy,

apart from other traditional areas such as collection of intelligence, controlling traffic, maintenance of order during melas and festivals etc. Two sample responses of officer trainees are enclosed as Annexures V and VI only to illustrate.

There appears to be no reason for despondency or frustration over lack of reforms in the police, if the initiatives and the insights discussed above are any indication of the trend of thinking in police leadership in India, both young and old. Seen along with the innovative experimentation conducted at various levels mainly by perceptive individual officers in the past, these new developments strongly suggest that community policing need not wait for formal police reforms to take place, before it can be successfully introduced on a national scale. In fact, the heartening results of police – NGO partnerships in Delhi and Bangalore, and in many other cities big and small, only underscore the fact that police initiatives to reach out to the community, particularly those who are in distress, bring about a miraculous alchemy in the relationships between police and the community and sow the seeds of goodwill and trust. Nurturing these in a congenial environment and on a sustained basis is the crucial issue. While the challenge of institutional police reforms may be a long time being met, the immediate task is to seize upon the initiatives introduced in these beautiful relationships and to build upon them in a systematic fashion so that goodwill and trust which are sensitive plants do not wither away due to apathy or the resistance of the organisational sub-culture.

At the same time, meaningful efforts need to be made to harness the momentum of the Panchayati Raj movement to the cause of the criminal justice system in general, and community policing in particular. The strategic positioning of the Dalpati as the interface between the police and the community as recommended in this study would be fruitful only if the Gram Nyayalayas recommended by the National Police Commission are fully established and the Gram Sabhas are effectively empowered to oversee the police-community interaction. The police reform movement is therefore symbiotically linked to the larger movement towards genuine participatory democracy at the village community level in the form of an empowered Gram Sabha envisioned by

Gandhiji and enshrined in the spirit of Constitutional reforms which revived the Panchayat Raj movement in India.

## CHAPTER-VIII

### FINDINGS AND RECOMMENDATIONS

Before proceeding to summarise the principal findings and final recommendations of this study, it may be briefly mentioned here that the methodology adopted was qualitative and action-oriented, rather than empirical or quantitative, supported by literature survey and case study as it was felt that in the current stage of development, the movement does not lend itself to testing of hypothesis which involves the larger community and should properly wait till the opportunity is ripe to undertake a pilot project as already recommended in the course of conducting the study (Annex-VII). As Prof. Bayley perceptively observes "Experimental research designs are common in the physical sciences but much less so in the social sciences, for obvious reasons. The reasons are simple. People know when they are being studied, so they may behave differently than when they would otherwise. Furthermore, people have rights which inanimate objects do not. They should not be subjected to force that might harm them for the sake of science. Experiments in the biological sciences are controversial today because the moral status of animals and other living organisms is unsettled in the scientific community. Should they be treated like inanimate objects - rocks and stars - or like people? Because social scientists study human beings, they commonly employ what are called "quasi-experimental research designs" in which researchers study naturally occurring variations in what they want to study" (David H. Bayley:1998). In the case of research studies aimed at the effectiveness or otherwise of police strategies, there is a further dilemma is "the natural reluctance of most police departments to create the necessary experimental conditions through which definitive answers concerning the worth of patrol could be obtained. Assigned the jobs of protecting society from crime, of apprehending criminals, and of carrying out numerous other services such as traffic control, emergency help in accidents and disasters, and supervision of public gatherings, police departments have been apprehensive about interrupting their customary duties to experiment with strategies or to assist in the task

of evaluation" (Kelling et al - 1974). Considered in the light of these limitations and constraints, this preliminary study was confined to the methodology referred to above.

The summary of findings is as follows:-

1. Extensive experiments conducted in many States and cities in the U.S., as also projects conducted in U.K. and Canada during the last three decades clearly demonstrate that police effectiveness in terms of controlling crime and managing order, and its ability to earn legitimacy from the community which is qualitatively different from legitimacy accorded by law above, is severely circumscribed by the traditional, reactive method of incident-driven policing, however elaborate its resources may be or however sophisticated its strategies by way of communications, computerisation etc. The Indian police is further handicapped by a variety of circumstances such as a colonial legacy founded on coercion, a consistent resistance to reform and community life fractured by the imposition of centralised control not congenial to its genius or consistent with its long traditions. The 'professional' model of policing characterised by impersonal contacts, mechanisation and enforcement having demonstrably failed elsewhere, the Indian police has to necessarily look for an alternative model for securing legitimacy.
2. Community policing offers an attractive alternative, particularly alluring to Indian society, as the cardinal principles of the new philosophy are consultation, conciliation, participation and consensus which are in congruence with the Indian heritage of Panchayat which was lost due to many reasons, the principal one being colonial intervention. In the days when the village community was the centre of the nation's life, the informal controls of society were operated through this mechanism of consultation but in course of time were replaced by centralised formal control based on coercion. But before the older, native tradition is restored, it has to be fully ensured that the process of natural justice will not be vitiated by partisan interests such as caste based prejudices which marred the purity of the original system.

3. In order to strike a proper balance between the need to secure the ends of justice and the restoration of process of adjudication through consultation, it is proposed to make the alternative system consisting of Gram Nyayalayas and the Dalpati accountable to the due process of law and indirectly to the Gram Sabha which is the source of participative democracy in its purest form. This is to be accomplished by empowering Gram Sabha to function as legislature and the Panchayat as executive, with the power of recall invested in the Gram Sabha which will select the Panch through a process of filtering with the assistance of the police.
4. The Panchayati Raj movement is under constant scrutiny and revision and the empowerment of the Gram Sabha may take time to materialise. Community policing need not wait in the wings meantime. The police can itself start the process of establishing close ties with the community and consult it on various inputs of policing including enforcement by reaching out to the community in proactive ways, particularly assisting people in distress, through collaborative partnerships with voluntary agencies.
5. Police personnel at the cutting edge level would have to be enabled to internalise the values of community policing on the pattern of training interventions suggested in this study, even as the leadership introduces initiatives to end police isolation and to secure the goodwill and trust of the community by taking up service and welfare oriented projects which extend the police mandate far beyond law enforcement.
6. Since divergent programmes have been initiated both individually and institutionally by many States in their attempts to introduce community policing force-wide, it would be desirable to issue guidelines at the central govt. level prescribing certain minimum parameters to be maintained for achieving a fair degree of uniformity that would incorporate the core components of community partnership and problems solving and which would pave the way, eventually, to the adaptation of the Panchayati system subsuming the community policing concept.

7. The change over to the community consultation system is not a one way street and has to come to terms with a society that is highly fractured and bearing the scars of much violence and brutality. While police initiatives in reaching out to people in distress through community participation will go a long way in healing such wounds, these efforts may not be enough. Well-planned and extensive efforts at community building, restoring harmony and peace and strengthening community bonds will have to be taken up, supported by detailed research and evaluation from time to time. Initially, it would be essential to test the promises of the community policing paradigm in one or more pilot projects suitably selected in locations across the country so that before the concept can be institutionalised through the Panchayat, there is a clear understanding of all the practical issues involved both by the govt. the police agencies and particularly by the community which has the maximum stake in the adoption of the new policing philosophy.



## CHAPTER –IX

### TRAINING IN COMMUNITY POLICING:

#### Introduction:

The development of community policing concept as a new philosophy of policing and as an organisational strategy, is basically the product of extensive research and experimentation conducted in the U.S.A. during the last three decades. Community partnership and problem solving emerged as the core components of the new policing strategy, signifying two major changes in police policy: first, community should be treated as an equal partner in the task of controlling crime and in maintaining order; second, police work should not be merely geared to responding to an incident after it has occurred, but should proactively identify the underlying problem and try to solve it in consultation with the community. This was considered a revolutionary change in the U.S.A where police resources as well police tactics had been traditionally oriented to random preventive patrol, mostly by car and fast response to incidents and the new thinking represented a major challenge to traditionally held police views and values. Hence there has been a major thrust towards reorientation of the police through training in the new skills required for making community policing a reality in police practice. Often, training programmes provide for participation by community members, professionals, social workers etc. as partnership, which is crucial to the new concept, cannot be meaningful unless both parties to the partnership share the same values and develop similar skills.

#### The Indian Context

India, unlike the U.S.A., has a long historical tradition dating back to more than 3000 years in active community participation in self-regulation and decision making in the form of Panchayats which are an essential part of village life. The process of consultation and consensus is central to the Panchayat ethos and work. The tradition was vibrant and alive as long as village communities were intact, homogenous and more

or less autonomous. There was serious erosion in the traditions of community life in the village, after the British colonial administration introduced a highly centralised pattern of administration, induced partly by self interest in retaining a tight leash on revenue collection and enforcement, and partly by crippling abuses that crept into the Panchayat by exploitation of people on the basis of caste and other feudalistic practices. The decline of the values of the Panchayat was bound to have a deleterious influence on the village policing system which was a central part of it. The replacement of the village police system, based on the village Patel, and the village Chowkidar, by various models of rural policing experimented by the British finally led to the adoption in 1861 of the semi-military pattern developed in Sind by Sir Charles Napier who organised a police force successfully in that province which did not have a tradition of village police like the rest of India. While organising a new police force, the British were led not by any considerations of the well-being of the natives, but an overwhelming anxiety to keep the native population under strict control to serve the interests of the colonial administration. The traditional concept of consultation and consensus was therefore, farthest from the considerations that led to the setting up of a police force.

So the Indian police, set up by the Police Act of 1861, inherited a fractured legacy: an irreversible and forced break from the old traditions and the compulsions of a colonial master to enforce the law in total submission to the wishes of the executive authority. No wonder, then, that the isolation from the public was ingrained in the very philosophy behind police organisation in the country and the chasm has only widened due to a combination of historical reasons leading to a cult of violence in society, followed by increasingly severer forms of enforcement. Unlike in the U.S.A. where the debate centred on 'efficient' policing represented by professionalisation, and 'effective' policing reflected in the community's acceptance and approbation, the Indian society feels saddled with a police organisation which is hopelessly inefficient, and does not even contemplate 'effectiveness' as a desirable virtue. But disillusionment with the police as an agency of democratic governance is perhaps common to the public perception of the police, in both countries, though not in the same degree.

## **The Issue of Police Reforms**

The U.S. police should probably be the most thoroughly 'reformed' in the world, judging by the scale of frequency of the changes to which it has been subjected in the past. The current wave of reform which is considered to be more radical and hopefully more permanent, is primarily dependent on the impact it has on the community in terms of achieving police effectiveness. In India, however, there has been no major attempt at reforming the police ever since its inception in 1861 and the bold and far reaching recommendations made by the National Police Commission set up in 1979 have not been accepted by the Government so far. The community policing movement, such as it is under formation, reflects individual initiatives rather than govt. policy. Training, therefore, has to be tentative and confined to individual reorientation of the policeman and cannot extend, in the present circumstances, to issues of organisational change or implementation programmes. The training module is therefore aimed at introducing the concept to the officers at the cutting edge level and in the hope of influencing their attitudes and orientation.

### **Training Module I : The Theoretical Framework** ✓

#### **The genesis of community policing**

The American system of policing, though originally copied from the British model established by Sir Robert Peel in 1829, was strongly influenced by the American passion for individual freedom and an abhorrence of Central control as amply reflected in the Federal structure of the country. Police agencies were placed directly under local municipal council, leading to extreme partisanship and oppressive corruption in enforcement functions of the police. Influential police leaders and thinkers like O.W. Wilson and Augustin Wollmer spearheaded a movement to depoliticise the police and to professionalise it by focussing on its crime fighting role. Police strategies were developed to hone the professional capabilities of the individual policeman and to expand his resources for effectively fighting crime, totally dispensing with other service-oriented functions which were prevalent in the 'political' era. The professional model

was marked by three important components : Preventive Patrol, Rapid Response and Follow up Investigation.

Preventive Patrol : Also termed random patrol meant officers, while not attending to emergencies, cruising neighbourhoods randomly, seeking out or hoping to deter, crime. Preventive patrol was also expected to reduce citizen's fear.

Rapid Response: Aided by new technology like radio and swift cars, officers were expected to reach the scene quickly to catch the offender and assist the victim.

Follow-up Investigation: This involves gathering of evidence.

Despite such meticulous planning and scientific management organisation of police operations, crime flourished in cities, forcing people to move out into suburbs, particularly during 1960s. The decade also witnessed serious riots, caused by racial prejudice as also police repression. This led to serious debates whether the 'professional' model was suited to the times. Beginning in the 1970s, a series of research programmes were initiated to test the efficacy of police practices. In 1973, researchers tested preventive patrol in an 18-month study conducted in Kansas city. By sharply enhancing the scale of patrolling in the experimental beats, its effect was observed. However, no significant differences was noticed either in the rate of crime and in the citizen's fear of crime. The research concluded that preventive patrol neither reduced crime nor impacted fear significantly. Similarly, the same study revealed that (1) citizens generally delay reporting crimes to the police; (2) suspects are seldom found at the scene of crime; (3) citizens are willing to accept longer response times given reasonable circumstances.

The significance of the Kansas city patrol study lies in the fact it not only challenged previous assumptions, but offered important new insights into police work. First, by getting to know citizens intimately, officers had better chances of getting valuable information about criminals on regular beats. Second, rotation of beat officers as a tactic to prevent corruption had to be reconsidered. Thirdly, officers (Constables)

on the beat had to be assigned greater responsibilities in regard to their beats. Another land mark development came when Herman Goldstein, a renowned police administrator and scholar, introduced the concept of 'problem-oriented policing' in 1979. Goldstein believed that police should move away from a reactive, incident orientation and move towards identifying and addressing the crime and disorder problems that continued to drain police resources. The concept was tested at a city called Newport News, and was found to be effective.

Police departments in other cities like Birmingham, Newark and San Diego conducted several projects to test new strategies, including 'beat profiling' which enabled beat officers to understand their areas intimately and to tailor patrolling suited to local needs. These studies also underlined the need to enlist citizens' support and participation in order to make police strategies effective.

### **Core Components of Community Policing- No.1**

Arising from the findings of the studies and experiments referred to above is the clear inference that any new strategy, to be successful, should be firmly based on community partnership. This is therefore the first core component of the community policing strategy. It essentially means that the police and citizens must work together to identify and address community crime and disorder problems. Community partnership is an on-going process of involvement. There are four elements in this equation:

1. Community contact: This must be meaningful. The officer should have a reason for meeting the citizen..
2. Communication: Communication must be sincere. The officer and citizen should have specific problems or concerns and be committed to doing something about them.
3. Trust: Trust will occur when the citizen believes that the officer sincerely wants to make the community safer.

4. Information Exchange: The officer and the citizen will exchange valuable information about problems, symptoms or causes of crime or disorder.

### **Core-Component No.2: Problem Solving**

Problem solving is the process of carefully studying crime and disorder in small, geographically defined areas so that appropriate resources can be applied to reduce and disorder. Police effectiveness will be defined by the work to resolve community crime and disorder problems. Like community partnership, problem solving will also require the mastery of new responsibilities, a flexible or adaptive style of management and a greater value attached to creativity or innovation than on blind compliance of orders. Beat constables have been repeatedly told what to do on every occasion but now must be asked what they think they should do. In assuming this responsibility, beat constables are expected to develop a sense of 'ownership' of their area and accountability for its problems. Regular duties of making arrests, doing investigation or maintaining order will however continue. What is happening is developing a new kind of versatility in beat constables and delegating greater discretion to them to understand and resolve local problems. Sub Inspectors should over see the assessment of these efforts and gazetted officers should assume responsibility for strategic planning with the guidance of higher level supervisory officers on broad-based crime problems.

### **Module-II**

#### **Community Mobilisation**

Introduction: Traditionally the village constituted a homogenous community but with migration of people into urban areas and also as a result of developmental programmes, the character of village life has changed. Urban characteristics such as lack of time for social contacts, community programmes and even individual relationships has produced less cohesion and greater tensions. The ongoing efforts to revive the Panchayat system are a major opportunity to reverse the impersonal trend in village life. The revitalisation

of the Gram Sabha offers great potential for community mobilisation on a regular basis. Yet, special efforts must be made to mobilise communities, whether rural or urban, for uniting and collaborating in the task of crime prevention and order management which promote the common welfare and social stability. Particularly reaching youth, those belonging to the age group of 12 to 24, is of great importance for crime prevention efforts. In cities, there are many community based organisations whose help must be taken for mobilisation.

### **Utilising community resources:**

It must be recognised that there are other institutions and informal organisations that, like the police, care about and help solve community problems. The important considerations before the police are (1) that the police cannot prevent crime or manage disorder; organised groups can provide vital assistance (2) there are specialists who can help in difficult situations or problems, such as professionals who can counsel youth or estranged families (3) the police should know-how to use these resources. Learning about resources helps policeman to calling in the correct agency to take care of a situation and in educating the community about who has the responsibility to deal with their problem and to hold that agency accountable for results.

### **Skills for conducting community work:**

Meetings are the most useful forums for community mobilisation. At such gatherings, concerns can be developed on important issues and public opinion can be created to identify unacceptable behaviour such as eve teasing. Anti-crime meeting is a typical example. Preparation for a meeting is important. It is important to identify local leadership and decide about who all should participate, helping to isolate criminal elements. Meetings are healthy for the community as they offer avenues for ventilating grievances in the open. There may be rare occasions when it would be better for the police not to attend a meeting because of vested group interests.

**Building up community leadership:** The Panchayati Raj movement represents an organised effort to create a critical mass of leadership within the community. Leadership of other kinds can be developed through community mobilisation. Motivating the community to identify problems and to improve the quality of life in the neighbourhood will be the important tasks of the leadership. Proceedings of the meeting should be recorded. Communication between leaders and the community can be effective if it is in the form of regular newsletters, if circumstances permit it. Police can help create a community, where none exists, through such meetings and contacts. Once organised, the communities should be encouraged to find solutions for their problems through its own resources, without waiting for govt. intervention.

### **Module-III**

#### **Community Problem Solving:**

**Introduction:** Without problem solving, community policing can turn into mere police - community relations. A substantive focus on crime, fear and disorder problems is essential to community policing. Problem solving is an analytical approach to tackling crime. Problem solving can also be considered as a process of looking at crime and disorder problems, understanding those problems, selecting from a range of solutions (not just criminal law and arrest) to address the problems, assessing over time the effectiveness of the solutions. Analysis includes information from many sources, govt. and non-govt. neighbourhood associations and any other, including the Press and the police. Solutions can be from outside the criminal law, subject to their being effective over a long period. The key to problem solving is knowledge: developing a thorough understanding of the targeted problems.

**Strategic Solutions:** Crime is often concentrated to specific areas, seasons or events such as concentration of vulnerable people, marriage seasons or festival times. Offenders are also often repeaters, like burglars, dacoits and wayside robbers. Even rapists are sometimes recidivists. (The participants may be asked to cite instances). Knowing that crime is concentrated helps in thinking and acting strategically to impact



crime. If we are able to identify multiple offenders, repeat victims or recurring locations we can have a strong impact on crime, fear and disorder in the community.

### Using the SARA Model

Developed initially in Newport News, the model stands for Scanning, Analysis, Response and Assessment.

Scanning: Two or more incidents in one or more ways may be said to constitute a problem. A problem is qualitatively different from an individual or isolated event. What we are looking for are patterns or persistent problems that affect the community. In order to identify them, many resources can be used such as, crime analysis, community meetings, citizen surveys and information from neighbouring districts.

Analysis: Analysis is the most difficult step of the SARA model. Without understanding the targeted problem, there is a high risk of developing solutions that don't work in the long run. The problems will persist because solutions are based on guesswork, and not facts. Patterns of incidents require detailed analysis. Problems rarely develop overnight, and quick solutions rarely eliminate them. Police intervention need not be the best solution in many cases.

Response: To be effective, solutions must impact at least two sides of the crime triangle of victim, offender and location. Working solely on the offender side often leaves room for new offenders to replace the old one, because nothing has been done to change the nature of the location (dark road, broken boundary, weak doors) or the victim. Protective measures should be designed to take care of two sides of the triangle to produce long-term and effective solutions. Solutions are best if they leave the community better able to handle secular crime problems in the future.

Assessment: Both qualitative and quantitative measures should be used to assess impact.

Crime Triangle : Three factors must be present for a crime to occur: a criminal/offender, a victim and a location. Without any one of these no crime can take place. If some one walks a dark and isolated road, but no offender is present, no crime will occur. If an offender waits at a dark patch on an isolated road, but no one uses the road, no crime will occur. Then, if it takes a combination of victim, offender and location for a crime to occur, than disconnecting the links will prevent the crime from occurring. Once it is identified as to who is on each side of the triangle an analysis can be done before a solution is attempted. Maximum possible information should be collected about the victims, the offenders and crime scenes (locations) to develop an understanding of what is causing the problem. Questions should be asked and answered about each side of the crime triangle. There are people or things that can exercise control over each side of the triangle to make it safe or more resistant to crime. These must be identified and activated.

Problem Solving Exercises : The class must be asked to identify typical problems in their experience that have the following features:-

1. A serious community problem was identified that was within the police jurisdiction to handle.
2. A thorough analysis was done.
3. Customized, long-term solutions were found.
4. Results were assessed.

It would be helpful to share examples where the solutions left the community (i.e. those affected by the problem) better equipped to resist similar problems in the future.

Examples of types of problems:

- Rash/drunken driving near a school.
- Eve teasing around a women's college.
- Robbery in govt. roadways buses.
- Kidnapping of school children.

- Poisoning/robbing of rail passengers.
- Looting of petrol pump.

Exercise should be done in the field, if circumstances permit.

Problem Solving Groups: Each problem may be assigned to a group to prepare collaborative problem solving strategies and report back to the class.

Analysis:

- Is the problem really a crime, fear or disorder problem?
- Given limited resources, is this problem identification specific or should the problem be broken down to smaller component problems?
- Is the analysis of the problem thorough?
- Are there other sources that should be tapped for information about the problems?
- Are the solutions long term? Will the solutions' impact continue after the police stop focussing resources on the problem?
- Are the solutions designed to leave the community better equipped to resist similar problems in the future?
- Are there other protective agents/measures who might be more effective?
- Do the solution take into account the stress level in the community and exacerbating social conditions?
- Was a full range of resources considered in addressing the problem? Are more creative solutions available?
- Do the proposed solutions effectively take care of at least two sides of the crime triangle?
- Will the solutions work?
- Does the problem solving effort support a working collaboration between the police and those affected by the problem?
- Are the assessment measures sufficient to determine whether solutions made the desired impact on the problem and satisfied the community?

## MODULE IV

### Managing Organisational Change

Introduction: It is important to gain an insight into the changes necessary to successfully shift to community policing. It is also necessary to visualise what to expect during the transition and how to manage the process of change as the new philosophy is operationalised. Change is never easy because there is much uncertainty. There have been changes in external and internal environment which have an impact on the police role.

- Infusion of technology impacting living styles like T.V.;
- Social trends creating conflicting claims among groups;
- Demographic changes effecting composition of communities.

#### Impact of police environment;

- Increases in crime or citizen perceptions that crime is increasing;
- Depletion of police resources due to mounting problems;
- Increases in key areas of criminal activity, such as juvenile violent crime, requiring complex solutions, and not just enforcement;
- Increase in citizen expectations about police services;
- More active participation by citizens in government at the local level, particularly the Panchayati Raj innovations; and
- The growth of alternative sources of police service such as private security agencies.

Other points could be added to the list.

These factors are causing a rethinking on the way in which police services are delivered. This rethinking is a "paradigm shift". Paradigms are basic, widely agreed upon assumptions that form the basis of our actions and decisions.

### The paradigm shift to community policing:

The class can be asked to list some of the assumptions about policing that formed the basis for our decisions and actions in the past. An example can be cited "citizens believe that police should solve their problems". The class should consider how this assumption will change in the light of the paradigm shift to community policing. Other changes could be shown as below:-

#### **Traditional Paradigms**

- Problems are manageable in number.
- Arrest is a primary tool.
- Police are figures-oriented.
- Police are incident-driven.
- Police have an 'Us vs. them' mentality.
- Citizens do not interact with neighbours.
- Citizens believe that police should solve their problems.

#### **Community Policing Paradigm**

- Problems are overwhelming in number.
- There are additional tools to solve problems.
- Police are result oriented.
- Police engage in proactive problem solving.
- Police form partnerships with the community.
- Citizens unite to form community groups.
- Citizens are actual partners to solve community problems

Contrasting the traditional police model with the new community policing model helps in putting the shift into perspective.

### Importance of Managing Change:

Paradigm shifts challenge people's strong beliefs about the world and the way things are. For people to reconsider and revise those beliefs, they need to explore and understand the case for change, and believe that change is compelling and necessary.

Most people find change uncomfortable. To many, it is unwelcome. Studies on change in organisation have shown that only about 10% of the people in most organisations will actively embrace change. Approximately 80% will wait to be convinced or wait until the change is inevitable. The remaining 10% will actively resist change. For these people, change is very upsetting. In some cases, they may even seek to subvert or sabotage the process. Leaders create change alone. Transforming vision into action requires the support and cooperation of people in the organisation. Leaders cannot change by order. As the 80:10:10 ratio indicates, leaders must strive to create "critical mass" support for change.

### Conditions for change

For a change (paradigm shift) to occur in a community or organisation, five conditions must be met:

- A case for change: People must understand that the change proposed is vital.
- A clear vision of change: People must believe that there are viable solutions – beyond the status-quo – to their problems, solutions they can visualise and comprehend.
- Concrete Steps: People must believe that change is possible and viable – people have great difficulty exchanging a known present for an unknown future. A clear sense of steps to take provides confidence in the future.
- Clear benefits to change: People must understand the impact that the change will have both on the organisation and on them individually, and see the benefits that will result from the change. If they don't, it will be extremely difficult to develop critical mass support for change.
- Organisational commitment: Leaders must demonstrate commitment to change throughout the organisation. If people don't believe there is commitment from the

top, they will view the change too risky and try to wait out. People must see commitment to change in all the aspects of the organisation: institutionally, managerially, behaviourly (starting with leadership) and culturally.

### **Establish the Change Equation**

$$D + V + S \gg R$$

Discomfort (the case for change) + vision + steps  
must be greater than Resistance to change.

Groups may be formed to identify each part of the equation. For instance, what is D in the change equation as far as our community is concerned? A transition to community policing is a tremendous challenge to our will and resources. Why should we do it? What is the case for change? The group should generate a list of the compelling reasons for change in their department.

Defining the 'V' – Vision. The groups may be asked to develop an overview of a vision for community policing in their community. They must be reminded that all sectors of the community have ownership in this change process; change is not the responsibility of the police alone. They may be asked to keep in view changes that will have to occur in the following areas:

- Police and other agencies of the criminal justice system, other institutions.
- Management practices (including systems of reward and feedback).
- Individual behaviours.
- Organisational Culture.
- Community at large.

It is also important to anticipate key supports and barriers to change within the organisation.

### **Leadership during change**

Traditionally, leaders have relied on past policies, practices and procedures to manage the organisation's work. The transition to community policing requires cooperative problem solving approaches, creativity and a high degree of collaboration among police departments, govt. agencies and communities. These new approaches need to evolve rapidly and effectively in a way that supports long-term sustainability. It requires leaders to shift their thinking about their purpose and role and how they manage their organisations. Under the new paradigm, leaders must focus on values, mission and long-term goals of policing in order to create organisational environments that enable police staff, govt. officials and community members to work together. By building consensus, they can establish programmes, develop territories and fix priorities.

### **Personal Action Planning**

The class may be asked to identify the key leadership challenge in the department, in the light of what has been discussed and also to identify those of the current leadership practices that need to change to practice community policing.

*(Acknowledgement: These modules have been adapted from the Training Curriculum prepared by the Community Police Consortium, Washington D.C. Gore, 1999).*





Gurbachan Jagal

DIRECTOR GENERAL OF POLICE  
JAMMU & KASHMIR



Annexure III

POLICE HEADQUARTERS

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DO. No APHA-CB-605

Dated 2-6-1999

My dear

Shri P. V. Ray gopals

I acknowledge with thanks receipt of your D.O. Letter No.27011/1/98-Estt. dated May 19,1999 regarding Community Policing.

2. With the ever expanding charter of responsibilities of Police forces and their inability with the existing manpower to meet the expectations of the Governments and the people, it has become necessary to involve the community in policing. The success of community policing in the west as well as willingness of various Police forces in India to launch such projects is only indicative of an urgent need to formalize Community Policing as a part of normal police functions.

3. In Jammu & Kashmir, a pilot project on Community Oriented Policing Scheme has recently been launched in Jammu City. A photocopy of the important ingredients of the scheme is enclosed. It is hoped that in a couple of months it should be possible to review the success of the scheme and thereafter launch it in more areas in a phased manner.

4. As you are aware, the state of J&K has a vast hilly terrain with hamlets extending to remote areas, some of which take days to reach on foot. In some such areas, the State experienced militant attacks on civil population. As it was not possible to provide Army/PMF/Police picket everywhere, recourse was taken to creation of village Defence Committees (VDCs). Each VDC has a strength from 1 to 20 members depending on availability of volunteers

Shri Kurien  
14/6/99

and sensitivity of the area. The members of the VDCs have been provided weapons and trained in their use. Some of the members of the VDCs are ex-Army personnel. Though the scheme is largely of volunteers, each group has one or two SPOs who are paid remuneration. The VDC scheme has paid rich dividends and VDCs have repulsed a large number of militant attacks in these remote areas particularly in the districts of Doda, Udhampur and Rajouri in Jammu Province. The Karnataka Village Defence Parties Act, 1964, a copy of which has been sent by you, will provide us background material to frame a similar Act so that the VDCs and SPO schemes form part of an Act on Community Policing.

5. J&K Police also launched two Police Help Sites, one each at Srinagar and Jammu district Police Headquarters, to offer a single window public utility service to redress the problems of the public quickly and in a fixed time frame. Identified services are being provided at the outlet and the scheme launched in May 1998 is proving quite useful. Though the scheme does not strictly involve the community in police-public relations and thereby the creditability of the force, which is so essential for implementing any innovative policing scheme with the help of the community.

*with regards,*

Yours sincerely,

*(Gurbachan Jagat)*

Shri P.V.Rajgopal, IPS  
Director,  
SVP National Police Academy,  
Hyderabad- 500 052.

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## State to introduce 'community policing'

EXPRESS NEWS SERVICE

Hyderabad, May 22: The State police department is coming out with a novel concept of community policing - 'Maithri' - for maintenance of peace, prevention of crime and road safety.

Each 'Maithri' unit would have about 50 to 100 local people, including senior citizens, women, youth and non-governmental organisations.

The unit would interact with people to identify their problems and bring them to the notice of the police regularly. However, the units would not have any statutory powers.

The scheme would be launched in all districts after assessment of requirements and sensitisation of the police personnel concerned, Director-General of Police H J Dora said today.

Briefing mediapersons on the decisions taken at the three-day senior police officers' conference which concluded here today, he said the concept was tried and tested in several countries and proved to be effective.

**THRUST AREAS:** According to him, the conference identified property crime, court cases, community policing, crime against women, SCs and STs and traffic management as thrust areas and made several recommendations, while reviewing problems relating to prisons and prisoners, home guards, police housing, recruitment and training, extremist violence.

It evolved strategies for all-round improvement in respective spheres.

The conference suggested several measures for arresting

the rise in crime against women and felt that the accused should not be given bail generously.

It was decided to expedite finalisation of cases under investigation and dispose of pending trial cases at a faster pace.

The conference felt the need for setting up separate courts for trial of cases involving wo-

*The scheme would be launched in all districts after assessment of requirements and sensitisation of the police personnel concerned*

men and amending certain provisions of the IPC and CrPC.

"We will approach the government and the High Court for setting up special courts to deal with offences against women," the DGP added.

One of the suggestions was to ban individuals from contesting elections if they were found guilty in cases against women, the DGP added. The conference decided to initiate action for enacting a special legislation to this effect in the State.

Stating that offences against SCs and STs had shown a decline of 3.11 per cent last year, the State police chief added that superintendents of police were directed to coordinate with district collectors for preparing panel of special public prosecutors to bring down the number of pending cases.

The government approved setting up of special courts in

Nellore, Kurnool, Cuddapah, Medak, Karimnagar, Krishna, Nizamabad, Mahboobnagar and Guntur districts to handle SC&ST cases.

It was decided to educate people in taking precautionary measures to prevent property offences.

**MEASURES:** All the district superintendents of police would be provided with notebook computers and digital cameras shortly, the DGP said and added that fingerprints of all the criminals in the State would be fed into the computers within a month.

"This would help the police in identifying the criminals easily," he observed.

Dora said that murders have come down appreciably. Due to the effective steps initiated by the department faction feuds have also been contained to maximum extent.

The major area of concern was pending criminal cases in courts. A study by crime investigation wing (CID) revealed that 1.90 lakh cases were pending in different courts for various reasons.

Besides suggesting various measures, the conference felt the need for setting up special courts in jail premises to try dangerous offenders.

According to the DGP, the conference expressed serious concern over the increase in the number of accidents and decided to formulate certain guidelines for traffic safety.

However, the DGP did not touch upon the extremist violence and the strategy the department proposed to adopt.

He merely said that all measures would be taken to contain extremist violence.

## Govt nod to 26 new water supply schemes

EXPRESS NEWS SERVICE

Hyderabad, May 22: The State government has accorded administrative sanction to 26 new water supply schemes

Naidu at a meeting held here today to review the progress of implementation of the drinking water schemes.

**SUBSIDY:** The Chief Minister announced that the State govern-

## ATDP to cele in all mandal

Hyderabad, May 22: The Anna Telugu Desam party will celebrate NT Rama Rao's birth anniversary on May 28 at mandal headquarters all over the State, party spokesman and

## SCHEDULE

(Para 16.2)

## OFFENCES UNDER THE INDIAN PENAL CODE OVER WHICH GRAM NYAYALAYAS WILL HAVE EXCLUSIVE CRIMINAL JURISDICTION

Sl. No.	Section	Offence	Punishment	Cognizable or Non-cognizable
1	2	3	4	5
1.	160	Committing affray.	Imprisonment for one month or fine of 100 rupees, or both.	Cognizable
2.	172	Absconding to avoid service of summons or other proceeding from a public servant.	Simple imprisonment for 1 month or fine of 500 rupees, or both.	Non-cognizable
		If summons or notice require attendance in person, etc., in a Court of Justice.	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	—Ditto—
3.	173	Preventing the service of the affixing of any summons of notice, or the removal of it when it has been affixed, or preventing a proclamation.	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	—Ditto—
		If summons etc., require attendance in person, etc., in a Court of Justice.	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both	—Ditto—
4.	174	Not obeying a legal order to attend at a certain place in person or by agent, or departing therefrom without authority.	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	—Ditto—
		If the order requires personal attendance, etc., in a Court of Justice.	Simple imprisonment for 6 months, or fine of 1,000 rupees or both.	—Ditto—
5.	175	Intentionally omitting to produce a document to a public servant by a person legally bound to produce or deliver such document.	Simple imprisonment for 1 month or fine of 500 rupees, or both.	—Ditto—
		If the document is required to be produced in or delivered to a Court of Justice.	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	—Ditto—
6.	177	Knowingly furnishing false information to a public servant.	Imprisonment of 6 months, or fine of 1,000 rupees, or both.	—Ditto—
		If the information required respects the commission of an offence, etc.	Imprisonment for 2 years, or fine, or both.	—Ditto—
7.	178	Refusing oath when duly required to take oath by a public servant.	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	—Ditto—
8.	179	Being legally bound to state truth, and refusing to answer questions.	Simple imprisonment for 6 months, or fine of 1,000 rupees, or both.	—Ditto—
9.	180	Refusing to sign a statement made to a public servant when legally required to do so.	Simple imprisonment for 3 months, or fine of 500 rupees, or both.	—Ditto—
10.	182	Giving false information to a public servant in order to cause him to use his lawful power to the injury or annoyance of any person.	Imprisonment for 6 months, or fine of 1,000 rupees, or both.	—Ditto—
11.	186	Obstructing public servant in discharge of his public functions.	Imprisonment for 3 months, or fine of 500 rupees, or both.	—Ditto—
12.	187	Omission to assist public servant when bound by law to give such assistance.	Simple imprisonment for 1 month, or fine of 200 rupees, or both.	—Ditto—
		Wilfully neglecting to aid a public servant who demands aid in the execution of process, the prevention of offences, etc.	Simple imprisonment for 6 months, or fine of 500 rupees, or both.	—Ditto—
13.	264	Fraudulent use of false instrument for weighing.	Imprisonment for 1 year, or fine, or both.	—Ditto—
14.	265	Fraudulent use of false weight or measure.	—Ditto—	—Ditto—
15.	266	Being in possession of false weights or measures for fraudulent use.	—Ditto—	—Ditto—
16.	269	Negligently doing any act known to be likely to spread infection of any disease dangerous to life.	Imprisonment for 6 months, or fine, or both.	Cognizable
17.	272	Adulterating food or drink intended for sale, so as to make the same noxious.	Imprisonment for 6 months. or fine of 1,000 rupees, or both.	Non-cognizable
18.	273	Selling any food or drink as food and drink, knowing the same to be noxious.	—Ditto—	—Ditto—

1	2	3	4	5
19.	277	Defiling the water of a public spring or reservoir.	Imprisonment for 3 months, or fine of 500 rupees, or both.	Cognizable
20.	278	Making atmosphere noxious to health.	Fine of 500 rupees.	Non-cognizable
21.	279	Driving or riding on a public way so rashly or negligently as to endanger human life, etc.	Imprisonment for 6 months, or fine of 1000 rupees, or both.	Cognizable
22.	280	Navigating any vessel so rashly or negligently as to endanger human life, etc.	—Ditto—	—Ditto—
23.	283	Causing danger, obstruction or, injury in any public way or line of navigation.	Fine of 200 rupees.	—Ditto—
24.	289	A person omitting to take order with any animal in his possession, so as to guard against danger to human life, or of grievous hurt, from such animal.	Imprisonment for 6 months, or fine of 1,000 rupees, or both.	—Ditto—
25.	290	Committing a public nuisance.	Fine of 200 rupees.	Non-cognizable
26.	294	Obscene songs.	Imprisonment for 3 months, or fine, or both.	Cognizable
27.	323	Voluntarily causing hurt.	Imprisonment for 1 year, or fine of 1,000 rupees, or both.	Non-cognizable
28.	334	Voluntarily causing hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation.	Imprisonment for 1 month, or fine of 500 rupees, or both.	—Ditto—
29.	336	Doing any act which endangers human life or the personal safety of others.	Imprisonment for 3 months, or fine of 250 rupees, or both.	Cognizable
30.	341	Wrongfully restraining any person.	Simple imprisonment for 1 month, or fine of 500 rupees, or both.	—Ditto—
31.	352	Assault or use of criminal force otherwise than on grave provocation.	Imprisonment for 3 months, or fine of 500 rupees, or both.	Non-cognizable
32.	358	Assault or use of criminal force on grave and sudden provocation.	Simple imprisonment for 1 month or fine of 200 rupees, or both.	—Ditto—
33.	379	Theft.	Imprisonment for 3 years, or fine or both.	Cognizable
34.	380	Theft in a building, tent or vessel.	Imprisonment for 7 years, and fine.	—Ditto—
35.	381	Theft by clerk or servant of property in possession of master or employer.	—Ditto—	—Ditto—
36.	411	Dishonestly receiving stolen property knowing it to be stolen.	Imprisonment for 3 years, or fine, or both.	—Ditto—
37.	417	Cheating.	Imprisonment for 1 year, or fine, or both.	Non-cognizable
38.	426	Mischief.	Imprisonment for 3 months, or fine, or both.	—Ditto—
39.	427	Mischief, and thereby causing damage to the amount of 50 rupees or upwards.	Imprisonment for 2 years, or fine, or both.	—Ditto—
40.	447	Criminal trespass.	Imprisonment for 3 months, or fine of 500 rupees, or both.	Cognizable
41.	448	House-trespass.	Imprisonment for 1 year, or fine of 1000 rupees, or both.	—Ditto—
42.	491	Being bound to attend on or supply the wants of a person who is helpless from youth, unsoundness of mind or disease, and voluntarily omitting to do so.	Imprisonment for 3 months, or fine of 200 rupees, or both.	Non-cognizable
43.	506 (A)	Criminal intimidation.	Imprisonment for 2 years, or fine, or both.	—Ditto—
44.	508	Act caused by inducing a person to believe that he will be rendered an object of Divine displeasure.	Imprisonment for 1 year, or fine, or both.	—Ditto—
45.	509	Uttering any word or making any gesture intended to insult the modesty of a woman, etc.	Simple imprisonment for 1 year, or fine, or both.	Cognizable
46.	510	Appearing in a public place, etc., in a state of intoxication, and causing annoyance to any person.	Simple imprisonment for 24 hours, or fine of 10 rupees, or both.	Non-cognizable

# Peace panels hailed for fall in crime rate

EXPRESS NEWS SERVICE

Kurnool, Oct 1: The peace committees set up by the district police administration have played an important role in bringing down the crime rate in this faction-ridden district. Very few incidents have been reported in the last one year after their formation.

Speaking to ENS, Superintendent of Police N Madan Mohan said the district police administration was determined to influence the minds of people since most of the criminal offences in the district originate from petty and trivial issues.

He further informed that the entire district administration, including the revenue administration, was totally involved in this novel programme with the cooperation of district Collector C Umamalleswar Rao.

The near total peaceful conduct of elections bears testimony to the impact of the peace committees which have been constituted since August 1998. Of the 704 villages in the distr-

ict affected by factions, about 250 have witnessed many murders due to faction-rivalry and are being treated as hyper-sensitive by the police.

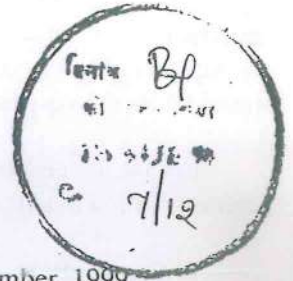
The SP said the committees were set up to curb factionalism in faction-ridden villages. In many villages like P Kotakonda, a village which has been a witness to more than 70 murders for the last 20 years, the committees were formed by effecting compromise between two rival groups and the rival leaders were nominated as leaders of the peace committees. According to the SP, the committees were set up in 107 villages as against the 250 hyper-sensitive villages.

The crime rate, especially faction-related crime, has come down after the committees were set up. Seventeen persons were murdered in faction-related incidents in 1997 and 12 in 1998, but only two murders were reported so far this year, the SP said.

Even the number of faction riots has come down.

D.O. No. 27011/1/98-Estt.

P.S.V. PRASAD  
Joint Director



07<sup>th</sup> December, 1999

We are in receipt of your letter No.350/A3/99 dated 20.9.99 incorporating therein salient features of the community policing initiative "MAITHRI" launched by A.P.Police Département which is proposed to be made operational by January, 2000. It is quite appropriate that this commendable effort to reorient the police from an agency of law enforcement towards a citizen oriented service organisation coincides with other pathbreaking innovations in public administration that the State is introducing in the new millenium.

2. The topical relevance of the philosophy of community policing to the future of policing policy in the country has been recognised by this Academy which awarded the 1998 Golden Jubilee Fellowship to Shri A. Abraham Kurien (IPS-UP-1969) to conduct a research programme on 'Training for Community Policing' early this year. Apart from undertaking a detailed study of the concept of community policing and its relevance in the Indian context, the project has focussed attention on the vicissitudes of earlier initiatives taken in this direction both by individual officers, as also in the form of statutory provisions introduced in States like Karnataka which is credited with the promulgation of the Karnataka Village Defence Parties' Act as early as in 1964. Findings of the field study conducted in rural areas of Karnataka pointedly suggest that the impact of the legislation has been uneven partly because of certain inherent weaknesses in the scheme and partly because of the absence of conviction and commitment on the part of executive police officers responsible for implementation of this important legislation in the field. Involvement of officers placed at the cutting edge level is undoubtedly one important component in bringing about community participation in crime prevention and problems solving as visualised in the philosophy of community policing.

3. Having regard to the immense potential of 'MAITHRI' in realising the true objectives of the community policing concept, it has been suggested by the Research Fellow that it would be desirable to involve field officers in a selected area initially to test the promises of the scheme in the form of a pilot project. District Kurnool has been recommended to run the pilot project both in view of its location as also the steps already taken by the S.P. in mobilising 'Peace Panels' as reported in the Indian Express issue dated 1st October, 1999 (cutting enclosed for ready reference) which appear to have




prepared the ground for involving both the rural community and the field police officers in conducting the field study. The duration of the pilot scheme could be one year and it may require full time assistance of two local officers, preferably one S.P. and one Dy.S.P. earmarked for the purpose for the entire duration with essential infrastructural support.

In case the proposal meets with your approval, the Research Fellow will be asked to discuss further details with you or any other suitable officer nominated in this regard.

With regards.

Yours sincerely,

  
/c (P.S.V. PRASAD)  
7.12.98

Shri H.J. Dora,  
Director-General & Inspector General of Police,  
Andhra Pradesh,  
HYDERABAD.



Tel: 040-4015151 to 4015158 Fax: 040-4015179

Gram: 'POLACADEMY'

सरदार वल्लभभाई पटेल राष्ट्रीय पुलिस अकादमी  
गृह मंत्रालय, भारत सरकार  
हैदराबाद - ५०० ०५२

SARDAR VALLABHBHAI PATEL NATIONAL POLICE ACADEMY  
(Ministry of Home Affairs, Government of India)  
HYDERABAD-500 052

D.O.No. 27011/1/98-Estt.

**P.V. RAJGOPAL**  
Director

19th May, 1999

The concept of 'community policing', as you must be already aware, has gained currency in many democratic societies in the West as a potential alternative to the traditional model of law enforcement which is largely reactive and often repressive in character, leading to police ineffectiveness and alienation from the public. Under the new concept, crime control and public order management are considered as truly participative functions, with the total involvement of the community or the local neighbourhood as an active partner with an equal stake in these vital issues of social stability and progress. This paradigm shift in police policy arose from an understanding that police alone cannot resolve problems of crime and disorder, however elaborate may be its resources or however ingenious its strategies. Studies conducted in the West also point to the necessity of securing legitimacy for police enforcement functions from the community, which was qualitatively different from legitimacy accorded by statutes alone. Prompted by these considerations, the new policy sought to cast the police in a novel role as a catalyst in social change, by seeking consensus and consent of the community in identifying and resolving the issues that threaten security and stability. Active participation by the community in crime prevention strategies was only one such area of co-operation which could extend to many programmes intended to promote the quality of life in the society.

2. Though not clearly spelt out as a self-sustaining philosophy or not so ambitiously conceived, community participation has been extensively drawn upon as a potent ally of police work by many perceptive police officers in India, too, notwithstanding the problems of identifying 'communities' or local neighbourhoods which share the same values and perceptions regarding the right kind of order or stability. Formal programmes such as 'Friends of Police' in Tamil Nadu, 'Mohella Committee' in Maharashtra, 'Neighbourhood Watch' in Delhi and 'People-Oriented Policing' in Punjab are Indian initiatives launched in this direction. Despite initial enthusiasm and success, many of them have failed to take root for want of institutional support or individual commitment. One

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common feature among the host of these laudable initiatives was that it was inspired by an individual; another was that it was purely voluntary in character. Karnataka, perhaps alone among States in recent times, has experimented with community policing which was both supported by statutory reforms and which was compulsory in character. The Karnataka Village Defence Parties Act, 1964 is a unique piece of legislation investing the local police with legal authority to compel community participation in crime prevention and preservation of public order. The implementation of the legislation in the several areas of the State, however, appears uneven and calls for further research to assess its impact. A copy of the Act, alongwith Rules framed thereunder, is enclosed for ready reference.

3. Meanwhile, the Karnataka police in the metropolitan city of Bangalore has embarked upon a highly innovative programme of community and problem-oriented policing purely through volunteer participation, as distinctly different from the above rural experiment supported by legislation. Two toll-free telephone lines have been set up in the office of the Commissioner of Police, for providing easy access to children and women in distress. The most notable feature of the scheme is that the "help line" is managed by committed lady volunteers who come from various strata of society and prompt response to distress calls is ensured by networking over 90 voluntary organisations, spread across the city. Logistical support and rehabilitation arrangements are also purely voluntary, the police lending its authority unobtrusively and intervening only when legal requirements demand it. The scheme has been enormously successful, though recently initiated and has earned tremendous good-will towards the police for its initiative in seeking out the most vulnerable people in distress, namely women and children, in a bustling metropolis. The community-orientation of the police appears to be paying early dividends in terms of better public co-operation in forums such as Traffic Warders Scheme, promotion of communal harmony and law & order management in general. The 'Help Line' is commended for implementation in your jurisdiction as a pro-active police initiative.

4. We shall also be greatly obliged for your valuable suggestions and observations on the relevance of the Karnataka experience<sup>for</sup> directing the future course of community policing in India as well as sharing your own initiatives with us in the field of community policing in your State/City.

कीरेन्द्र कुमार

पुलिस अपापीकाक (पॉर)

64 वॉ बैच, डा. भीमल अम्बेडकर केंद्र

पुलिस अकादमी, मुद्राकार . 1

## **COMMUNITY POLICING (BRAIN STORMING EXERCISE - II)**

1. *2. Training outline*
- ✓ 2. *Training outline*

**“ IN WHICH DOMAINS/ACTIVITY  
AREAS OF POLICE WORK,  
COMMUNITY PARTICIPATION  
MAY BE OF USE?”**

पुलिस बल जनता द्वारा दो प्रकार से सहमता प्राप्त कर सकता है प्रथम अभिसूचना स्रोत के रूप में, द्वितीय पुलिस बल से सहयोगी बल के रूप में।

प्रथम, जनता द्वारा अभिसूचना संकलन तथा प्रभावी होगा जबकि पुलिस अधिकारी उन अभिसूचनाओं पर पर्याप्त ध्यान दें। ये सकता है कि कभी अभिसूचना अलग या अप्रभावी हो सकती है किन्तु धीरे-धीरे इनसे ही बहुत सी महत्वपूर्ण सूचनाएं बनती हैं। जब पुलिस अधिकारी पर जनता का पूर्ण विश्वास हो जाता है और वह अपनी सुरक्षा के प्रति आश्वस्त रहता है तो वह स्वयं सूचि लेकर सूचनाएं देता है।

द्वितीय, अच्छे नागरिकों का चयन काले एवं उनके प्रशिक्षण देकर कर्मबल का सृजन किया जा सकता है। किन्तु इसमें पर्याप्त सावधानी रखनी होगी कि ये स्वयंसेवक अपने अधिकारों का दुरुपयोग न करें और अपने कर्तव्यों का निर्वहन सही ढंग से करें। इसके लिए प्रोत्साहनों की व्यवस्था की जा सकती है और उनको समुचित प्रशिक्षण के साथ-साथ सम्पूर्ण आवश्यक संरक्षण भी उपलब्ध कराया जाये। इस प्रकार के कार्य बल साम्प्रदायिक केंद्रों, कानून-व्यवस्था एवं अन्य छोटी-छोटी धारनाओं को निपटारने में बहुत सहयोगी हो सकते हैं।

वीरेन्द्र कुमार

पुलिस अपापीशक (परि.)

64वां बैच, डा० भीमलख अम्बेडकर उच्च पुलिस अकादमी,  
मुनाशवाक ।

## COMMUNITY POLICING (BRAIN STORMING EXERCISE - I)

1. Police language

2. Transparency in police work

3. Build good will

### “HOW WILL YOU BRING COMMUNITY CLOSER TO POLICE FOR BETTER POLICING?”

जनता को अपने निकट लाने के लिए पुलिस को आवश्यक अर्थ एवं मृदुभाषी बनना चाहिए क्योंकि आज के समय में जनता को सक्षम अधिक चुनने वाली बात पुलिस जन की भाषा-शैली ही है। जनता की समस्या का निराकरण हो या न हो किंगड पुलिस पर बोले गये सखे शब्द जनता को विपरीत रूप से प्रभावित करते हैं। सभी पुलिस जनों को मृदुल भाषा का प्रयोग करने की सलाह एवं प्रशिक्षण दिया जाना चाहिए।

जनता को यह दिखना चाहिए कि पुलिस जो भी कार्य कर रही है वह उचित है इसके लिए पुलिस के कार्यों में पारदर्शिता आनी चाहिए। पारदर्शिता के लिए आवश्यक है कि पुलिस के कार्यों में जनता की भागीदारी सुनिश्चित की जाये, इसके लिए विभिन्न प्रकार की समितियों का गठन किया जाये। इन समितियों में समाज के सभी वर्गों का प्रतिबिम्बित्व होना चाहिए न कि केवल बुद्धिजीवियों या पुलिस के पिढुठुओं का।

पुलिस के अधिकारियों को जनता की समस्याओं का निराकरण प्रथमिकता के आधार पर करना चाहिए न कि मात्र औपचारिक रूप में। साथ न्याय (निराकरण) होने के साथ-साथ न्याय दिखाना भी चाहिए अर्थात् जनता स्तुष्ट भी हो सके। उचित लाभान्वित व्यक्ति के रूप में पुलिस के संस्थापन (Resource) का सृजन होगा जो कठिन समय में पुलिस की बहुत मदद कर सकते हैं, बस आवश्यक है सूची-निर्माण एवं अपनी योजना के प्रभावी-निर्माण की ।

VIVEK SHARMA  
IPS (O.T.)  
ROLL NO: 47

## COMMUNITY POLICING (BRAIN STORMING EXERCISE - I)

### “HOW WILL YOU BRING COMMUNITY CLOSER TO POLICE FOR BETTER POLICING?”

It is a worn out truism that no police force anywhere can be successful professionally unless it can elicit spontaneous help from the community it serves. The police-community relations in our country has been far from satisfactory and is mainly a hangover from the British days. It must be clearly understood that there is no such thing as an ideal police-public relationship. All laws, even purely social ones, are restrictive of individual freedom and therefore irksome. Even the most law-abiding citizens are bound to have a brush up with the laws and in such a situation how can a law enforcement organization become absolutely popular. However there is ample scope for reorientating the police-community relationship on to a more harmonious and less bitter course. Following things need an earnest thought:

- \* Except for pontifical utterances, such as exhorting the police to become service minded, we have never applied our minds to bring about a behavioural change in the police. The first step in this direction is to enlarge the sphere of police duties. The police should no longer be only a law-enforcing agency. It must be converted and reorganised into a general service agency where a policeman can be an all-purpose friend and helper of a common man.
- \* At present the contact between police & community is only situational or punitive i.e. the policeman comes to the scene only when a crime has been committed or law and order has been disrupted. If we want the police community relations to enter upon a new epoch, then these non-situational and non-conflictual contacts can be made more frequent. To begin with we can ~~institute~~<sup>institute</sup> the public grievance meetings where officers of police can get feedback/suggestions from the masses.

- \* The demeanour of bossiness and the hauteur of the monarch must yield place to the helpful stance of a public servant.
- ✓ \* The police constable is treated as an obedient robot normally bereft of volition and individuality and has not received a fair deal in the police hierarchy. This position gives him the underdog complex and he seeks a psychological compensation by inflicting avoidable maltreatment on societal underdog. This state of affairs has damaging results on the police-public relationship. The imperative need therefore is to restore constable to a prestigious position and make him conscious of his important role & duty.
- ✓ \* There is an urgent need for a reorientation of police training methodology and curriculum which at present is basically muscle-oriented especially for lower echelons. Emphasis should be shifted to teaching policeman human psychology and awareness of social forces at work.
- ✓ \* On investigation side, the corporal or third degree methods must be banished. The present approach to performance appraisal is based largely on statistics and encourages the suppression of crime and employment of questionable techniques in obtaining results. This outdated and counterproductive methodology needs to be modernized.
- \* In emergency situations like natural calamities, police can play its own yeoman role. A change in policy is required wherein relief aids are funnelled, at least partly, through police so as to bring them nearer to people and enable them to exhibit overtly the humane side of the organization. This will assuage the harshness of the image of police.
- \* Finally, a common man carries many misapprehensions about police and is largely ignorant about its working. A fear psychosis engulfs if a person is asked to go to any police station. The leaders of public opinion and the intellectuals through media or otherwise must educate the community at large to bring about a change in rather stupid and rigid attitude towards the police.

With earnestness on both sides, the present antagonistic attitude will gradually vanish and the police-community relations will enter upon an epoch of mutual understanding, help and cooperation. This is imperative for the survival and furtherance of democracy in this country.

VIVEK SHARMA  
IPS (O.T.)  
ROLL NO: 47

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