

Dawn Of New Panchayat Raj
In
Madhya Pradesh:
Rural Policing In The Context
Of
Grassroot Democratic Decentralization



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Guide
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Dedication

My Parents

Pullela Venkanna

Indira Devi

Brothers & Sisters

Nageshwara Rao

Asha Latha

Somnath

Shobha Rani

Ramesh Babu

Suresh Babu

Vijaya Geetha

All my Friends
who stood by me

My
Sincere Gratitude



Shri Digvijay Singh
Former Chief Minister
Madhya Pradesh



Shri Ganeshwar Jha
Inspiration



Dr A K Saxena
Guide

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Dr Rekha
Bela

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Chapter I

Introduction

CHAPTER I

INTRODUCTION

"One man is as good as another until he has written a book"

Benjamin Jowett
Abbott and Campbell

1.1 Police through the Ages

Nature endows every animal with certain instincts of self-preservation and continuation of its species. Hunger, sleep, fear and sex are common to both the man and the animal. In the animal, these are all instinctive urges, and, as soon as the urge is satisfied, the animal is relaxed and does not act till the next urge comes. Thus, when it is hungry it eats. As soon as it has had its fill it sleeps and when it is hungry again it wakes up.

Man has also got all these instinctive urges. But he developed power of reasoning and thinking with the help of which he slowly emerged from animal hood. With this power of analysis, he learnt to modify his instinctive urges and even to conquer them entirely. Once man came to be endowed with this power he could no longer be kept fastened by his animal instincts to a predetermined path of life and he started making his own experiments to improve both himself and his conditions of living.

One of the earliest discoveries, which man made was the necessity and utility of collective life. Physically he was one of the weaker animals, and he realised that he could survive only if he could group himself with others of his kind. The first grouping took place in the form of family. But, this unit was not enough, and man soon learnt that what he could not do alone several men acting together could do. He also found that he not only could pool strength but he could also pool knowledge and experience. In this lay the germs of the original society, in which man working in groups, pooling strength and knowledge, profiting by experience and using imagination and thought could at last overcome his physical handicaps and assert his supremacy in the animal kingdom and also control nature to some extent.

He realised that collective functioning was the only way in which he could maintain his superiority and progress.

However, in spite of all his cultural progress, man remained basically an animal and his animal instincts continued incessantly to pull him back. He realised that he must repress his animal instincts; otherwise they would lead him to destruction. Thus, whenever his desires goaded him to do a particular work, his reason put a brake on him and he asked himself if such an action was good for him, for his family and for his society. So started the eternal struggle between man's desires and his reason, between man the animal and man the human being, between man's impulses directed by Nature and man's discretion created by his power of reasoning and between man's hatreds and his higher feelings. In this way man

developed in himself his conscience and he started acting as his own watchman or policeman over his animal desires. This continual analysis and introspection led man to develop his moral qualities and allowed him also to develop his moral philosophy, which ultimately flowered in the sublimist forms of the great religions of this world. In the social life, also, man continually questioned his actions as to whether they were right for his family or the society, and thus he developed his civic sense or he developed his own watchman or policeman on behalf of society and he analysed and found out which actions were good for the society, kept it united and progressive, and which were destructive. In this way he developed conventions, which ultimately formed into social codes, and this came to be laid down in India in the Manu Samhita, probably the earliest code of human conduct in the world. In other civilised areas of the world similar codes came to be written.

Thus religion and social code were the twin forces which guided every action and thought of the civilised man. Religion helped him to improve himself and social code kept him in society and made him observe all the social conventions and work collectively for securing its strengthening and continued progress. This continuous analysis, this eternal vigilance in respect of every action or thought, in other words, his conscience developed into his police consciousness, or the man developed his own policeman both to keep a watch on his own base ideas and desires and also on transgressors in society. Thus, every time his desires goaded him to a particular course of action, impulse took him to a direction which on analysis was found to be destructive for himself, this

policeman in him came to his rescue and drew him away from the path of wrong and set him on the path of right. In the social field also, every time he wanted to do some work he analysed and reasoned whether it would be good for the society. He thus developed in himself this social policeman, which checked the transgressions who advised, helped, directed and guided in every possible way. A father restraining his son, a mother advising the daughter, a teacher teaching students in a class, a preacher teaching religion are all acting as social policemen on behalf of the family or the society.

It is the conscience in personal life or the civic sense in his social life, which acts as the eternal policeman in man. It is this policeman in man, which eternally stands at the crossroads of the right and wrong barring the path to the wrong and pointing the path to the right. Without the constant vigilance and the directing hand of this policeman, man would degenerate into an animal and society would disintegrate; and without the policeman's guiding influence, man could not conquer the animal in him and the society could not prosper as a corporate body.

Hence, the birth of policeman in man can be traced to the earliest times when man started emerging from his savage animal hood and, using his power of reasoning and thought, realised the need for self-improvement and the benefits of family and corporate life. It is the policeman in man which has guided him through the vicissitudes and sufferings over thousands of years and helped him

to develop both individually and as an integral part of the society. And the policeman in man must function continuously so long as man wants to live a cultured life in human society.

As family groups expanded, they covered larger and larger areas, coalesced with other groups expanding from different directions and formed themselves into tribes. These tribes expanded sometimes by coalescing with others or by fighting and absorbing forcibly till races grew with different languages. These further expanded into nations and marked out particular areas which they called their countries. Usually the nations went by languages. As man went on expanding, he went on driving the wild animals before him and ultimately the only safe place for the animals was in sanctuaries. This absolute supremacy in animal kingdom was won by virtue of collective action lasting over thousands of years. Similarly, man progressed gradually in harnessing the forces of Nature and made tremendous progress. This was also possible by pooling strength, skill, experience and knowledge, i.e., by collective action.

All collective action presupposes that different persons in a group would voluntarily perform different tasks required for the group as a whole. When the groups were small it was possible for each person to do all that was needed for existence. He could hunt, roast the meat, draw water, cut trees, light the fire, etc. But, when it came to controlling forces of nature, more specialised skill was necessary and people had to be kept at particular jobs to develop

special skills. Then it became necessary to develop codes and conventions of conduct in society and give them more rigidity either by force of religion or of law.

However, moral compulsion alone could not succeed as life became more complex and it was difficult for each person to carry out his police functions in respect of others however good he himself might be. And, yet, if codes were not enforced, the society would disintegrate. So the tribe ultimately elected a leader who became a king and assumed in him both religious and temporal powers. The king, as his domain became bigger and bigger, he alone could not do all that was necessary and appointed certain persons to give him advice, others to try offenders on his behalf and a still third group to carry out the executive functions on his behalf. These were the beginnings of the legislative, judicial and executive functions of a State. However, whatever the leader did, either himself or through the agencies which he set up, he was only carrying out the police functions which each individual had to do both for himself and on behalf of the society. The rules, which the leader or the king enforced were those which had been accepted by the tribe after centuries of experience. And, though the people at large relaxed a little after handing over certain of their powers to the king, the people ultimately remained the source of all police powers of the State; and whenever a ruler turned oppressive and disobeyed the people's mandate, the people saw to it that he was changed by one way or the other.

An organised police force is, therefore, only a projection of the police functions of the society, which is but the sum total of the police functions of all individual members of the society. Organised police relieves every individual member of the society from having to discharge his police duties in his day-to-day life so that he can carry out his own constructive work uninterruptedly. But the source of strength remains the people, and it is from the people that the organised police must draw all their sustenance.

The ability of a society to confront successfully the innumerable challenges every day from nature and from internal and external sources is entirely dependent on its power to maintain its internal order, i.e., on the way its police functions are performed. If a society becomes corrupted, it loses its internal cohesion and hence its power of resistance and will collapse when a succession of challenges threaten its existence. If the internal cohesion can be maintained the society will overcome hundreds of challenges and endure. Without the protection of the police, society will encounter heavy weather from hundreds of external enemies; without the guiding hand of the organised police, it will be impossible to maintain the cohesion of a growing and complex society; and without the restraining hand of the police, groups forming the society will fall apart and the society will disintegrate.

Police in society is like grammar to language. Just as words by themselves do not make any sense and they have to be helped together and given direction by grammar, without which no

thoughts can be properly expressed and it is only through grammar that the loftiest ideas can be fully developed in prose or poetry, similarly it is the police which holds the individuals together in society, gives them direction in their work and helps them along their path of development. Just as language without grammar would only be a jumble of words or sounds without any meaning, similarly a society without the unifying and directing influence of the police will be a jumble of individuals, each minding his own interests and driven by his own instincts as in the case of savage animals. Police in one form or another has existed in the society from the earliest times, and there are references to the police even in the Rig Veda; and the police must remain in society so long as society wants to remain civilised and progressive.

States are formed by taking over police functions of the individuals and directing the force of the community for the good of the people at large. The State is but an amplification of the original idea of the tribal leader or king. The State sets up a legislature to legislate on its police functions; the State sets up a judiciary to try transgressors in the execution of its police functions; and the State sets up a large body of executives to carry on its day-to-day executive police functions. In fact, every branch of work which a State does on behalf of the people is a police function which the State does on behalf of the people by exercising the powers which the people have delegated to the State to keep themselves free. In reality, a State can exist only so long as it continues to perform its police functions; and once a State is unable to do so, it fails. In other words, therefore, the State is inseparable from its police

functions and hence becomes inseparable from the body of executives which is set up to carry out these police functions on behalf of the public.

The field of executive police functions is enormous and covers every branch of civil administration. In whatever direction human conduct has to be regulated, it comes in the sphere of police functions. It has to protect human life, property, honour, religion and everything that man has created out of his constructive genius. It has to restrain everything, which degrades or destroys or arrests its progress. And it has to unite various forces to form into a smooth stream leading to find realisation of happiness and prosperity.

The police are therefore, the primary constitutional force in a State for protecting the individuals in the exercise of their fundamental, legal and economic rights and for protecting and upholding the Constitution, the country and the nation. Just as the origin of the police goes back to the earliest stages of man's development from the savage stage similarly the police will exist so long as man decides to live in an organized and cultured society. It is the eternal uniting force which keeps society going; and the moment this is withdrawn, the society will disintegrate and be destroyed.

1.2 The Link

India, as we all are aware, lives in its umpteen villages strewn across its length and breadth. Though the basic concept of policing has been intact all through its tumultuous history, the journey has been very colourful as a practicing profession. We have seen the forms of governance changing right from vedic ages to the present democratic times. The resilience of the police as an institution has been such stupendous that it had survived all the vagaries it had confronted. Police is alive, kicking and raring to go places, even now! Right from the primitive human being to the modern man, no one could negate the importance of this omnipotent and omnipresent institution. This is the only place which is open to one and all 24 hours a day and 365 days a year in all places in the world. This research paper attempts to delineate the history of policing in India through ages.

In the present democratic form of government in India, Panchayat Raj had become the main stay of all its activities. The grass root democratic decentralization has given the strength to the democratic way of our governance. As Panchayat Raj concept is connected to the people at its basic levels, it was found necessary to understand the policing at the level of villages. In this attempt, this researcher had tried to understand the pertinent changes that have occurred in the very concept of rural policing in the advent of introduction of Gram Raksha Samitis in Madhya Pradesh. The main slant of this research work is to understand as to how Panchayat

Raj institution has influenced the minds of the people as far as the rural policing scenario in Madhya Pradesh is concerned.

1.3 The Basis

The foundation of an egalitarian society rests on the empowerment of communities and minimalist governance. It means that local people will take the decisions for their own overall development in the broad framework set by the Government.

Rajiv Gandhi mooted the proposal for constitutional amendments to give Panchayat Raj institutions and Urban Civil bodies a high plane in the scheme of development of strengthening local institutions. Madhya Pradesh Government became the first to take advantage of the 73rd and 74th Constitutional Amendments for establishing 3-tier Panchayat Raj and Nagar Palika in the State. An ideal model for the people-centric participatory developmental decentralization process has thus been evolved.

1.4 Panchayat Raj

The concept of social audit by Gram Sabha under Panchayat Raj constitutes the component of accountability of all public functionaries. Madhya Pradesh has the provision of right to recall of Sarpanch of Gram Panchayat and President/Mayor of Urban Civil bodies. This is a major administrative reform in the district government. The basis for the State Plan is initiated from the

individual District Plans. Functions and powers vested with the State Government and Divisional Officers have been delegated to District Planning Committees, which are chaired by Ministers-in-charge of the districts. Four-fifth members of the District Planning Committees are elected by Zilla Panchayat and Urban Civic bodies of the district.

1.5 Gram Swaraj

The establishment of Gram Swaraj from January 26, 2001 is basically to make a changeover from representative democracy to direct democracy on Gandhian lines. This new dispensation is an ideal blend of Panchayat Raj system established as per constitutional provisions and the spirit of traditional Panchayat system, representing the best of both. Gram Swaraj will not infringe on the role of Panchayats, rather they will function with more credibility and transparency.

The rural people are empowered through Gram Sabha by developing a structure for optimal utilization of local resources for all-round development of villages. It is to develop each village as a single social unit. This Gram Sabha will meet at least once in a month with Sarpanch of Gram Panchayat as its presiding officer. Gram Sabha will be authorized to take decisions on all matters pertaining to development of the village while the Gram Panchayat will implement the same. 20 percent members will constitute the quorum for Gram Sabha meeting. Presence of one-third women

and members of Scheduled Castes and Scheduled Tribes in proportion to their strength will be compulsory. As far as possible, gram Sabha will take decisions unanimously. In the event of lack of unanimity, a consensus will be tried and if differences still persist decisions will be taken by secret voting. Gram Sabha consists of all people who are enlisted as eligible voters of the village.

There are 8 principal committees of Gram Sabha for different village activities.

1. Gram Vikas Samiti (Village Development Committee)
2. Sarvajanik Sampada Samiti (Public Estate Committee)
3. Krishi Samiti (Agriculture Committee)
4. Swasthya Samiti (Health Committee)
5. Adho Sanrachana Samiti (Infrastructure Committee)
6. Shiksha Samiti (Education Committee)
7. Samajik Nyay Samiti (Committee for Social Justice)
8. Gram Raksha Samiti (Village Defence Committee)

Under Gram Swaraj there will be a fund called Gram Kosh. It has got 4 components

- (1) Anna Kosh (2) Shram Kosh (3) Vastu Kosh (4) Nagad Kosh

The monies of Gram Kosh will include donations in cash and kind, the income from other sources besides the proceeds recovered by

way of land revenue, cess, grazing fee and school cess. Funds realized by way of taxes imposed by Gram Sabha and the funds received from central and state governments will also be deposited in the Kosh.

There will be a treasurer to maintain the accounts of the Gram Kosh who will be duly nominated by Village Development Committee.

Funds received by Panchayat from Central and State governments for different programmes will be given to Gram Sabha by Panchayat. Gram Panchayat will ensure proper utilization of funds received from the government. The most important function of Gram Panchayat will be to coordinate between the various committees of Gram Sabha.

1.6 Gram Raksha Samitis

In line with the concept of Gram Swaraj a major step to decentralize and bring the concept of defense to the people, a new piece of law had been enacted in Madhya Pradesh State called:

Madhya Pradesh Gram tatha Nagar Raksha Samiti Adhiniyam, 1999

This is an act to provide for the constitution of Village and City Defence Groups for the maintenance of peace and order in the

state of Madhya Pradesh. This act received assent of the Governor on January 4, 2000.

This, along with the Madhya Pradesh Panchayat Raj avam Gram Swaraj Adhiniyam, 1993 (as amended in 2001), can be termed as the "Dawn of New Panchayat Raj in Madhya Pradesh". The reasons are many. Madhya Pradesh could be the first state in the country which had taken up the concept of Panchayat Raj in a very serious and conscious manner. It could be also named as the first state in which a separate Act had been put in place exclusively for the advancement of concept of Panchayat Raj. The very fact that a legislative measure in the name of Madhya Pradesh Gram tatha Nagar Raksha Samiti Adhiniyam, 1999 being enacted itself speaks volumes about the commitment.

This project was envisaged to conduct a detailed study of the above Act and its implementation at ground zero level. It is a part of the general understanding of rural policing in the context of this new venture in grass root democratic decentralization.

Chapter II

Research
Design
of
the
Study

CHAPTER II

RESEARCH DESIGN OF THE STUDY

2.1 Introduction

Linguistically, the word 'Research' covers any careful search or investigation, but among academics it has come to have a more particular meaning, what may be called advanced research. It has a number of characteristics or qualities. Research is conducted within a system of knowledge or understanding, it should always be probing or testing that system. It aims towards increasing a common heritage of knowledge, though sometimes it will fail. An increase of knowledge may be something entirely original or it may consist of checking, testing, expanding and refining ideas, which are themselves still provisional. Research should continually question a nature of knowledge itself, what it is and how it is known. Each discipline has its own systems of acquiring knowledge but, in fact, they all have much in common. The two most familiar are, broadly, scientific method, as developed in the physical sciences, and the quasi-judicial system traditionally used in historical study. The principle of English law that a person is innocent until proved guilty 'beyond reasonable doubt', and even the ordinary citizen's idea of giving the 'benefit of the doubt' in a case, finds a more formal parallel in the logical scientific argument of the null hypothesis. More recent discipline, such as anthropology, psychology and sociology has largely adapted established systems to their own use although this adaptation is not always acknowledged. What all research disciplines share, or should share, is a

common ground of rational thought founded in logical argument and ultimately in Lockian common-sense.

It would be an error however to infer from all this that research method is relevant only to a small number of specialized workers. For at all levels of education, even at primary school, there is a large amount of project work which, even if it is not research in the advanced sense, simulates research and often partially uses research procedures such as social surveys. Although these exercises are thought of as being of a practical nature they are, or should be, to some extent at least, exercises in thinking, and it would be well if this was treated explicitly as part of an intellectual heritage. At degree level, both undergraduate and post-graduate, quite substantial investigations are carried out which simulate research procedures, are intended as training in research and in fact are often useful small pieces of research.

At the popular level, research affects so much of our lives that any educated, indeed thinking, person needs a knowledge of its procedures. We are subject to so much information in the newspapers and from television and radio about the latest discoveries, latest environmental crises, opinion polls, new products and so on that sensible decisions, opinions, even, can only be formed if we understand something of the intellectual, as distinct from merely technical, processes involved.

2.1.1 *Social Survey Research Method*

Research that uses pre-experimental designs to gather data from people in their natural settings about the distribution of variables and relationships among variables is called Social Survey Method.

A Survey is a method of collecting data from people about who they are (education, etc), how they think (motivations, beliefs, etc) and what they do (behaviour). In this survey the Researcher has used the questionnaire method in which the respondents were asked to either fill it alone or in most cases by personal interviews.

In pre-experimental designs, observations from the subjects are obtained only a single time where the primary goal is not to describe causal effects but rather to answer questions about the distribution of and relationships among characteristics of people, as they exist in their natural settings.

Survey questionnaires are planned before the data collection begins. The systematic data collected from each respondent allows the exploration of the relationships among variables that are measured. This method has been adopted for this research study.

The following are the three major reasons for conducting this survey (Fink and Kosecoff, 1985:14) :

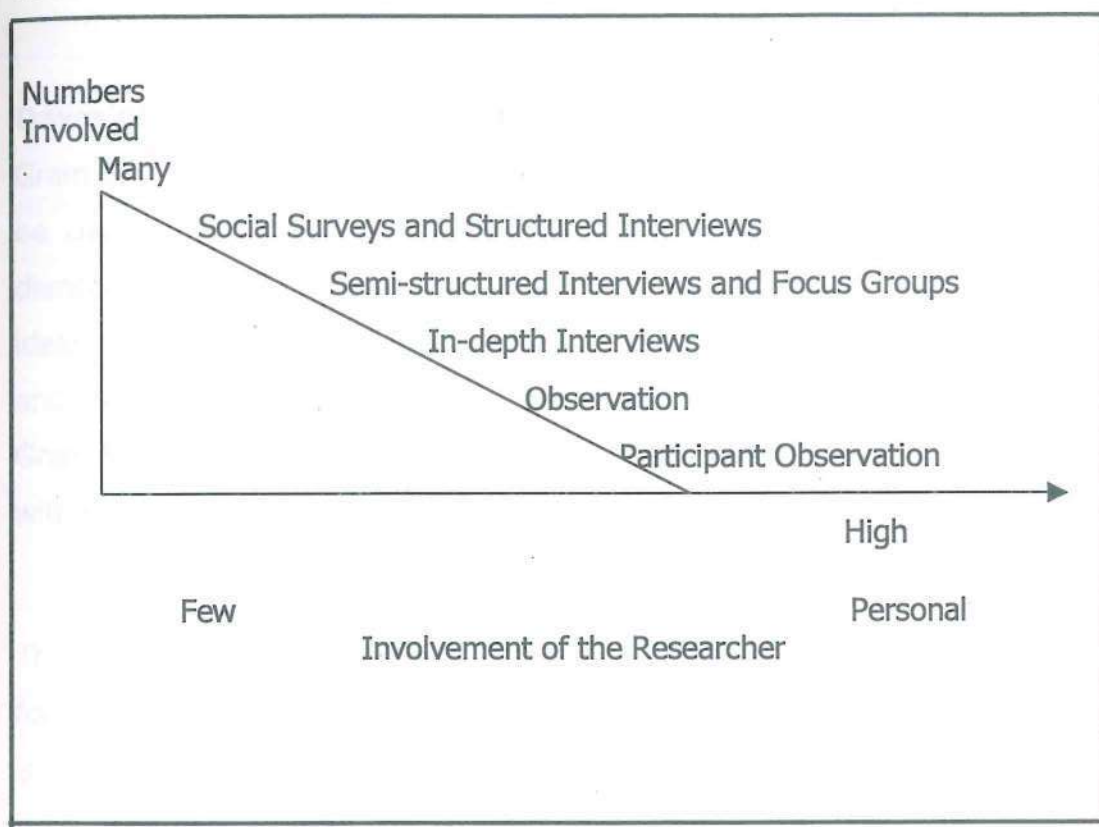
1. To help plan a policy for either continuing the Gram Raksha Samiti Scheme or otherwise.
2. To evaluate the effectiveness of Gram Raksha Samiti Scheme in order to change people's knowledge, attitudes and welfare.
3. This project was envisaged to make a definite ground for further research and planning in the specific area of study as below.

This survey was based on an a research question as to the general attitude of public, police, and other government officials towards the functioning of Gram Raksha Samitis and the extent to which the system has earned the confidence of all concerned. This has been specifically conducted in order to understand the impact of Gram Raksha Samitis in the present day rural policing in Madhya Pradesh. The basic idea was to find out whether Gram Raksha Samiti Scheme is of any use in the context of grassroot democratic decentralization and how it is perceived by different categories of people.

2.1.2 Involvement of the Researcher

The Researcher is a member of the Indian Police Service and had been in the service in Madhya Pradesh for several years. The Researcher had himself moved across the length and breadth of the state and personally interviewed almost all the respondents in the study.

The involvement of the Researcher had been an amalgam of all the aspects as detailed below -



2.2 Problem Statement

The problem was worded as under:

**"Dawn of New Panchayat Raj in Madhya Pradesh :
Rural Policing
in the Context of Grassroot Democratic Decentralization"**

2.2.1 Definitions

Dawn of New Panchayat Raj in Madhya Pradesh – The establishment of Gram Swaraj in Madhya Pradesh from January 26, 2001 is an event which could be clearly termed as the watershed in the change over from representative democracy to direct democracy on Gandhian lines. This new dispensation is an ideal blend of Panchayat Raj system established as per constitutional provisions and the spirit of traditional Panchayat system, representing the best of both. Gram Swaraj will not infringe on the role of Panchayats, rather they will function with more credibility and transparency.

The rural people are empowered through Gram Sabha by developing a structure for optimal utilization of local resources for all-round development of villages. It is to develop each village as a single social unit. This Gram Sabha will meet at least once in a month with Sarpanch of Gram Panchayat as it's pertaining to development of the village while the Gram Panchayat will implement the same. 20 percent members will constitute the quorum for Gram Sabha meeting. Presence of one-third women and members of Scheduled Castes and Scheduled Tribes in proportion to their strength will be compulsory. As far as possible, Gram Sabha will take decisions unanimously. In the event of lack of unanimity, a consensus will be tried and if differences still persist decisions will be taken by secret voting. This is the Dawn of New Panchayat Raj in Madhya Pradesh.

Rural Policing - In India where the majority of people live in villages, efficient police administration is closely linked with the development of the sound rural police system. The pioneers in the evolution of rural police are Madras and Bengal. Regulation XI of 1816 of Madras placed the village police under heads of

villages. Their police duties were defined and they were also invested with criminal powers in certain cases. Their police duties were defined and they were also invested with criminal powers in certain cases. In Bengal, the village police evolved from the old police system and lacked uniformity. When the Jagirdars lost control of the police, the village watchmen became dependent on the regular police while at some places they still remained the private servants of Jagirdars. The system failed due to the utter inability of the public authority to secure co-operation of the people in the administration of the law. The defects in the system led to the appointment of a committee in 1867 to re-consider the whole question of rural police. It was due to the labours of this committee that Act VI (B C) of 1870 was passed. The Act made the Choukidars, responsible to Panchayats and brought about considerable improvement in the Choukidari system. The Act was further revised in 1892 due to the persistent efforts of J. Monro, the then Inspector-General of Police, Lower Provinces. The main provision of the new Act was that while the Panchayats might nominate the Choukidars, the power of appointment and determination of their number and emoluments were vested in the District Magistrate. In Bombay the village police were placed under the District Magistrate in 1852 and 15 years later the Bombay Police Act of 1867 was passed specifying the duties of the village police. Appointment in all these cases was more or less hereditary. In the North-Western Provinces (UP) the Lambardars had no responsibility for criminal administration. Under the regulations in force until 1862 he shared the responsibility of the proprietors of land as defined by the Cr P C. It was only in 1870 that village Choukidars were appointed under Sections III to VI of the North-Western Provinces Villages and Road Police Act. The scheme was not successful since it made the responsibility of the headmen and the village police officers co-terminus. In the Central Provinces the police duties of Mukadams were confined to reporting of crimes and assisting the police with the help of watchmen.

Rural Policing in Madhya Pradesh was mainly done by the village choukidar. He remains the pivot of rural police of the state throughout its chequered history. In 1954 a khadi uniform consisting of a tunic and red safa was issued to each village choukidar from the funds of police budget.

Choukidar as the village policeman has since been given a go-by in the present day rural policing. Though choukidars are formally present in each village by various nomenclature, the advent of police stations has made the system of choukidars as good as a defunct institution.

In present setup, one police station is present for an average of 30-40 villages. A classification of the villages depending upon their relative incidence of crime is made and the staff of the police station makes regular visits. The following could be the composition of each rural police station:

1. Sub-Inspector (Station House Officer)	-	1
2. Assistant Sub-Inspectors	-	2/3
3. Head Constables	-	5/6
4. Constables	-	8/10

With this kind of meager staff and a large area to cover, the rural police station normally does not cater to any village in general or in particular. This being the ground reality, the present study envisages the effectiveness of the Gram Raksha Samiti members as an adjunct to the police and the police stations in the rural areas.

Grass-root Democratic Decentralization - In a democracy, decentralization of political and economic power is essential, because a few centers of power cannot realize or fulfill the needs of vast multitudes of people. If India has to develop, all must share the power and responsibilities of development. So far, the programmes of development were designed by a few people at the top and were implemented by unconcerned officials without the involvement of people at the grass-root level.

The panchayat raj system as its core has the concept of people's participation in all developmental aspects of the villages by the villagers themselves through the gram sabhas. The Gram Raksha Samiti in each village in Madhya Pradesh is one of the eight committees that are formed in the gram sabha.

2.3 The Need and Importance of Study

The Government of Madhya Pradesh in as constituted Gram Raksha Samitis afresh in the wake of Madhya Pradesh Gram Tata Nagar Raksha Samiti Adhiniyam 1999. Though the concept of Gram Raksha Samiti was not new in the villages, with the new law in place it was necessary to understand how the Raksha Samitis were performing.

The importance of the study lies in the fact that a general perception of the stakeholders in the programme was to be assessed in its run of nearly 2 to 3 years. This could be an assessment of the Gram Raksha Samiti Scheme as a forerunner to the democratic decentralization of governance of all departments in the government.

Public: This study emphasizes the importance of evaluating the schemes that are meant for the public in general. It could be a useful tool for the policy makers also. The perception of public in this study has been thoroughly reviewed by eliciting views of various segments in the rural population. Starting from the question as to their knowledge about the existence of a police station in their jurisdiction to the perception regarding the functioning of Gram Sabhas in their villages, all relevant questions regarding the functioning of Gram Raksha Samitis have been posed. The significance of this exercise is that a comprehensive and informative data bank has been created for policy makers to go ahead.

Police: The gram raksha samiti initiative has been mainly the brainchild of the police. The evaluation of this programme basically tries to enable the police department policy makers to understand the minds of all the stakeholders involved. The personnel in the police outfits are generally not perceived to be receptive to any feedback. This study has been conducted to allay that allegation and also set the record straight by recognizing the importance of assessments and evaluations of the schemes run by the department. It is felt that this study is the need of the present hour. The researcher himself personally interviewed the police officers of all cadres in the State right from the top echelons to the lowest denominations to elucidate their views. The results are very positive and useful.

2.4 Objectives of the Study

The objective of the study was to examine the organizational and operational issue involved in the functioning of Gram Raksha Samitis in the light of

enactment and implementation of the Act "The Madhya Pradesh Gram Tatha Nagar Raksha Samiti Adhiniyam, 1999".

The specific objectives were to study the organizational and functional aspects of this act as a concept of rural policing. The study also envisaged to analyze the capacity of Raksha Samitis in carrying out the tasks assigned to them in the background of the available social milieu. An examination of the attitude of the public towards Raksha Samitis and the extent to which the system had earned the confidence of the general public has also been conducted. As police is entrusted with the daunting task of maintaining the law and order and checking the occurrence of unlawful activities, this study also assessed the impact of the Raksha Samitis in maintaining the same.

Defined more clearly the specific objectives of the study were as under:

- a. Role of gram raksha samitis in maintaining peace in rural communities
- b. Any changes in the rural landscape in Madhya Pradesh after they introduction of gram raksha samitis scheme
- c. If the scheme had earned social acceptability in its run up till date.

2.5 Methodological Dimensions of the Study

2.5.1 Domains of Measurement

The study examined the emerging issues at macro, meso and micro levels.

The micro level measurements dealt with the various policy options emanating from the need for rural policing by way of introducing the gram raksha samiti scheme as a statewide programme. The information gathered from the policy makers in the secretariat and also the police head quarters was thoroughly

scanned for measuring the thought processes that went into formulating the scheme at macro level.

The meso level measurement has been done by the interviews and questionnaires collected from both the police officers at all level and the other officials (non police officers). Efforts were made to critically examine the laws, rules, circulars, etc made by the authorities keeping in view the unique geographical features of a particular area, susceptibility of the area to peculiar and unique law and order problems, etc.

The micro level issues were measured by interviewing the public in general and assessing the performance as also the social acceptability of the scheme.

2.5.2 Data gathering Tools

Survey research method was the main tool of the study.

The primary data was collected with the help of structured schedules canvassed in the study area among randomly selected village people, office bearers of formal organizations, government functionaries, etc.

Secondary data was collected from the Head Quarters, Sub-divisional Offices, Offices of the Zilla Sarkars using inventories prepared for this purpose.

2.5.3 Techniques

- a. Examination of records
- b. Interview Schedules
- c. Questionnaires

2.6 Research Questions

The central research question :

What is the relevance of Raksha Samitis and their impact in maintaining harmony and peace in the rural society?

The secondary and complementary research questions :

1. What noticeable changes have taken place in the rural areas after introducing the system of Raksha Samiti (rural policing)
2. Whether the Raksha Samitis have been able to maintain the law and order. Whether helping in reporting promptly about the suspicious and bad characters in the rural areas to the police and also helping the police in protection of public property
3. To what extent the Raksha Samitis have been able to earn the social acceptability
4. To what extent efforts have been made to develop informal linkages between Raksha Samiti and local level bodies more particularly Panchayats. In what way forging linkages between them will help the system function effectively

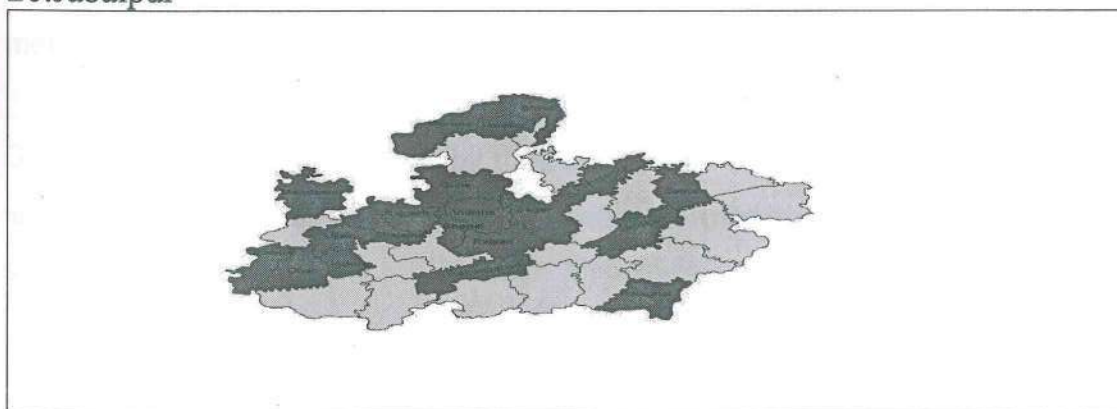
5. What are perceptible and noticeable difficulties in introducing the concept of rural policing on the ground
6. What could be the ways to solve the problems especially in relation to:
 - a. Systems effectiveness
 - b. Improving the performance and making the system result oriented
 - c. Creating a sense of confidence among the people in this system of rural policing.

The schedule, which was canvassed in the rural areas for eliciting the opinion of the people on various aspects of Raksha Samitis, encompassed all those variables illustrated in the research questions.

2.6.1 Sample Focal Areas of Study

The following 20 districts were selected for study keeping in view the geographical spread and diversities of culture available in the State as mention below:

1. Morena 2. Bhind 3. Gwalior 4. Guna 5. Chhatarpur 6. Satna 7. Sagar
8. Hoshangabad 9. Jhabua 10. Dhar 11. Indore 12. Ujjain 13. Mandsaur
14. Shajapur 15. Rajgargh 16. Bhopal 17. Vidisha 18. Raisen 19. Balaghat
20. Jabalpur



(ii) Respondents to the questionnaires

Public	424
Cts/HCs/SIs	108
Police Officers	42
Government Official	132

(iii) Interviewees

Researcher

Assistants to the researcher

2.7 Analysis of data

A scientific analysis of data collected was done by SPSS Package and SES (Socio Economic Status) Analysis.

2.8 Data Collection

In this research project, the data was collected through historical and empirical methods. The study of material was from the various books, documents, journals, paper publications, newspaper clippings and other relevant study material, which formed the historical method.

Gathering of samples was done by meeting various officials at district and village levels. Questionnaires, surveys and interviews formed the empirical part of this study.

2.9 Delimitation of the Study

Madhya Pradesh government introduced the system of Gram Rakshak Samiti in the first quarter of year 2000 covering the entire state. The data was collected nearly after 2 to 3 years of its run. The scheme has thrown its strong and weak points in performing its assigned tasks. The moot question was: Given the social structure of our rural society, to what extent the Raksha Samitis have been able to gain the confidence of the people. The success of the system depends entirely on the support that is received from the people.

This being a new scheme and also in the formative stage, no comprehensive study is available on the subject. The delimitation of this project is to study the Act in the context of its organizational and functional issues and its desired linkages with other local level institutions like Panchayats and other informal organizations constituted at the village level.

2.10 Definitions of Research Terms

2.10.1 Stratified Random Sampling:

If the population from which a sample is to be drawn does not constitute a homogeneous group, this technique is applied in order to obtain a representative sample. Under stratified sampling, the population is divided into several sub-populations that are individually more homogeneous than the total population (called 'strata') and then items are selected from each stratum to constitute a sample.

Since each stratum is more homogeneous than the total population, precise estimation can be obtained.

2.10.2 Social Survey Research Method

Research that uses pre-experimental designs to gather data from people in their natural settings about the distribution of variables and relationships among variables is called social survey method.

In pre-experimental designs, observations from the subjects are obtained only a single time where the primary goal is not to describe causal effects but rather to answer questions about the distribution of and relationships among characteristics of people, as they exist in their natural settings.

Survey questionnaires are planned before the data collection begins. The systematic data collected from each respondent allows the exploration of the relationships among variables that are measured.

2.10.3 Macro

Large-scale, comprehensive

2.10.4 Meso

Intermediate or middle level

2.10.5 Micro

Extremely small

2.11 Concluding Remarks

The main purpose of the research was to understand the relevance of Gram Raksha Samitis and their impact in maintaining harmony and peace in the rural society. The scheme of Gram Raksha Samiti as per the provisions of a new law in the form of Madhya Pradesh Gram Tata Nagar Raksha Samiti Adhiniyam 1999 was sought to be assessed and evaluated in the context of perceptions of all the stakeholders concerned in this study.

Chapter III

History
of
Policing
in
India

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HISTORY OF POLICING IN INDIA

3.1 The Police in Ancient India

Whenever there is a complex society in an advanced stage of civilization, where men and women are living together in large groups, we can only expect that there would be all kinds conditions of people, some good, some bad and some of an indifferent character, some active and aggressive, others passive and non-resisting. All this would lead to conflicts in society, when the rights and interests of individuals or groups would be transgressed. In such a situation, in every stable form of government, there is bound to be some arrangement for the keeping of the peace and the protecting of the basic rights and interests of everybody. It is in this way that, apart from the army, the institution of the civil police came in. The first and foremost duty of a civil police force would be to maintain peace and order among the people. Then would come as a natural corollary the restraining of anti-social forces, of those who would inflict harm on or annoy peaceful citizens by robbing or stealing or causing hurt or doing wrong in hundreds of other ways. The king in ancient India as in many other countries was theoretically responsible for the maintenance of peace, and it was the king who was to chastise the wrongdoers, the breakers of peace, and to protect the harmless and the peaceful citizens. The police as an institution arose in cities, both in the East and the West. The European word "police" means "a force for the city," and in ancient India one of the titles for the chief police officer was Nagara-pala or the "Protector of the City".

One is not sure whether any comprehensive history of the development of police in India has been written or taken up by some competent scholar. But in treating of ancient Indian society and culture, it was inevitable that at least occasional references would be made to the institution of policing in India at different epochs in the history of the country. The police as a State Department was already well established during the great days of the Maurya Empire, fourth to second century BC and even before that we have plenty of references to the work of the police force, of the officers and the men. There was on the whole a sort of uniformity in this matter, which obtained throughout the whole of India. The Indian people, as a rule, were peace loving and only when there were outbreaks of violent crimes like robbery, arson and murder that the police had to be specially alert and active. The normal life in an Indian city in ancient and mediaeval times was, on the whole, smooth and peaceful, and the mere presence of a guardsman was always more than enough as it reminded the people of the authority of the State. In Muslim times during the centuries of Turki, Pathan and Mughal rule, the police system in India was to some extent modified by that of Iran. But on the whole the old Indian character and organisation of the institution continued.

From Sanskrit Pali and Prakrit stories, dramas and romances, we have a very faithful reflex of society in ancient India. 1,500 to 2,000 or 2,500 years ago, a drama like the *Mrichchhakatika* ("The Little Clay Cart") of Sudraka or the *Shakuntala* of Kalidasa gives us some very vivid pictures of the police force at 'work' in an ancient Indian city, during the first few centuries after Christ. We have, for example, that very well-known scene in the *Shakuntala* in which we have a rather comic interlude, which relieves the tension of a serious situation in the play. In this interlude, we have a police officer and two constables talking with a fisherman who has been suspected of theft. The scene is very life-like,

and it would be exactly like a similar scene in modern India. A fisherman was found offering for sale a costly diamond ring, inscribed with the name of the king and evidently the public suspected him of theft, and he was handed over to a police officer. The officer, with his two constables, who must be acting in a comic way, was threatening and perhaps also chastising the unfortunate fisherman. These constables had typical names one is called Suchaka or "the informer". And the other Januka or "the man who was always on his knees" out of respect for his superior officers, no doubt. They were demanding of the fisherman to tell them where he could get that ring. The fisherman gave an account of the circumstances how he used to make a living by catching fish. At this the two constables rudely laughed out and spoke contemptuously about his trade, but the fisherman stood up for the dignity of his calling and declared that it was as good a calling for him as a priest's calling would be for a Brahman. He had caught a big rohu fish, and while cutting it up he found the ring in its inside. Taking this to be of a rare price, he had come to offer it for sale, when he was suspected and apprehended. The officer showed himself to be a superior person, and he smelt the ring and declared that it had a fishy smell, which supported the fisherman's statement.

But since the ring belonged to the king, he asked the constables and the suspected fisherman to wait, and he himself went to the palace to bring the matter before the king. He took some time in coming back, while the constables were waiting and getting bored and looking daggers at the poor fisherman who was the cause of their inconvenience. One of them said that their officer was rather late in coming, and the other observed that the fisherman would be either liberated or put on the stake. The officer came back, and he declared that the king had identified the ring as his, but he must have been very deeply moved when he saw the ring - it must have brought to his mind some incident

connected with the ring. The king vouched for the truth of the fisherman's story and as a largesse he had sent him through the officer a purse of gold, which was handed over to the lucky fisherman. The reaction of the constables was one of envy and greed, which the fisherman understood, and the latter at once offered to pacify them by suggesting that a portion of the bakhshish, which the king had sent him, he would spend in serving his police friends with drinks. So they all marched together to the grog-shop, bringing in a happy termination to this scene, and giving us an insight into the happy-go-lucky ways of the police in those days, when strict discipline was not the rule.

A picture like this has got the truth of actual life in those days. In the *Mrichchhakatika* we have a scene where two police officers of high standing were asked to keep a watch on a highway to prevent the escape of a prisoner who was thought to be dangerous, and who had broken away from jail. These two officers started with some amount of bravado, and they stopped a bullock-cart, which looked suspicious. It had a covered yawning on the seat, and one of them came close to the cart and looked inside to find out who was going in a covered bullock-cart. It was the escaped convict, who was really a nobleman and an aspirant to the throne, with popular support behind him. As soon as they met, this police officer and the man, who was escaping, the latter in a few words could win the officer over to his side. The police officer then and there promised his support, and came to his comrade and declared that nothing was wrong and the bullock-cart could leave. The other officer had his own suspicions, and he wanted to go and make an inspection himself. It now became the imperative duty of the first officer to prevent him from doing it, so that the escape might, without any hitch, take place. He started a quarrel with the other man, and they both began to sneak in an insulting manner about their caste professions. In the course of this quarrel there was a fight, and the second police officer, who

wanted to make a thorough inspection, got the worst of it and in a dudgeon he left the place. The coast was clear for the prisoner, and he made his escape.

We find in the *Mrichchhakatika* a court-scene, and this gives a very convincing account of how a criminal case was conducted in a law court. In the law court, there were the judge, and the clerk of the court, and some police officers in attendance. There was questioning and cross-examining of the accused and the witnesses, and whenever there was a statement which was either in favour of or against the accused or was conflicting with other statements, the court clerk had to take it down. The judge to bring some witnesses or other persons connected with the case then and there before the court would issue summons. When a man was condemned to death, he was dressed in red garments with red hibiscus flowers round his head and neck, and the executioners who accompanied him went on declaring at the top of their voice what the man was guilty of and how his punishment was to be a warning for others. Evidently such a condemned man, when being taken to the execution ground, would be followed by a large city crowd.

From other dramas we find an idea of how the peace was maintained during the dark hours of the night. In ancient India, as in most other countries, there was no arrangement for street lighting. In the *Mrichchhakatika*, two gentlemen were returning home late at night from a musical soiree, and when at that late hour they found the moon in the sky they were pleased as it would be possible for them to go home without any difficulty, and they described the moon as "the lamp to light the King's highway" *Raja-Marga-Pradipa*. Thieves and robbers would always make sure that the king's guardsmen, who were, of course, night watchmen or policemen, were not in evidence where they started their operations. They took good care to hide themselves in the shadow of some

building or some corner of a house when the night watchmen were passing, and as soon as they turned the corner, these desperadoes would be on the move in a safe direction. Sometimes there were bloody encounters between the keepers of the peace and the robbers and thieves.

The king's guards were also to catch thieves and other offenders who had already perpetrated their offences and had made themselves scarce. This brings us to another department of the police force in ancient India the Intelligence or Detective Department. This was very well organised in ancient times in India, and espionage was looked upon as one of the most important means for keeping a country safe by obtaining information about all kinds of happenings. We have in the Ramayana the episode of the spy Durmukha who came to Rama and reported to him what the ignorant lower classes of people were talking about Sita and her sojourn in Lanka as Ravana's prisoner. What Rama heard distressed him very much, as he knew that it was all wrong and foolish; but he decided that to please his people (by confirming to a public opinion even though it was wrong) he must discard his faithful wife, then an expectant mother, knowing her to be fully innocent. Looking after foreigners who were sojourning in a town formed a very important duty for the men of the espionage department. Members of this department would move about in various kinds of disguise and meet all classes and types of men, and find out from them what was going on. The courtesans and public women formed a sort of an auxiliary force for the espionage department. They were in the pay of the State, and they had to keep a special eye on the foreign merchants and others who might be visiting them.

About the organisation of the police, there were in different parts of the country different names for the personnel. The police force in charge of the village areas appeared to have a different organisation from those in charge of the cities. Village policemen formed a part of the traditional service personnel in the village, like the barber and the musician. They were like our present-day chowkidar (chaukidar) i.e. "holding a chauki or police outpost" and Pahrawalas ("men doing duty for a pahar or prahara, i.e., a period of three or four hours at a stretch") and they held some land, the agricultural proceeds of which formed their pay in service. These terms became fully established during the Mughal period of our history. As described earlier the chief officer (or commissioner) of police in a city was known as the Nagara-pala, and sometimes as Kotta-pala, Nagara-pala, of course, meant "the protector of the town", and Kotta-pala meant "one who protected the citadel". The name Kotta-pala has continued to our day Kotwal as in Hindi, in Bengali Kotal. This sobriquet of Kotta-pala or Kotwal, i.e., "citadel-keeper", for the head of the police of a city, was taken over in Muslim times, and the word was Persianised as Kotwal. We are all familiar that in cities of North India the central police office is called the Kotwali. So the word Kotwali, a Persianised Indian word, really comes from the police organisation of pre-muslim times in India.

In ancient India, as the tradition has come down to our days, the police force has been fully subservient to the government. It was generally a monarchy in ancient times, and the king, as the head of the State, had absolute power. The policemen were responsible to the king, and if anything went wrong or did not please the king, the policemen were held responsible, and sometimes they met with drastic punishment. They tried their very best to apprehend and get punishment meted out to all wrongdoers, true or suspected.

Kautilya's Artha-Sastra (3rd century B C in its original form) gives a very detailed account of the various government departments, including the organisation of the police. In earlier literature, in the Dharma-Sutras of Apastamba, which may go back to the middle of the first millennium before Christ, we have some indications about the duties of a civil police force.

The Police in ancient times appears to have been rather feared by ordinary peace-loving citizens. In many grants of lands to Brahmans made by kings in eastern India, a 1000 or 1500 years ago from now, it used to be specially mentioned that these villages, which were granted to scholars, would be exempt from entry by policemen and by soldiers (a-Chata-Bhata-Pravesa i.e., "where there was no entry for a Chata or a policeman, and a Bhata, i.e., a regular soldier"). Some of the superior officers could be very high-handed, and as executive heads for the maintenance of peace and order, they sometimes behaved in an arbitrary way. Their manners made the common people declare that such police officers were the "brothers-in-law of the king" (Raja-syalaka). It may also be that the relations and kinsmen of the lower rank in the king's family brothers of inferior's wives, and so forth sometimes held these offices.

The present-day police system in India thus has its roots in the organisation for the maintenance of peace and order in ancient, pre-Muslim days, as it was an indispensable concomitant of a good government. The police in ancient times had also other duties to perform. They were also collectors of tolls. There were little stations called Gulmas at important places in a highway; and these Gulmas had a few policemen who would exact tolls (Dana) from the vendors going out to sell certain dutiable goods. The Sanskrit word Gulma became Gumma in Prakrit, and then it was extended with an affix to give our modern word Gumti, which is

still in use to mean the round tower-like station with some officer and guardsmen to look after movements of peoples or goods. Sometimes a police outpost was known as a Chatushka, which was evidently a little place at a crossroad. Our modern words Chauk and Chauki have come from this. And policemen who were in charge of a Chauki were known as Chaukidars in post-Muslim times. This word Chaukidar has also 'come down to our day, and it is used in certain parts of the country to mean the rural police.

The policemen in ancient days were on duty for three hours at a time. One Prahara of three hours formed a Prahara or duty period, and the word Prahara-pala that meant "one who did watchman or guard's duty for a fixed period", has now given our Present day term Pahara-wala. We do not know of uniforms for State officials in the oldest days. As a matter of fact, uniforms for troops were not the rule in ancient and mediaeval times, although the Romans introduced in their armies some kind of uniform or similar equipment. But it seems that in mediaeval times the common uniform for these Pahara-walas or Chaukidars was a turban made of some cloth. This kind of dress survived right down to the end of the last century, and still lingers on in many places. In Eastern India, it would appear also that some police officers used to wear as their insignia a pair of boar's tusks, which was stuck into their turbans. I suspect that the word Barahil that is common in Bihar and Eastern U.P. to mean "zamindar's guards-man or watch-man", who particularly was helpful in chastising troublesome tenants, suggests the use of boar's tusks as part of their paraphernalia. The word Barahil is probably connected with Sanskrit Varaha meaning a "boar". Barahil thus means "a man who has got the tusk of the boar on his turban or his person". The word is found as early as the 12th century, in the Ukti-Vyakti-Prakarana of Damodara, a work teaching Sanskrit through the vernacular (old Awadhi in this case).

The modern policeman of any advanced country is a public servant, who is now made to realize his duties to the people. He is now the guardian for peace, and he is also to act in an elder-brotherly way as a guardian to instill habits of discipline and sense of responsibility among the citizens. Everywhere in India It is now recognized as the great duty of the police that they are to co-operate with the people and through the joint efforts of the police and the public, in which the police is not to assume any pose of authority to coerce people (unless for the common good).

3.2 Police System in Mediaeval India

The study of the system of police administration in mediaeval India under the Mughal and the Maratha governments is not merely of academic interest. It is highly practical and purposeful. It is pregnant with valuable lessons for any scheme of reorganization of police system in free India. Its characteristic features can best be surveyed under the threefold category of village, urban and district police.

3.2.1 Village Police

Neither the Mughals the Marathas directly provided for policing of rural areas. They merely adopted one of the chief features of the traditional system of the old autonomous village community. It maintained the system of local responsibility for local crimes and made the village headman and his subordinate watchmen (Chaukidars) responsible for the prevention and detection of crimes in villages. The immemorial system may be compared to the Anglo-Saxon "Tithing" and the Norman "Frankpledge". The corporate body of villagers was

bound to make good any loss either to their own property or that of the travellers for crimes, committed within the village boundaries, except when they could trace the offenders and recover stolen property or fix the responsibility on a neighbouring village.

Sher Shah (early 16th century) infused vitality into the old system by retaining it but impressing on his officers their responsibility for enforcing it. Thus in his administrative unit, the Paraana consisting of villages, the Shiddar had to perform police duties together with his armed retinue. The biographer of Sher Shah, Abbas Sarwani, writes: "For the protection of the roads from thieves and highway robbers, he (Sher) made regulations as follows: For all cases of theft, robbery or murder within the jurisdiction of the Amils and Governors the Muqaddam (village headman) had to produce the offenders within a time limit or discover their haunts, otherwise they would be arrested and compelled to pay compensation or be punished and even put to death in case of personal complicity or connivance (as a warning to others), unless they could fasten the responsibility on some other villages." Sher Shah's long apprenticeship in his father's Jagirs had enabled him to correctly read the rural psychology. His biographer writes: "It has thus been generally ascertained that theft and highway robberies can take place only by the connivance of these headmen. And if in some rare case a theft or highway robbery does occur within the limits of a village without the cognizance of the Muqaddam, he will shortly make enquiry that he may ascertain the circumstances of it; for Muqaddams and cultivators are alike thieves, and they bear to each other the intimate relations of kinsmen; hence either the Muqaddams are implicated in thefts and highway robberies or can ascertain who perpetrated them." Deterrent punishments as prescribed in canon law were given to thieves and highway robbers as a warning to others. Under Akbar and his successors the old system continued but possibly without the vigour introduced by Sher Shah.

Under the Maratha rule the village headman (Pati) kept rural police as best as he could with the help of the Zaglas or watchmen, consisting of Mahars and Mags assisted by the criminal tribes, e.g., the Ramoshis, Bhils and the Kolis. The village police and the criminal classes had to compensate the party robbed unless the stolen property could be recovered and the offence traced to some other village. Since the subjugation of the semi-independent criminal tribes living in hills and jungles was impossible, their chiefs were held responsible for thefts and disturbances committed by them and were allowed to levy customary dues or Haks. It was so successful that in spite of apparent theoretical defects, the famous State scholar, Elphinstone (in charge of the administration of the Peshwa's territories), recommended its continuance in the Bombay Presidency. To maintain order at places of pilgrimage on special occasions and to cope with unusual outbreaks of theft and robbery and local police was reinforced by additional contingents from the local Sehbandi, neighbouring forts, the expenses of which were met by a house tax payable by all (including Brahmans) except the poor.

The system of local responsibility survived even till the assumption of political by the English East India Company and came to be described by its officials like Elphinstone, Malcolm, Munro, Metcalfe and Sleeman in the 18th and 19th centuries.

3.2.2 Urban Police

Above the humble village (Qoria), agricultural or pastoral in character, stood the Qasba (a large village or a small town) inhabited mainly by cultivators and having its permanent market, and still higher was the Shahar or town peopled mainly by non-agricultural population and having a regular unit of administrative officers. The capital city (whether provincial or imperial) was Balda or the Shahar. Large cities were divided into self-contained wards or Mahauas or quarters (Guzars) under a noble or saint or Kucha of members of one profession or caste. Suburbs surrounded the city, each assigned to a tribe or a noble. The system of Kuchabandi, i.e., of fortifying each ward or lane with gates and closing them at night or at the alarm of invasion or riot during the decline of the Mughal empire lasted till the Indian Mutiny.

As under the Turko-Afghans, so under the Mughals, all police duties in the cities and towns were entrusted to the Kotwal. He was essentially an urban officer, being chief of the city police. Nevertheless, he had not only to maintain peace and order and decency in the city but he was also in charge of the entire town administration. He was a magistrate, prefect of police and municipal office all rolled into one. He corresponded to the Sahib as Shurta of the Abbasid State. He has been compared by Monserrate to a Chief English Bailiff, by Terry to an English Bailiff and by Manrique to a City Magistrate. Peter Mundy and there not call him the Kotwal Khan.

The Ain-i-Akbari of Abul Fazl gives a very detailed description of the duties of the Kotwal. Sir J N Sarkar, however, does not attach much value to it, because, according to him, most of t Akbar's regulations were withdrawn after his death and also because only a perfect man could discharge those duties properly.

Hence he regards this list to be "only an ideal and not the actual state of things". Even if it were an ideal, it has got a value of its own. The ideal Kotwal should be "vigorous, experienced, active, deliberate, patient, astute and humane" and is described as a man that "follows the regulations in his outward actions and fears God inwardly. He should attend when the sovereign or provincial viceroy holds a court of justice or grants public audience."

The Mughal Kotwal combined the functions of the Muhtasib (censor of public morals) of the Islamic State and of the Nagaraka or the Mauryan town prefect, whose duties are defined by Kautilya in the Arthashastra.

Similarly, the Marathas also adopted the Muslim practice of maintaining the urban police by the State. The head of the Maratha city police was also called Kotwal and the origin of his office was Muhammedan. Thus the Mughals and the Marathas maintained an administrative continuity. The Maratha Kotwal's duties were largely similar to those of the Mughal Kotwal and hence of the Nagaraka.

The main function of the Kotwal was the maintenance of security in the town, and the detailed instructions given in the sources may be considered as essential requisites for enabling him to discharge his chief duty.

3.2.3 Watch and Ward

(a) Maintenance of Security

A Sanad of appointment urged the Kotwal to see that no theft took place in the city, so that people might pursue their trade in an atmosphere of security and peace. Akbar's Farman asks him to be easily accessible to all for quick redress of grievances. The Ain further tells us that the Kotwal was bound to arrest thieves and discover the stolen goods on pain of personal liability for the loss. The Hedayat-ul-Qawaid instructs a Kotwal thus: "At midnight take horse with your followers and patrol round the city and in the streets also. In the lanes where you had previously set your spies and they had found dens of thieves, you should go in time and nip their mischievous designs in the bud." Manucci also states from actual observation that the Kotwal had the duty of arresting thieves and criminals and that "if anyone is robbed within the bounds of his jurisdiction, he is forced to make good what has been taken." Thus the Kotwal was held responsible for thefts and robberies in his jurisdiction.

This practice survived in the Central Indian territories till the middle of the 19th century. The Maratha policy towards the criminal tribes, Kolis Bhils and Ramoshi, who infested their territories, was also an inheritance from the Muhammedan rulers.

(b) Imposition of Curfew

Being responsible for thefts and robberies committed within" his jurisdiction, the Mughal Kotwal prohibited people from entering or leaving the town after

nightfall, by enforcing a curfew order. The Hedayat-ul-Qawaid advises the Kotwal: "On the public streets of the cities, post careful men to act as watch-men from sunset to 9 p.m. and from 9 p.m. to dawn, to scrutinize the wayfarers and to arrest those whom they consider to be thieves and evildoers and bring them to you." The Ain urges the Kotwal to prohibit people from entering or leaving the town "when night was a little advanced". The curfew order is as old as the Arthashastra which states that during six Nalikas (two hours 24 minutes) after sunset and six Nalikas before dawn people should be prohibited from movement by the trumpet sound and, after the trumpet sound, anyone moving near the royal buildings, during the first or last Yama (three hours), should be punished with a fine of one Pana and a quarter; and during the middlemost Yamas with double the above fine and whoever moves outside (the royal buildings or the fort) shall be Punished with four times the above fine.

There are records that the Kotwal's men patrolled the streets thrice during night (9 p.m., midnight and 3 a.m.) and arrested persons with suspicious movements and warned the householders by shouting.

According to Tone, under Baji Rao II, no person could appear in the street at Poona after firing of the gun at 10 p.m. Anybody disobeying this order was taken prisoner and was released in the morning by the Kotwal. So strict was the order that once the Peshwa himself was kept a prisoner.

(c) Kotwal's Espionage

Naturally the Kotwal had to maintain a large staff of spies and detectives. He was "the head of the official spy organisation in the city".

He is instructed by the Hedayat-ul-Qawaid : (i) to "take bonds from the watchmen and the sweepers that they should daily report fully the occurrences of every ward or Mahalla without suppression or exaggeration;" (ii) to enlist a footman (Piada) from each ward as a spy for report, (iii) to arrive at the true news by comparing the reports of these two sources and then to take necessary action.

The Mirat advises the Kotwal to appoint one or two watchmen in every Mahalla for getting daily reports. They were to "act honestly towards the people and consider this only as a detail of good government and not make it an excuse for seizing men's property".

The Hedayat-ul-Qawaid states: "At places of sale and purchase, and at places of entertainment where spectators assemble, keep watchmen to seize pickpockets and snatchers-up of things and bring them to you for punishment."

3.2.4 Control of Markets and Prices

The Mughal Kotwal regulated purchases and sales in the market. He fixed the prices of articles and could prevent men from creating a monopoly by buying touch and selling little. He could disallow purchases being made outside the city. He could examine the dealers' weights and measures and punish those who used short weights and measures. The Ain states that the Kotwal expelled dishonest tradesmen from the urban areas.

3.2.5 Care and Disposal of Interstate Property

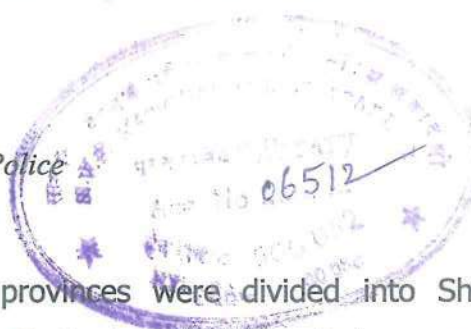
In the Mughal empire, the system of escheat of property of, nobles or officials prevailed, at least temporarily pending adjustment of accounts with the Treasury and due enquiry after the legitimate heir. The Kotwal had to guard the properties of deceased or missing persons, to keep their lists and report to the courts so as to help their restoration to the legitimate heir.

Thus the Kotwal, like the Prefect in modern France, had to look after the life of the citizen from the cradle to the grave. The Mughals evidently did not believe in the doctrine of separation of powers. The prerogatives of the medieval Kotwal exceeded those of his modern counterparts his functions exceeded those of a modern municipal board. He was expected to know everything about everybody. V A Smith aptly writes: "An energetic Kotwal could always find plenty of occupation."

In the absence of the Emperor or the Subahdar, the Kotwal ruled the capital. In the absence of the Kotwal his police duties were carried out by the Amil or Revenue Collector (e.g the Collector-Magistrate in modern India). The Kotwal's name is a byword for terror.

3.2.6 District and Sub-Divisional Police

Under the Turko-Afghans the provinces were divided into Shiqqs', further subdivided into Parganas. Sher Shah, building from below, grouped several Parganas into a Sarkar and there were 47 Sarkars in his empire. Sher Shah's



district police system was as simple and efficient as in the village. If the Pargana police was under the Shiqdar, the Shiqdar-i-Shiqdaran (Chief, Shiqdar) was the guardian of peace in the Sarkar. With a police contingent whose strength ranged from 2,000 to 5,000 troopers, according to the location of the Sarkar, and the character of the people, the Shiqdar had to keep them under due control, safeguard the highways and bring the turbulent peasantry and willful defaulters of revenue to book.

A Mughal province was divided into districts or Sarkars comprising several Parganas. Here the executive functions (Huzur) were left to the Faujdar and the revenue functions (Mal) were left to the Amalguzar or Amil. Subordinate to the Governor (Sipah Salar, Subahdar), the Faujdar was his principal deputy or assistant in maintaining peace and order. Thus he exercised civil, police and military jurisdiction over the Sarkar combining the functions of the modern District Magistrate (but not Collector), Superintendent of Police and of a Military Commandant. Hence he constituted the unit of everyday administration. The Mirat-i-Ahmadi tells us of a network of Thanas or outposts within the Faujdari. The Thanadars were appointed by the Faujdar and he had to urge them (a) to take complete possession of their charges, (b) not to dispossess people from their rightful property, and (c) not to levy forbidden Abwabs (cess).

The Faujdars and the Thanadars along with Zamindars were an important part of the State postal system, as they had to escort the official mace-bearers carrying important letters and documents through their respective jurisdictions to the next district and supply food and provisions on both sides of the journey. Very dangerous places were under special Faujdars.

The principal duties of the Faujdar were:

(i) The Policing and guarding of the highways and dispersing or arresting robber gangs: William Finch tells us that the Faujdar of Delhi suppressed and destroyed the thieves and robbers round the city. Thevenot says that the Faujdar was responsible for the security of the country as the Kotwal was for the town. Surat says that he had to safeguard the country around and answer for the robberies committed.

(ii) Suppression of all disorder and 'smaller rebellions': Rebellion, in the sense of non-payment of government dues, was always numerous. Speaking of Akbar, Monserrate writes: "His people are continually in revolt against him." The Faujdar had to deal summarily with such disturbances. The Ain-i-Akbari asks the Faujdar to induce the rebellious cultivator, the Korari (collector of crown lands) and the assignee of government estates to submit by 'fair words'; in case of failure, he should take written evidence of chief officers and chastise them.

Immediately on joining his post the Faujdar should know from Qanungos and others conversant with the past history and administration of the place (a) the attitude of the local troops and their secret league with lawless Zamindars and (b) the previous conduct and spirit of the Zamindars. The chastisement of intransigent Zamindars should be undertaken only when good treatment has failed. In case of insufficiency of troops, he should incite their enemies and fight in crushing them and transfer the lands of the latter to the former.

(iii) The Faujdar controlled the manufacture of matchlocks by forbidding the blacksmiths to undertake it.

(iv) Realization of State dues from rebellious and defaulting villages: The Faujdar had to assist, with armed force, if necessary, the agents of military holders (Jagirdars) and the Koraris (collectors) in crown lands during revenue collection. Before attacking any defaulting and refractory village, the Faujdar should wait for a written complaint of the Jagirdar's agent and Amil khalsa (crown) lands; on receipt of it, he should persuade the ringleaders to pay the revenue, take a deed of agreement for reforming themselves from the Amil, chastise those unwilling to reform, but would never molest the ordinary peasant. In case of victory, he should first realise the balance of revenue due from the village.

(v) He had to make a show of force to overawe opposition not only to the revenue authorities but also to the criminal judge or the censor.

A Faujdar was advised as regards his conduct (i) to be trust worthy, just and disinterested, appreciative of what is equitable and faithful to his engagements, (ii) to be brave and polite towards the soldiers, (iii) to keep oneself ever ready and fit to take the field promptly by constant practice, (iv) to do justice to the oppressed, (v) never to molest the ordinary peasants and (vi) to protect the revenue payers. He was advised (a) to recruit armed retainers from "only men of known bravery and good family;" (b) to keep the local news reporters and spies (Waqianavis, Swanih Nigar and Harkarah) conciliated so as to induce them to write reports for his own advancement; and (c) to keep a suitable Wasilah at court.

The list of duties of the Faujdar and the advice given to him illustrate the military character of the administration. It is, however, not possible to state how far the Faujdars discharged their duties in practice.

Besides Faujdars of Sarkars, there were border Faujdars to defend frontier outposts, hill borders and also internal frontiers (i.e., on the borders of subordinate States).

3.2.7 General Survey

Inland security on certain routes most probably deteriorated towards the end of Akbar's reign, because one of the first acts of Jahangir was to issue an edict, which runs as follows:

"On roads where thefts and robberies took place, which roads might be at a little distance from habitations, the Jagirdars of the neighbourhood, should build Sarais (public rest houses) mosques and dig wells, which might stimulate population and people might settle down in those Sarais. If these should be near a khalsa estate (under direct State management), the administrator (Mutasuddi) of that place should execute the work."

But Jahangir's efforts did not appear to have wholly improved the control of certain unsafe roads. William Finch (1609) found the roads between Surat and Agra very "thievish," especially between Burhanpur and Gwalior. Nicholas Withington (1613) had a more unhappy experience on his journey from Ahmedabad to Tatta in Sind. William Hawkins (1608-13) records that "the country is so full of outlaws and thieves that almost any man cannot stir out of doors throughout all his (Jahangir's) dominions without great forces".

Peter Mundy, a prosaic and matter-of-fact observer, during Shahjahan's reign, found the neighbourhood of Patna (1630-1633) swarming with rebels and thieves "as all the rest of India". The testimony of Bernier shows that the state of internal security at the close of the reign of Shahjahan and during the early years of Aurangzeb's reign was not satisfactory. So was the condition in the Deccan during the interval between the first and the second viceroy of Aurangzeb.

On the other hand, certain other contemporary foreign travelers did not draw such an alarming picture of the state of inland security. In 1615 Edward Terry (the Chaplain of the English Ambassador, Sir Thomas Roe) made the long journey of 400 miles from Surat to Mandu "very safely"; his small party, including four Englishmen and about 20 Indians, was attacked only once near Baroda.

Inland security, however, terribly suffered during the second half of the 17th century which witnessed the growing disintegration of the empire and the activities of the nationalities like the Jats (1669-88), the Satnamis (1672), the Sikhs in Northern India, the Marathas in the South and the plundering raids and depredations of freebooters like the Thugs and the Pindaris. In the Indus delta also security disappeared. In 1699 a rich Cafia was the victim of an organised robbery by 4,000-5,000 villains between Tatta and Laharibundar, in spite of powerful guards (250 horses and 500 merchants and carriers). During the middle of the 18th century the Marathas (Bargia) became an object of terror on account of their periodical plunders and imposition of heavy tolls on passing traffic as the price of security from plunder.

The picture of the state of inland security drawn by some foreign travelers is certainly gloomy. But such scattered references cannot give an accurate idea of the true condition in this vast land. Further, it must not be forgotten that successful prosecution of commerce depends on a reasonable degree of security of life and property. The fact that India had an extensive commerce during the 16th and 17th centuries would imply that, degree of security did exist. Dr V A Smith rightly observes: "Three hundred years ago people did not expect to find in either Europe or Asia the elaborate police arrangements now deemed essential, nor did they consider it a hardship to meet with robbers now and again or to be compelled to defend their persons or goods with their own stout arms." The condition of the roads in Europe in the 17th century was also far below the modern standard, and the highway robbers of the Mughal period had "their counterpart in the Claude Duvals, the Jonathan Wilds and the Jack Shepherds of England".

The crime of Thagi (Thuggee), suppressed by Sir William Sleeman, existed round Delhi during the reign of Jalaluddin Khilji (1290-96), as we know from the contemporary historian Ziauddin Barani. Thevenot found that during the reign of Shahjahan the road between Delhi and Agra was infested by 'Thugs who "use a certain sleight about a man's neck, when they are within reach of him, that they never fail; so that they strangle him in a trice". The penal code of Aurangzeb, as contained in a Farman to the Diwan of Gujarat (16th June, 1672), contains the following reference to the practice: "A (suspected) strangler (i.e., Thug) whose act of strangulations has (not) been legally proved, should be chastised and confined till he repents. But if he is habituated to the work and the fact is proved by legal evidence, or if he is well known to the people and the governor of the province (for such deeds) or traces of the strangulation and the property of the (murdered) man are found on him, and the Subahdar and the officers of

the Adalat feel a strong probability that he is the doer of such deeds, then execute him." It would thus appear that the Thagi organisation existed even during the heyday of Mughal rule.

3.3 Police under the East India Company

The dissolution of the Mughal Empire was a signal for wide spread anarchy and total breakdown of law and order, for 'in the midst of arms, laws are silent'. In the whirlpool of political confusion, collapse of medieval administrative systems and consequent rise of crime and violence, the British began to form their early trading settlements. The consolidation of British power in India was associated with the development of an effective and efficient instrument of law enforcement, which was essential, for the interests of their trade and subsequently for the preservation of their empire. Yet their early experiments met with repeated failures and there is considerable truth in the statement that "the history of the police in British India in the century prior to 1860; as a part of the general administration, was all along a series of unsuccessful experiments."

3.3.1 Early British Settlements

In the beginning of the 17th century, the East India Company had a trading centre at Masulipatnam besides the principal settlement at Surat on the west coast. During their search for an alternative trading post on the east coast, the British succeeded in securing the grant of a territory called Madraspatnam - three miles from the old Portuguese settlement of San Thome. In the precarious years of the early settlement of Madras, the British were very cautious in matters pertaining to criminal and civil jurisdiction, for they were no more than ordinary traders and were afraid of interfering with the powers of the ruling prince. In

1959, the settlement of Madras was just a clumsy cluster of huts that could be policed efficiently by the Pedda Naik and his 20 Talliaries - remnants of the old organisation which was in force in many parts of South India and virtually formed the police system in the Vijayanagar Empire. The post of Pedda Naik, who was also known as Poligar, was hereditary and the arrangements were allowed to continue subject to such minor changes as were necessary for the development of the trading centre. But by 1700 the British had to recognise the need for an efficient organisation to protect the growing population in the settlement. The Pedda Naik, who was the chief police officer, was responsible for the collection of a sufficient number of watchmen not only for the security of the town but also to provide the necessary protection to the Governor when he went on tour. In return for his services, the Pedda Naik was given the revenues from certain areas in the city, as well as some fishing rights. Gradually, the East India Company, in the light of their administrative and commercial experience, had to take upon themselves the responsibility for police duties in the context of such growing anti-social practices as sale of liquor and counterfeiting.

The Island of Bombay was transferred to the East India Company in 1668 by King Charles II and the first Governor appointed was Aungier who held the post for nearly eight years. Problems of law and order existed even at that time emphasizing the necessity for an organisation for the protection of citizens from the depredations of criminals. Aungier, therefore, organised a militia under the command of Subhedars posted at Mahim, Sewri, Sion and other points on the island, with the object of serving as night watches against surprise attacks and robberies. At first, the majority of the rank and file of the force was Portuguese, Sudanese and Muslims but subsequently they were replaced by Bhandaris by whose name the militia came to be known. The Bhandari militia continued in some form or the other until the end of the 18th century.

In 1771 Brigadier-General Wedderburne attempted to convert it into a more efficient organisation and formed it into a battalion composed of 48 officers and 400 men for the specific purpose of guarding the woods at night. This period was also noteworthy for the systematic division of the city for purposes of police administration. However, the general continuance of crime posed the question of appointing a professional Chief of Police and led to the appointment of J N Todd as Lieutenant of Police in February 1779, with a daily allowance of Rs 40. In spite of his general unpopularity, Todd organised the force and was mainly responsible for drafting 41 regulations, which constituted the earliest Police Code in Bombay. In March 1786, the post of Lieutenant of Police was abolished and Todd was appointed Deputy of Police on a fixed salary of Rs. 3,000 per year. In 1793, the post of Deputy of Police was elevated to that of Superintendent of Police. Under the charge of Simon Halliday (1793-1808) the police in Bombay were distributed among 14 police divisions - each division being staffed by two European constables and a varying number of peons not exceeding 130 for the whole area.

In Bengal, British traders had factories at Hariharpur, Balasore, Hughli, Patna and Kasimbazar by 1650-51. The settlement at Calcutta did not, however, come into existence till 1668 when in consequence of a Mughal attack, the British had to move down the river to found the modern city of Calcutta. By 1700 all the Bengal factories were placed under the control of Fort William.

Notwithstanding the control of the Nawab, who ruled from Murshidabad, the rural administration in Bengal was mainly in the hands of semi-independent zamindars. The Nawab himself used to control the police at Murshidabad while the police at other important cities like Faujdars appointed by the Nawab controlled Hughli and Patna. These towns were divided into Thanas and sub-

divided into Chowkies, according to area and population. The head of the hierarchy of police officials was the Kotwal. Apart from the principal towns, the entire rural Bengal was under the control of zamindars, whose police organisation was the synthesis of Hindu and Muslim patterns. Every village had one or two Chowkidars having definite territorial jurisdiction and whose duties included patrolling the areas entrusted to them and drawing assistance from the villagers in times of need. The Chowkidars of a cluster of villages worked under the supervision of a Dafadar, who toured constantly to ensure that law and order was well maintained. At the junctions of highways between two clusters of villages an outpost officer called Ghatial with sufficient number of men was stationed with the primary duty of preventing crime on the roads.

Contemporary records show that the zamindars of the period performed their police functions most indifferently. Collusion with dacoits and other criminals was not an uncommon feature, although it was the zamindar's primary duty to control the lawless elements. The persistent non-co-operation of the zamindars with the official machinery and their association with notorious criminals paralysed the police organization of Bengal. The chaotic conditions in Chittagong and the uprisings of turbulent tribes in Jungalmahal besides the uncontrolled activities of professional dacoits marked the height of disorder when the East India Company acquired the Diwani (1766).

3.3.2 Warren Hastings and the Police

In the course of his superintendence over the administration of criminal justice in Bengal, Warren Hastings was confronted with the pernicious evils of the zamindari system and consequent deterioration of law and order. In April 1174, Hastings ascribed the unsatisfactory situation to the abolition of Fauzdari and

Thane-dari and the failure of the administration to create alternative machinery for the suppression of disorder or for the conveyance of timely information about local disturbances or eruptions of crime. By way of a practical solution, he revived the system of Fauzdari for the protection of the people, detection and apprehension of robbers and for communication of intelligence to the Presidency in all matters affecting public peace. His proposals, however, could not be carried out in the manner visualized by due to continuous opposition, which he had to face in the Council. In 1782, Hastings made yet another attempt to undertake police reforms with the object of reducing the expenditure on the Fauzdari establishment. Separate establishments were assigned to each of them consisting of a Nazir, a Mirada, several Barkandazes, peons and Moharrirs. The regulation of 1782 provided also for a Kotwali establishment for each of the towns, Murshidabad, Dacca and Patna. By another proclamation, zamindars were made responsible for police functions and threatened with heavy penalties for failure or negligence. The zamindars were enjoined to set up Thanedars answerable for the good behaviour of the local population and to make restitution for the losses sustained in dacoities and robberies. These regulations of 1782 were designed to tighten the control of the Governor General over the administration of criminal Justice.

3.3.3 Cornwallis - Beginning of Uniformity

During the decade following 1782, violent crime increased throughout the land. When Cornwallis assumed office as Governor-General of Bengal, he found the criminal administration in a most deplorable state. In November 1789, he circulated a number of queries to the District Magistrates on various aspects of criminal administration including the alleged inefficiency of the police. The Magistrates put the blame squarely on the zamindars that, they said, were powerful enough to prevent, the incidence of dacoity and robbery. They also

held that if the regulation pertaining to zamindars for the maintenance of law and order was strictly enforced, the abuses in police administration would automatically cease. In the absence of alternative machinery, Cornwallis admitted the necessity of stringent enforcement of the clauses that made zamindars and farmers answerable for robberies in their jurisdictions. However, he desisted from formulating any scheme for police administration hoping that the reports of the Magistrates together with the information in possession of the courts of circuit would enable the Government to frame necessary regulations later. Finally, in 1792, a decisive step was taken.

Government

By the Regulation of 7th December 1792, the East India Company took the police of the country into their own hands and attempted to introduce the first elements of uniformity. The zamindars were required to disband their police establishments and the Magistrates were directed to divide their districts into convenient jurisdictions, each to be policed by a Daroga (police superintendent) with an establishment of officers selected and appointed by Magistrates and paid by the Government. Generally the establishment of a Daroga consisted, besides himself, a Jamindar, 10 Barkandazes and a Mohardir and cost the Government a sum of Rs. 83 including the pay of Rs. 25 of the Daroga. The Daroga was entrusted with the responsibilities of arresting criminals and delivering them to the Magistrates and was entitled to receive 10 percent of the value of the stolen property recovered. The cities of Murshidabad, Dacca and Patna were divided into wards with Darogas in charge under the overall control of Kotwals. In making these revolutionary changes, the police services of village watchmen were not entirely dispensed with. Their command was, however, transferred to the newly appointed Darogas. All Paiks, Chowkidars, Pasbans, Dusauds, Nigahbans, Harees and other village watchers were declared subject to the orders of the Daroga in apprehending anti-social elements.

The judges of the newly instituted courts of circuit held that these police reforms had contributed in a large measure to the prevention of crime. In 1793 Cornwallis reiterated his conviction that the Police Regulations of 7th December, when completed and carried to a logical conclusion, would go a long way in creating an effective police organisation. He affirmed: "The Governor General-in-Council considers it to be of greatest importance to the maintenance of peace and good order as well as to our political security and that the police of the country should be superintended by officers specially nominated by the Government. Independent of these considerations, to abandon the charge of the police to the landholders must always give rise to the most flagrant abuses. In the enquiries which proceeded the resumption of this charge from the landholders in Bengal, it was established that the offices of police were held chiefly by the most notorious robbers who paid large sums of money to the zamindars or to their officers and departments for the situations, the possession of which enabled them to carry on their depredations with impunity." In retrospect, the experiment of Cornwallis in the administration of criminal justice was one of the most valuable services rendered to the East India Company irrespective of the degree of success achieved in the succeeding years.

3.3.4 Early Reforms

The reforms of Cornwallis were no doubt statutory and on the right lines. But they did not go far in rectifying the state of affairs in the field of prevention of crime, in spite of the fervent hope expressed by their author. Crime was continuously on the increase in all Presidencies. Even the settlements at Bombay and Madras did not escape the effects of successive waves of crime and there were frequent robberies by armed gangs. In the city of Madras, at the end of the

century, the Poligar continued to discharge his police functions with the help of his peons, except for a short period when his Cowle was withdrawn for alleged inefficiency. But a Police Committee, in addition to its municipal functions connected with the regulation of markets, exercised control over the Poligar, which marks the beginnings of a regular city police system on an organised basis: The position, however, in the districts was far from satisfactory. When the Northern Circars were handed over to the British in 1766, the whole system of internal management' which had become the semblance of civil authorities seemed to be lost".

In their Regulations of 1802 the East India Company attempted to tackle the problem with vigour. Most important of them was Regulation XXXV which formed the basis of the police organisation in the Presidency. Its weakness, however, lay in the ill-advised attempt to dissociate the hereditary village watchers (Poligars and Kavilgars) from their responsibility for prevention of crime. Consequent on the appointment of Zilla Judges who combined in themselves the duties of the Magistrate, Police Chief and head-gaoler, the police in the districts became speedily disorganised. The causes of failure were examined in 1806 by a Committee constituted by Lord William Bentinck and consisting of Mungo Dick, J Hodgson, T B Hardis and E C Greenway. The Committee found that the police duties of the country were discharged almost entirely by the Talliaries a comprehensive term for Kavilgars, Dhandasees, Barkees and Naikwadees and other village watchers whose posts were hereditary and whose remuneration was through grant of lands under the term Kavalpaddy. They were assisted in principal towns by the Kotwali establishment and elsewhere by the Amildars' peons, the committee came to the conclusion that the system had broken down and there was an immediate need for taking effective measures by a body of the people themselves.

By 1812, the administration of criminal justice in all the Presidencies had deteriorated to such an extent that the Court of Directors of the East India Company could no longer follow a policy of drift. They sent out a questionnaire to the senior civil servants requesting them for suggestions to tone up the administration. In regard to the police, they asked: "What is your judgment regarding the system of the police established by the British Government? Can it be rendered more perfect and efficient or do you think it would be practicable and expedient to resort to any of the modes practiced by the native governments for maintaining the peace and the order of the country?"

Prominent among the experienced administrators who replied to the queries was Col. Sir Thomas Munro. He stated that the new system of police established under judicial regulations had everything against it and nothing in its favour. It was Unsatisfactory and at variance with the feelings and prejudices of the people and, therefore, lacked the moral force to uphold it. In exclusively depending on the services of a set of hired policemen without a genuine interest in the inhabitants, the requisite zeal and executive skill were not forthcoming. Another unfortunate feature of the system was the reduction in the influence of the village headman and lessening of the enthusiasm of the Talliaries that ultimately injured the very man by whom the police duties could be efficiently discharged. But it was not till 1816 that a regular attempt was made in Madras to integrate the police system in accordance with "the usages of the country" and as recommended by Sir Thomas Munro. By Regulation XI of 13th September, 1816, Regulation XXXV of 1802 was rescinded and the police duties were vested in the heads of villages aided by Karnams, Talliaries and other village watchers; in the Tehsildars, and in their establishment of peons; in the zamindars; the Amins of police, Kotwals and their peons; and finally in the Magistrates of Zillas and their peons. The Tehsildars under the District Magistrates were entrusted with the control over the police within their respective jurisdictions and were made

responsible for the maintenance of peace. Thus the Tehsildar was required to be a police as well as revenue official.

Simultaneously, a process of experimentation was going apace in the Bombay Presidency, to find a solution to its own problems. The city police had by 1812 grown to a sizable proportion and consisted of a Superintendent of Police, 10 Europeans, 86 Indians, of whom two were inspectors of roads. There was also a Water Police Force of 53. As in Madras, however, it was in respect of the mofussil police that difficulties cropped up time and again demanding a rational solution. The first step in the direction of reforms was to relieve the zamindars of their liability for police duties. They were replaced by Magistrates of districts who had a staff of Darogas and a body of peons. The Daroga exercised his authority in a limited jurisdiction of about 20 sq. miles with the help of 20 to 50 armed Barkandazes and by drawing assistance from village watchmen. The system, as noted elsewhere, was ill the throes of complete failure since the police establishments were unable to prevent crime and assistance from citizens was no longer forthcoming.

The conditions of law and order deteriorated to such an extent that the Court of Directors found it necessary to appoint a special committee on their own initiative. The committee issued orders in 1814 condemning the existing police system and insisting on maintaining the old village police for ensuring internal peace. In 1826 the duties of the judges and the magistrates were separated and, by Regulation XII of 1827, effect was given to the orders of the Court of Directors, and the police system conformed in all essentials to that of Madras. At the head of the police was the Collector and Magistrate, aided by his assistants; next came the Mamlatdar or Tehsildar, whose establishment of peons was used indifferently for police and for revenue purposes; and below the Mamlatdar was

the Patel or village officer, who was authorised to employ on police duties all the revenue servants of the village. The headquarters station and a certain area around it were at first placed for police purposes under the judge, but this arrangement was soon abandoned as unworkable.

In Bengal, however, due to permanent settlement and absence of a separate revenue department, there could be no marked improvement in the organisation of the police system. All the same attempts were continuously made to introduce special and expert control over the police. In 1808 an officer was appointed with the title of Superintendent of Police to supervise the police in the three divisions of Bengal-Calcutta, Dacca and Murshidabad. He was also the Magistrate of 24-Parganas and had criminal jurisdiction in several districts and over the city magistrates. The system worked so well that in 1810 it was extended to Patna, Banaras and Bareilly. It continued to flourish till 1829 when the posts of Divisional Commissioners were created and the control over the police was then transferred to the new Commissioners while the executive charge of the district Police was left in the charge of the Collector who had now acquired the powers of a District Magistrate.

3.3.5 Disastrous Change

The change proved disastrous. The removal of the Superintendent of Police gave the Darogas ample opportunity for illegal gain. An unwholesome feature of the period was not only the resultant lack of control over Darogas but the East India Company itself had begun to utilise the arm of law to increase its income by the unsavoury practice of bartering dacoits in the slave market. Yet another ignoble task that the Darogas were forced to perform was the destruction of the indigenous enterprise of shipbuilding and other kindred means of navigation. In

the context of mounting Popular indignation, Lt.Col. Bruce deplored that the local inhabitants took no interest in the police force and the recruitment had to be done by bringing large bodies of men from the North-Western Provinces (U.P.). There were other reasons for the general unpopularity of the police at the time, but in the main: the institution of salaried police was a change of far-reaching consequence and disturbed the socio-economic structure of the people of Bengal. Unbridled in their powers and encouraged by the loose control exercised by the European Magistrates who had little or no knowledge of local conditions, the Darogas, as an institution, became intolerable.

The East India Company first tried to redeem the situation by appointment of more Magistrates to supervise their activities. When this also failed the Government of Bengal was led to the final step of appointing a Committee for the purpose of drawing up a plan for more efficient organisation of the Mufassil Police. In their report submitted in 1838 the Committee came to the conclusion that the transfer of superintendence of police to the Commissioners had resulted in want of uniformity, and without uniformity or control no real improvement could be effected. However, no definite recommendations were made on the subject but Sir Frederic Halliday in a minute of dissent proposed that the whole forces should be placed under the control of a Superintendent General with four covenanted officers as Deputy Superintendents and Assistant Superintendents of Police for each district, but no attempt was made to pursue the recommendations.

By the treaty of Yandabo concluded on 24th February 1826 the British. Became the virtual masters of Assam where the Ahom Kings had maintained internal order all along through a militia raised from every family. From 1826 a large number of troops were stationed in the province for maintaining law and order.

This state of affairs continued till 1838, but the high expenditure involved in maintaining a large body of troops in Assam forced the Government to review the situation and adopt a policy of gradually establishing an armed civil police in the province. The first unit of the new organisation was raised in 1835 by Mr. Grange Who was in charge of civil administration in district and was named Cachar Levy. It had strength of 750 men drawn from the Bengal Armed Civil Police. Three years later a similar body known as Jorhat Militia was raised for the protection of Sibsagar border. These units formed the earliest nucleus of what eventually developed into Assam Rifles.

3.3.6 Crime and Violence

The chequered period of early reforms and administrative failures in the first half of the nineteenth century was noteworthy for the extraordinary eruption of crime throughout the length and breadth of the land. It was replete with gruesome accounts of dacoits; highway robbers, professional poisoners and predatory hordes who infested the countryside, By far the most menacing of these anti-social elements were the Thugs whose cult was base on an organised system of murder and robbery under the cover of pseudo-religious sanction. The secret society of Thugs trace its origin to the medieval ages, the earliest reference to them having been made in the chronicle of Jalal-ud-Din Firoz Khilji of the 13th century A reference to them can also be found in the account of Thievenot's Travels first published in 1687 and which described Thugs as the cunning robbers in the world',

The depredations of the Thugs reached a crescendo of ruthlessness by the end of the 18th century following the general anarchy and confusion in the wake of the collapse of the Mughal Empire and the devastating forages of the Maratha

armies. The Thugs traveled over long distances on the high roads following the intended victims, mainly pilgrims and wayfarers, and put them to death at carefully selected places after robbing them. They took immense pains to cover all traces of their diabolic crimes. The organisation of the Thugs had spread all over India and their notorious crimes occurred with unceasing regularity in almost all parts of the country, but the areas most affected were Malwa, Gujarat, Khandesh, Berar, Hyderabad, Bhopal, Sambalpur, Bundelkhand, Jabalpur, Nagpur, etc. Col. James Sleeman estimated that about forty thousand victims fell annually to the Thug peril, which infested the roads. The main difficulties faced by the early British administrators in suppressing the evil which was unprecedented in its magnitude and uncommon in character were the Thugs' careful planning of operations at considerable distances from their residences, lack of efficient policing, apathy and fear of villagers; collusion of zamindars and rich landlords and the difficulties of extradition arising from the existence of innumerable Princely States. The menace reached such alarming proportions by the beginning of the 19th century that the Government was forced to recognise that it had become "a scourge to the community and a reproach to the Government of India".

3.3.7 Sleeman Report

The Thug organisation attracted little notice from the East India Company until W H Sleeman submitted his famous report while employed in the Saugar and Nerbudda territories where he was posted in 1820. He proved that the Thug crimes were committed by a numerous and highly organized fraternity operating in all parts of India. Systematic operations for the suppression of this crime were organised by Lord William Bentinck in 1829. In that year, F C Smith, Agent to the Governor General in the Saugar and Nerbudda territories, was invested with

special powers and Sleeman was employed in addition to his district duties as Smith's coadjutor and assistant. Through a series of daring actions, Sleeman succeeded in breaking up the Thug gangs and controlling the crime, which had devastated the country for generations. In these hazardous operations extending all over the country, Sleeman was assisted by a band of devoted officers of whom the most prominent were Maj. Borthwick and Capt. Paton.² Between 1826 and 1835, 1,562 persons were apprehended and tried for the crime of thuggee of whom 1,404 were hanged or transported for life. A series of special laws were enacted the years between 1836 and 1848 to bring to book those Thugs who had got away due to lack of evidence. Special courts were established at Hyderabad, Mysore, Lucknow and Gwalior.

In 1835, Sleeman was relieved from his district duties and was appointed General Superintendent of the operation for the suppression of the Thug gangs. In 1839, in recognition of his signal success, he was placed in complete charge of the operation under the designation of General Superintendent for the Suppression of thuggee in India which post he held till 1849. Almost at the end of his career, in 1853, Sleeman could look back upon those eventful years and say with a sense of achievement and immense satisfaction: "The system is destroyed; the profession is ruined; the guilt is scattered, never again to be associated into a great corporate body. Their draft and the mystery of Thugs will, no longer be handed down from father to son if we have done nothing else for the country, we have done this one good thing. It was a great achievement a great victory". The Thuggee and Dacoity Department continued for many years as an effective agency to collect and collate information regarding crimes of inter-provincial character and subsequently became the Intelligence Bureau of the Government of India.

3.3.8 Anti-Social Practices

The turbulent years of consolidation of British power were also marked by the East India Company's campaign against other anti-social practices such as Suttee, female infanticide, human sacrifice and slavery. The practice of voluntary self-immolation of widows, and whose origin is steeped in antiquity and which, was commended by ancient Hindu scriptures, was locally for bidden by some Hindu princes and individual British officers from time to time, but the absence of a general law had handicapped their efforts. Cases of suttee were extremely numerous in Bengal. In the year 1818 alone, 839 burnings occurred in the whole of Bengal Presidency including Rohilkhand of which 54 occurred in Calcutta Division.

For a considerable time, Lord William Bentinck hesitated to take precipitate action against the practice for fear of repercussions in the army on the ground that its prohibition would the religious susceptibilities of the Hindus. Gradually, however, he secured the approval of judges of the highest criminal courts and elicited favourable opinion from his army officers, high police "officials and notable citizens among whom the name of Raja Ram Mohan Roy is the most illustrious. By Regulation XVII of 1829 the burning or burying of widows alive was declared illegal and classified as culpable homicide. When violence or compulsion was used or the free will of the victim interfered in any manner, it amounted to murder. The Regulation was upheld by the Privy Council in 1632 and proved generally effective and its provisions were speedily adopted by many Princely States.

Another obnoxious practice which was prevalent in India at the time was female infanticide, practised by certain classes among the Rajputs. In 1789, Jonathan Duncan, while being resident at Banaras, discovered the custom among the Rajkumars and tried vainly to persuade them to forswear it. Maj. Alexander Walker's efforts in Western India were also equally unavailing. The practice which originated from pride of birth and sense of humiliation in finding suitable matches for female progeny was eventually suppressed by covenants, repressive measures and strict surveillance in affected areas. Commendable work was turned out in Malwa and Rajputana by Col. Sutherland and Capt. Thoresby. In Bengal, too, by means of Panchayats and exhortations in public meetings and through effective propaganda to reduce the scale of marriage expenses, success was achieved. On the basis of a detailed enquiry conducted by W R Moore in the Banaras Division in 1856-57, coercive measures were finally taken and an Act was passed in 1870 permitting rules for the registration of births and verification of survival of girls.

3.3.9 Human Sacrifice

The horrible practice of human sacrifice, which was prevalent among the tribals, particularly the Khonds of Orissa, was also suppressed after initial failures by the East India Company. First attempts made in this direction during Sir Henry Hardinge's time did not meet with the desired success. But later from 1847 to 1854, under the leadership of Major-General John Campbell and other officers specially appointed, the practice was stamped out. The period also marks the passing of enlightened legislation prohibiting legal recognition of slavery in India (Act V of 1843) through the good offices of Lord Ellenborough and his colleagues. The Indian Law was thus brought in line with that of England and was later incorporated in the Indian Penal Code.

Outstanding among those pioneers who worked unceasingly with singleness of purpose and determination to bring a sense of security to the people was Sleeman, a Titan among men. To "have achieved success under extraordinary difficulties and rid, the country of well-trenched murderous gangs of criminals" was more than any man had ever done before and more than any; man was likely to do for generations after he had gone". Apart from his great achievements in the relentless campaign against the Thugs, Sleeman had shown the lines on which police work, in India would have to be reorientated for the primary tasks of suppression of crime on a large scale and well deserved the tribute. "His career of Indian service was long and his labours most meritorious. They will cause him to be long remembered with honour; and if his services in the suppression of thuggee were alone to grace his memory, he would have left behind him a name never to be forgotten. He was one of those men whom, the Indian Service has never failed to produce whenever an emergency called for them".

The extraordinary state of crime and prevalence of anti-social practices in the first half of the nineteenth century have been touched upon to show how the straggling police forces in the, process of their inception and early growth were totally inadequate to deal with matters of law and order. In the suppression of criminal eruptions of the nature of thuggee, the police merely played a secondary role, assist special agencies that were devised from time to time. That they were ill equipped and ill organised cannot be denied; and in the midst of crime which was uncontrolled and the creation of cadres of Darogas and Thanedars over whom there was little or no control of the magistracy, the police naturally came in for bitter criticism. The proceedings of the Police Committee held in 1837-38 with W.W. Bird as president are ample testimony to the ineffective role of the police of the times and the deep distrust in which they

were held. With one voice, the Magistrates and the civil administrators and respectable citizens who were called in to give evidence expressed the view that the Thanedars 'as a class have deteriorated and the persons possessing claims to respectability who formerly held the offices no longer fixed them.

Perhaps a clearer idea of the Indian police can be gathered from the pen-picture drawn by W H Sleeman who, in his relentless war against the Thugs, had ample opportunities to watch the police at close quarters. "The police of the district in our Bengal" territories consists of a Magistrate and his assistant who are European gentlemen of the Civil Service; a certain number of Thanedars from twelve to sixteen who preside over the different sub-divisions of the district in which they reside with their establishments. These Thanedars get twenty-five rupees a month, having under them four or five Jamadars upon eight rupees, and thirty or forty Barkandazes upon four rupees a month. Most of the Jamadars are placed in charge of Nakas or sub-divisions of the Thanedars jurisdiction; the rest are kept at their headquarters ready to move to any point where their services are required. These are all paid by Government; but there is in each village one watchman, and in larger villages more than one, who are appointed by heads of villages, and paid by the communities, and required daily or periodically to report all the police matters, of their villages to the Thanedars."

Sleeman correctly ascribed the imperfections of the police to the distance between Magistrates and the Thanedars which he described as "immeasurable" and suggested that the only way to remedy the evil was "to give a greater feeling of security in the tenure of office, a higher rate of salary, the hope of a provision for old age and, above all, the gradation of rank" by interposing officers between the Thanedars and the Magistrates. But this much-needed reform was

not taken on hand for the fear that such appointments would be given to the uncovenanted and might tend indirectly to diminish the chances of the covenanted servants of the Company. More than two decades had to pass before a sincere attempt was made on the lines of Sleeman's suggestions.

3.3.10 On the Eve of a Great Change

An event which was to have far-reaching influence on the evolution of the Indian police systems occurred after its annexation by Sir Charles Napier in 1843. One of the first measures undertaken by Napier was the organisation of a regular police force in the province in which a series of invasions had obliterated all traces of original village organisations. With the time of advent of the British the Sind-Baluchis and Sindhis were in a tribal state of society and even the remnants of the Mughal system of administration had completely disappeared. The British administrators could, therefore, start from scratch without recourse to any existing foundations of village police. Napier took the Irish Constabulary as his model bearing in mind that the newly acquired province needed a force, which was semi-military in character rather than a purely civil one. In a communication, addressed in 1846 to the President of the Board of Control, he affirmed: "To secure the peace of the country and avoid disseminating troops which would possibly diminish the wholesome fear of our power, established a force of 2,400 men, well-armed, drilled and divided into three classes one for the town, two for the country, the first all infantry, the last two infantry and cavalry, called the rural police. They assist the Collectors but form a distinct body under their own officers." An important feature of Napier's organisation in contradistinction to the forces in other provinces in India was that it was a separate and independent organisation with its own cadre of officers for purposes of supervision and administration. These desirable features attracted the attention of Sir John Clerk, Governor of Bombay, during his visit to India in 1847. Six years later, the Bombay

Police was remodelled, the leading feature of reforms being the appointment of a Superintendent of Police for every district with full and exclusive control over his subordinates; the appointment of an Indian officer corresponding to the rank of an Inspector for every tehsil; and finally the transfer of the supreme control of the police the Faujdari Adalat to the government. The government control devolved on the judicial secretary an arrangement 'which proved unsatisfactory and had to be withdrawn in 1855, when the administration of the police was transferred to the Commissioner of Police who was also the Inspector of Prisons.

3.3.11 Punjab's Annexation

The annexation of the Punjab in 1849 added to the vastly growing British territories yet another area where beginnings, had to be made in creating a sound police administration. The British undertook this task readily. The police organisation, which they introduced, consisted of two branches the military preventive police and the civil detective police. The military police comprised of ten battalions. In 1857, the strength of this force consisted of 18,100 men, and the total cost to the exchequer was estimated at about 47 lacs of rupees. As to the composition of the force. The majority of the disbanded soldiers of the old Sikh army were first enlisted. Most of the battalions had completely Indian complements of officers under the supervision of British Police Captains. The functions of the Military Police consisted of escorting prisoners treasures and performing jail and garrison duties and they well deserved the praise of Sir John Lawrence in 1852: "In the force of vigour of police the Punjab may challenge any province in India". During the Mutiny of the armed forces in 1857, the Punjab Police established their reputation for discipline efficiency and high morale. Large numbers of Mounted Police I were transferred to the cavalry and a number of Police Captains distinguished themselves in various actions.

In 1857 the city of Delhi was recaptured and the territory was transferred to the Punjab. Necessitating the enlargement of the Punjab Police Force. Simultaneously with the growth of Military Police the Detective Civil Police underwent a number of changes. At first it formed an independent section in three different grades the regular establishment paid by the State; the city watchmen; and the rural constabulary paid by the people. The whole territory under the British was divided into 208 police jurisdictions with a police officer assisted by one or two: deputies and about 30 men on an average for each police unit. Police powers were vested in Tehsildars to whom the force was subordinate. Over the Tehsildar was the District Magistrate controlled by the Divisional Commissioner who was vested with the powers of a Superintendent of Police besides other functions. In the interior sub-divisions second-grade police posts were established at strategic places.

The new patterns of police organisation in Sind and the Punjab highlighted the defects in other provinces where a hierarchy of revenue-Gum-police officers had emerged. The District Magistrate was in no position to pay the attention to the organisational problems of the police they deserved or to the detection of crime, which was essential. While Madras and Bombay Governments suggested the separation of the police from revenue functions the Lieut Governor of Bengal wished to reunite the police superintendence and collectorship with adequate provision of intermediary Magistrates endowed with police and magisterial powers simultaneously. But the wisdom of the policy which had consistently reflected failures in other provinces was immediately challenged. In a note about, the Bengal Police the Hon. G P Grant, an experienced administrator and member of the Council of the Supreme Government. Recorded the system whereby various functions each of which is separate in other well-administered

countries are sometimes united in India is represented in its most amiable view when it is called patriarchal. Without however questioning the system whether it is appropriate, I ask if such a state as I have above described Bengal to be, is a fit country for patriarchal experiment? For the system two parties are required the sage and paternal ruler of a district and the dutiful family of subjects. Not to speak of the first requisite, I may safely deny that Bengal affords the last."

Madras Torture Commission, 1855 It is likely that police affairs would have continued indefinitely to be the subject of extensive arguments and speculation had it not been for the explosive nature of the findings of the Madras Torture Commission in 1855. The Commission found that revenue, police and magisterial authority concentrated in the same set of functionaries' derived immense power from the union and consequently faced equally immense scope for corruption. The Commission recommended that the remedy lay in the institution of a better-paid, better organized police force separated altogether from ordinary revenue duties and commanded by an intelligent Superintendent of Police responsible to the government for the peace in his district. The Commissioners distinguished the duties of the police and the Magistrates thus: "Police we consider to involve a duty entirely distinct from the magisterial. It is to all intents and purposes in its nature executive and although not absolutely incompatible with that of a Magistrate, it had better be kept separate for it necessarily involves acts against which appeal should be open to the Magistrates by whom alone their propriety can be decided on. The arrangements calculated for, the prevention, next the detection of crime when committed, and the apprehension of criminals, we conceive the proper duties of police the trial and punishment are the duties of the Magistrates and the Courts of Circuit in their respective gradation".

In their letter of the 14th August 1855, the Madras Government admitted the unsatisfactory state in the Presidency and deplored that the want of an efficient and preventive detective police called loudly for a remedy. They proposed the separation of the police from the revenue functions, the appointment of a Superintendent of Police for each district and a Commissioner of Police for the whole Presidency as in Bombay. They also suggested the appointment of a Commissioner of Police for the whole Presidency as in Bombay. They also suggested the appointment of a Commissioner of Police for the Province "to be in communication with the Government and Superintendents in the districts for the efficient discharge of police duties.

The Board of Directors was simultaneously getting restive over the impasse. On July 23, 1856, they sent out a communication deploring the deterioration in law and order, but at the same time expressing doubts about the Madras Government's proposal to bring the police under one single administrative authority in the light of failure of similar experiments in the North-Western Provinces and in the Province of Bengal. But the Governor of Madras was fully convinced that no police force will be efficient unless it is placed under one command and unless there is uniformity of discipline and method throughout the body. According to him, the position at that time was that the police was entirely confined to the district under the Collector and there was no general supervision or any vestiges of central co-ordination, which were so essential for its efficient discharge of duties. The Board of Directors ultimately approved the Governor's recommendations and ordered that the management of the police in the districts should be removed from the Magistrates and be entrusted to European officers responsible to a General Superintendent of Police of the whole Presidency. They also wanted a common plan for the whole of India.

On 22nd December, 1857, the Governor of Madras sanctioned the appointment of the Chief Commissioner of Police on a salary of Rs 2,500 and with an establishment of 20 Superintendents of Police and an equal number of Assistant Superintendents of Police. Mr Robinson, a civil servant, was appointed Chief Commissioner of Police in May 1858, and he should be considered the first Inspector-General of Police, though at that time the post went by the name of Chief Commissioner of Police. They had of the city police till 1856 was called the Superintendent of Police. Robinson studied the conditions of the District Police establishments through extensive touring and by instituting special commissions. In December he submitted his proposals which provided for the reorganization of the village police under the control of the District Superintendent of Police creation of general constabulary consisting of constables, Head-Constables and Inspectors; clarification of the powers of the Superintendents of Police in-charge of districts and finally the creation of the post of a Chief Commissioner in whom would be vested the direction, discipline and internal economy of the police force for the entire Presidency. Other recommendations included training and recruitment programme; maintenance of mounted police, creation of armed reserve at police headquarters, etc. When, however, the Bill came to the stage of drafting, it was decided that the local Superintendents of Police should be subordinate to the District Magistrates and that the functions of the Commissioner (Inspector-General) would be confined to the organisation and maintenance of the force in a state of efficiency, through proper attention to the discipline and other administrative matters. It was, however, made clear that the relationship between the District Magistrate and the Superintendent of Police should be not one of constant and continuous interference, as explained at length in the following directions;

"It will be proper that you should bear in mind in future discussions on this Bill that while it is proposed to vest in the local Magistrates, the most ample powers of control over the district superintendents and their establishments, it is yet meant that such supervision shall be of a general character: The superintendents shall, as far as possible, be left to provide for the prevention and detection of crime in their districts, by means of the Police force under their orders; the Magistrate exercising a general control and interference more immediately on occasion when he may deem intervention is really necessary. The relation, of the Superintendent to the Magistrate and his superior and the paramount authority in the district cannot be easily defined in words in all its bearings; but its general purport is as above indicated." The Bill was passed as the Madras Act XXIV of 1859.

Punjab also strove hard to affect the much-needed reforms in its police organisation in the light of its own experience. Mr Forsyth, the Commissioner and Superintendent of the Lahore' Division, came forward with a number of proposals which included suggestions that each district should have a Lieutenant of Police with the sole responsibility of carrying out police functions. For supervision, he proposed the appointment of Divisional Inspectors while in the cities, European Superintendents and Inspectors were thought of. He also suggested that the training and discipline of the district and the city police should be so attuned as to prepare them for military duty at short notice. Consequently, Captains of Police were appointed to look after the training, discipline and efficiency of the Police force.

3.4 Police During the British Rule

Although in the constitutional field the Indian Mutiny led to sweeping changes and the termination of the powers and privileges of the East India Company, no immediate and drastic changes were introduced in the field of internal security. Indeed, the process of reform and reorganisation of the police forces, which had commenced several years before the great upheaval, went on apace and culminated in the Indian Police Act of 1861. By this time the legal structure of the country had undergone important changes. In view of the fact that the police function within the framework of this structure, a brief reference to these developments would not be out of place.

3.4.1 Indian Police Act V of 1861

The Law Commission constituted in 1835 with Lord Macaulay as President had carried out a comprehensive codification of the existing laws and had prepared the first draft of the Indian Penal Code. A second Law Commission formed in 1853 had revised the Penal Code and had also prepared a Criminal Procedure Code. The bills introducing the Indian Penal Code and the Criminal Procedure Code were already before the Legislative Council when the Police Bill was moved by Sir H B E Frere. Introducing the Police Bill which later became the Indian Police Act V of 1861, Sir H B E Frere said: "In England Police Reforms were commenced in the time of Henry III, and the subject was very vigorously taken up in the time of Elizabeth, but little effectual was done until the time of Sir Robert Peel. It took a very long time to carry out the principle of a police force separate from and independent of the Judicial Magistracy in the Metropolis, and now though more than thirty years had passed since the principle had been

recognized by all the great authorities and by public opinion in England, it had not yet been fully extended through the United Kingdom. But every year some progress had been made, and hope that at no distant period the principle would be acted upon throughout India as completely as my Honourable friend could desire."

Together the Indian Penal Code and the Criminal Procedure Code opened the way for the reform of the law courts and provided a common procedure for the administration of criminal law throughout British India. Although several revisions were later found necessary and several branches of law remained uncoded the new, laws of the I P C and the Cr P C were a great improvement over the incoherent mass of rules which cluttered the Indian judicial system and impeded the efficient working of the police. The absence of a single exhaustive code setting out the laws of evidence was also a source of constant irritation as the fragmentary enactments made from time to time since 1835 down the rules of evidence were found in practice to be totally inadequate. A draft code of Rules of Evidence prepared by Sir Henry Summer Maine in 1868 was found unsuitable and it is to Sir Fitz James Stephens that we owe the present Indian Evidence Act which came into force in 1872.

The Indian Police Act of 1861 gave statutory expression to the administrative experience gained during several decades of the East India Company's rule. It provided the police forces in the country with the necessary statutory backing and also laid down the broad lines along which the force was to be developed and expanded. The Act itself stated: "The administration of the Police throughout the general, Police District shall be vested in an officer to be styled Inspector-General of Police and such Deputy Inspector General of Police and Assistant Inspectors General as the local Government shall deem fit. The administration of

the police throughout the local jurisdiction of the magistrate of the District be vested in the District Superintendent of Police and such Assistant District Superintendents as the local Government, shall consider necessary".

3.4.2 Spate of Activity

Allover India, a spate of reorganisational activity followed, the enactment of the Police Act of 1861. On the Punjab Government, which was busy organising the Forsyth Scheme, the new legislation imposed no new burdens. Early steps were taken to push forward the organisational set-up of the force in anticipation of the legislation. The Lieutenant Governor of Punjab accepted the Commission's recommendations and appointed as Inspector General of Police, seven District Superintendents of Police and eleven Assistant Superintendents. The first Inspector General of Police was Maj. George Hutchinson. Military Secretary to the Government of Punjab. By the end of July, 1861 reorganised police was introduced in all the Sis-Indus districts. The old police battalions were disbanded and replaced by an organised constabulary which combined in itself the Thana policemen and the city watchmen. A separate branch of the police was also created to look after the navigation on the waterways. In the newly constituted Central Provinces. H D Taylor was appointed Inspector-General of Police. In Bengal, Darogas were renamed Sub-Inspectors and the post of the Inspector General of Police was created with the responsibility of training, discipline and administration of the entire police force. A few years later, the posts of Assistant Superintendents were created as contemplated by the Indian Police Act.

In Madras too a new cadre of officers called uncovenanted Assistant Superintendents was created from among the Inspectors in 1877. The province of Assam was constituted in 1874-75 and the police administration was placed

under the district supervision of a special officer stationed at Shillong. T J Chichele-Plowden was the first Inspector-General of Police in Assam. In the Naga and Garo hills there was no civil police but a semi-military Force known as Frontier Police was organised. In 1878 an increase in the overall strength of the force was affected and improvements were made in the emoluments of its members. In Bombay, however the appointment of an Inspector General of Police was delayed. It may be recalled that the control over the police had "devolved on the Judicial Secretary. The arrangement continued till 1855 when the administration of the police was transferred to the Commissioner of Police who was also the Inspector of Prisons. This post was abolished in 1860 and the duties attached to it were transferred to the Revenue Commissioners. This arrangement continued till 1881 when Sir John Ferguson, the then Governor of Bombay noticed serious laxities in police administration and urged the appointment of an independent official as the head of the department. His views were not accepted readily and it was not till 1885 that an Inspector General of Police was appointed.

3.4.3 Difficulties in UP

Although the North-Western Provinces (U P) had the advantage of having as its first Inspector-General of Police, M H Court who had the distinction of serving on the All India Police Commission as its Chairman, surprisingly difficulties cropped up in that very province. While the All India Police Commission was sitting a small Committee appointed by the North-Western Provinces Government and presided over by Fleetwood Williams was examining the question of police organisation in the province. However, it did not report till the All India Commission had announced its recommendations. This Committee took strong exception to two of the latter's propositions, viz., the separation of the

Commissioners from executive police duties and the abolition of mounted police. In the meantime, M H Court went ahead with the task of reorganisation and completed it by the beginning of 1862. After the dissolution of the All India Police Commission one of its members, Lt. Col. Bruce was retained to advise the Government of India on police matters. He was sent out in 1863 to examine the financial aspects of the new set up in various States. In the North-Western Provinces, he was associated with the deliberations of the Nainital Police Committee of 1863. The Nainital Committee objected to a service imitation of the Irish Constabulary System and insisted that as far as possible police should be stationed in large bodies instead of being split up into small units as contemplated by the 1860 Commission. They also assailed the Rural Walk System, which laid down the principle that every village or thoroughfare had to be visited by a constable once in 24 hours and suggested an appreciable reduction in the number of Inspectors. M H Court who had been the originator of the recommendations objected to the Committee's proposals, but the Government of the day shared the views of the National Committee and it was in accordance with their views that the North-Western Provinces police force was finally reconstituted.

3.4.4 Railway Police

An important landmark in the history of the Indian Police pertaining to this period was the constitution of the Railway Police. The history of the Railway Police is practically that, history of the creation of the police on the East Indian Railway for it was on that Railway that the system of Government Railway Police was first established. In 1865 the Inspector-General of Lower Provinces (Bengal) proposed that a certain number of regular policemen should be deputed to railway stations to work under the supervision of a District Superintendent of Police, and arrangement which he preferred to the employment of a special

police force. In May 1866 the Board of Agency of the Railway passed a resolution accepting the Lt. Governor's proposal for placing a government police force at the disposal of the Railway on condition that the entire body was under the control of the Company with a special officer of the rank of District Superintendent of Police placed in charge of it. While the cost of the force was to be met by the company subject to a contribution from the government, it was agreed that the Inspector-General was to continue, "to exercise the same general control over this railway police that he exercised over all the police enrolled under the act."

The special railway force for the East Indian Railway thus came into existence on 1st January, 1867 and was organized to the joint requirements of the government and the Railway Company. The arrangement, however, did not last long. The divided duties and divided costs soon led to differences and in September 1870. Government separated the railway police into two distinct groups, one performing duties pertaining to traffic and paid for by the government and the other carrying out watch and ward duties and paid for by the Railway. When the question of sanctioning additional police force for a new chord line arose in 1871, the Railway declined to entertain any "private police" for the new line and even went to the extent of reducing summarily the existing strength on the old line. The Lt. Governor appealed to the Government of India demanding a voice in the determination of the railway police and greater Control over it, while the Company was averse to the employment of any government railway Police at all.

A committee which was appointed in 1872 to go into these vexatious questions recommended that there should be a separate railway police which should be

one organized body Under one system of supervision dealing with all kinds of railway work. The committee set out the duties, which required government control and those, which did not. The former included detection and prosecution of crime and the latter purely railway duties of watch and ward. The government, therefore, divided the police into two classes, one to be paid by the government and the other by the Railway Company depending upon the nature of duties performed. This system also did not prove satisfactory and a second committee appointed in, 1882 recommended that on the East Indian Railway all arrangements for watch and ward should be left entirely to the railway company and a force of government police should be maintained to perform the duties pertaining to crime and law and order and that the strength and disposal of this force should be determined by the local government in consultation with the Agent of the Railway. As for other railways, it confined itself to a general expression of opinion that the same scheme could be adopted with advantage.

3.4.5 Mounted Police

The origin of the Mounted Police is somewhat obscure. After the 1857 uprising, a number of mounted men seem to have been left in all districts in Northern India and were absorbed into the police forces. The Police Commission of 1860 expressed itself against the continuance of the Mounted Police, but the Neonatal Police Committee of the North-Western Provinces recorded their opinion that they considered a complement of Mounted Police necessary in each district. They said: "Just in degree that their situation is more valuable than those of the footmen, they, as a general rule, are better behaved and more respectable". The Committee maintained further: "As patrols for the Grand Trunk Road and other main lines of traffic, they are far more efficient than foot constables. The criminals who infest the roads have a great dread of the Mounted Police". The Lieutenant Governor of North-Western Provinces concurred generally with the

Committee and pronounced in favor of maintaining Mounted policemen, "not only for purposes of patrol, but also in order that at the headquarters station of each district there might be a small number of Mounted Police Constables prepared at a moment's notice to accompany the Magistrate or District Superintendent of Police, whenever the presence of either may for any reason be urgently called for". The strength of the Mounted Police in 1860 in the N W Provinces was 2,115. This was, however, reduced by the 1863 Commission to 821, distributed throughout the thirty-two districts of the province. Towards the end of the century gradual reductions in Mounted Police were effected in all States and there were no Mounted Police in Assam, Bengal and Madras except in the Presidency towns. This reduction was necessitated by the prohibitive expenditure involved in maintaining this arm but its utility and effectiveness in putting down communal disturbances and serious breaches of the peace were generally recognized.

3.4.6 Armed Police

Prior to 1861, most of the provinces had battalions of military police like Paik companies in Bengal and Sib bandy Corps in Madras. These battalions gradually became defunct after the passing of Act V of 1861 which transformed the existing police force in the country into a purely civil constabulary. The principles underlying the functioning of the police in regard to the prevention and detection of crime on the one hand and ensuring internal order on the other were stated in general terms by the Police Commission of 1860 and reaffirmed by the Government of India in 1887. The Commission expressed the view that the police force should be so equipped organizationally as to deal effectively with local disturbances without the aid of the military arm. In Bengal, at every district headquarters, a force of armed police called the District Police Reserve:

consisting of 25 men; armed with breach loading snider was formed for dispatch to trouble spots under the sanction of the District Magistrate. Similar armed reserves began to function in other provinces also. The need for maintaining a specially trained body of police to deal effectively with major local disturbances was also becoming imperative. The Government of Bengal enlisted a force of military police known as "Special Reserves" and stationed units at Dacca, Bhagalpur and Dumka. Later, the growth of industrial population around Calcutta led to the formation of a fourth company that increased the strength of the special reserve to 400. In Madras the Malappuram Special Police was created in 1884 to cope with periodical outbreaks among the Mullahs. In the border province of Assam, the Frontier Police had to fulfill a distinct role of a military character and the whole frontier line of defense was placed in their hands.

3.4.7 Recruitment to Superior Cadres

With the creation of a regular hierarchy of police officials, problems of recruitment to the superior cadres came to the fore. Initially, the majority of the posts went to officers of the Indian Army. The cadres were also filled by adventurous youngmen from British families, who were eager for service in India. Gradually the supply of officer cadres from the Indian Army dwindled and recruitment of British officers in England was made by nomination. From the middle or the eighties, significant changes occurred in the conditions of service with the development of communications and the increasing impact of Western thought which made it necessary for the administration to be constant touch with the life and aspirations of the people. New and higher standards of administration were the need of the hour and they could no longer be met by the haphazard manner of selection by nomination. In 1895, the system was replaced by recruitment through competitive examinations.

3.4.8 Village Police

In India where the majority of-inhabitants live in villages, efficient police administration is closely linked with the development of a sound rural police system. The pioneers in the evolution of rural police may be said to be Madras and Bengal. Regulation XI of 1816 of Madras placed the village police under heads of villages. Their police duties were defined and they were also invested with criminal powers in certain cases. In Bengal, the village police evolved from the old police system and lacked uniformity. When the Jagirdars lost control of the police, the village watchmen became dependent on the regular police while at some places they still remained the private servants of Jagirdars. The system failed due to the utter inability of the public authority to secure co-operation of the people in the administration of the law. The defects in the system led to the appointment of a committee in 1867 to re-consider the whole question of rural police. It was due to the labours of this committee that Act VI (B C) of 1870 was passed. The Act made the Choukidars, responsible to Panchayats and brought about considerable improvement in the Choukidari system. The Act was further revised in 1892 due to the persistent efforts of J Monro, the then Inspector-General of Police. Lower Provinces. The main provision of the new Act was that while the Panchayats might nominate the Choukidars, the power of appointment and determination of their number and emoluments were vested in the District Magistrate. In Bombay the village police were placed under the District Magistrate in 1852 and 15 years later the Bombay Police Act of 1867 was passed specifying the duties of the village police. Appointment in all these cases were more or less hereditary. In the North-Western Provinces (UP) the Lambardars had no responsibility for criminal administration. Under the regulations in force until 1862 he shared the responsibility of the proprietors of land as defined by the Cr. P.C. It was only in 1870 that village Choukidars were

appointed under Sections III to VI of the North-Western Provinces Villages and Road Police Act. The scheme was not successful since it made the responsibility of the headmen and the village police officers co-terminus. In the Central Provinces the police duties of Mukadams were confined to reporting of crimes and assisting the police with the help of watchmen.

3.4.9 City Police Systems

It is relevant to touch here on the development of the city police system in the three premier cities of Bombay, Calcutta and Madras, which had always maintained a character distinct from the police in the mofussil. The Chief of Police in these cities was generally the Chief Presidency Magistrate who combined in him Police and judicial functions. Sir George Clerk who was associated with the reorganisation of the police system in the Bombay Presidency was extremely critical of the system. He said: "It may be safely asserted that there are necessarily no two qualities in common between a good judge and a good Superintendent of Police except the industry, patience and uprightness which all servants might possess. It is the duty of the judge to know nothing of matters, which can come before him judicially but what he hears and sees in the courts. Universal knowledge of everything that passes which can effect crime or criminals sought often from sources the least pure or creditable is the aim of the Police Superintendent; the judge must confine himself to what is clearly established before him or what might be logically deduced from it. It is a mark of peculiar sagacity in a Police Officer to jump at right conclusions from the most trifling evidence and often from data quite imperceptible to all but his practised eye. The personal zeal and interest with which a police officer tracks a criminal are diametrically opposed to the temper of him who can evenly hold the scales of justice and who is expected in administering justice, to lean in all doubtful cases

to the side of mercy". In Madras, E H Elliott, Chief Presidency Magistrate prepared a Police Code in 1853 and suggested the designation of the Superintendent of Police in the city be altered to Commissioner of Police. Similar enquiries were conducted at Bombay and Calcutta, also.

As a result of the recommendations made by the three provinces in respect of their capital cities, Act XIII of 1856 was passed with the object of consolidating the police and the administration of justice in the important towns of Calcutta, Madras and Bombay. By this Act, police duties were completely separated from those of the Magistrate and Commissioners of Police were appointed. In 1864, Col. Bruce, one of the members of the Police Commission inspected the police forces of Calcutta and Bombay and placed them on an equal footing. The Bombay, Calcutta and Madras Acts were further amended by Act XL VIII of 1860 and the Madras Act underwent a radical change in 1867 and placed the Commissioner in subordination to the Inspector-General of Police. In 1887, an Officer of the rank of Superintendent of Police was appointed by the Government of India to examine the set-up of the police in the three cities in order to affect economy in expenditure and attain uniformity. His recommendations included removal of subordination of the Commissioner of Police, Madras, to the Inspector General of Police. This was accepted by the Madras Government and a consolidated law for the city of Madras was enacted in 1888. Later changes, however, made the Commissioner of Police in Madras again subordinate to the Inspector General of Police whereas Bombay and Calcutta did not encourage any deviation.

3.4.10 The Police Commission 1902-1903

In spite of the far-reaching changes brought about by Act V of 1861, the Government of India was dissatisfied with the haphazard development of the police. Although the Act had abolished the Military Police, the latter again came into existence in provinces like Assam. In most provinces, subordination of the Superintendent of Police to the District Magistrate was carried much further than the Commission of 1860 had contemplated. This was particularly noticeable in Bombay where the District Superintendent and his staff were placed "under the command control of the District Magistrate of the district, who in turn is subject to the lawful orders of the Government". In North-Western Provinces some of the recommendations of the Commission were flouted and new proposals were made. Moreover, the police forces all over India had developed certain defects in organization, which needed immediate rectification. Crime was continuously on the increase and new responsibilities had to be shouldered simultaneously with the growth of population and improvement in communications. The rising tide of crime, the outbreaks of communal violence, the deteriorating socio-economic conditions due to the famine of 1877 and the enforcement of new laws like the Arms Act of 1878 were some of the factors which necessitated a general review of the utility of the police forces as they existed and the degree of their efficiency in dealing with anti-social elements. During crimes by predatory clans, Dacoits and professional prisoners were increasingly highlighting the failures of the police in the discharge of their fundamental functions. Alarmed by the deteriorating situation, the Government of India suggested to the provinces that they enquire into and report upon the defects in the criminal administration with particular reference to the working of the police department. In response to the instructions of the Government, a number of police committees began to examine the question in great detail. The Kaya Committee in North-Western Provinces, the Beames Committee in the Central Provinces and a Committee

consisting of T C Veasy, Peary Mohan Mukherjee, E M Peacaghuten and H Resley in Bengal, did yeoman work in 1890-92 and submitted their reports suggesting a number of changes in their respective organisations.

The Government of India were still not satisfied with the isolated efforts of provinces to find a solution to the problems which were common to all of them. In a resolution dated 9th July, 1902 they decided to appoint a Commission "to enquire into the administration of the police in India" with particular reference to the adequacy of the organisation of the existing Police forces for the preservation of the public peace; the extent of assistance rendered by the village officers and the, rural police in the matter of reporting crime; the nature of investigations carried out and improvements Possible; the character and suitability of the statistical returns; the general supervision exercised by the Magistracy and the recruitment policy. The President of the All India Police-Commission was A H L Yraser, Chief Commissioner of North-Western Provinces. Other members of the Commission were: Justice E T Candy, Puisne Judge of the Bombay High Court; the Maharaja of Darbhanga, Additional Member of the Council of the Governor-General; Dewan Bahadur Srinivasa Raghava Ayyengar, Member of the Council of Governor, Madras; Lt. Col. J A L Montgomery, Member of the Council of the Lt. Governor of the Punjab; W M Colvin of Allahabad and A C Hankin, Inspector-General of Police, Hyderabad State. The Secretary of the Commission was H A Stuart, Inspector-General of Police, Madras Presidency.

3.4.11 Valuable Report

The report of the Commission is a very valuable document in as much as it consolidated what had been initiated by Act V of 1861. The Commission recognized the need for immediate and, if necessary, revolutionary changes. In

the context of growing, dissatisfaction with the fitful development of police forces whose, efficiency had failed and whose reputation had dwindled due to multiplicity of factors and defects of organizational character, the Commission observed with deep regret: "Everywhere they went the Commission heard the most bitter complaints of the corruption of the police. These complaints were not made by non-officials only, but also by officials of all classes including Magistrates and police officers both European and native. It was generally admitted that constables possessed very much the characteristics of the classes from which they are recruited; and that corruption was no more an essential characteristic of the constable than of the revenue peon, the process server or the forest chaprasi. But the corruption of the constable is more intolerable because of the greater measure of oppression and extortion which his police powers afford, because of the intimate, connection he has with the general life of town and country and because of the possibility of his being brought at any time into special relations with the individuals",

To sum up, the Commission said: "There can be no doubt that police force throughout the country is in a most unsatisfactory condition and that abuses are everywhere, This involves injury to the people and discredit to the Government and that radical reforms are urgently necessary. These reforms will cost much because the department has hitherto been starved: but they must be effected".

3.4.12 Maharaja Darbhanga's Dissent

It is not merely a matter of historical significance that in respect of two vital issues connected with the organization of the force and India of superior ranks it was left to the Maharaja of Darbhanga to express more progressive views with righteous candour, In regard to his apprehensions regarding the distinction between European officers and Indians, the Maharaja wrote in his dissenting

note: "We require Englishmen as well as Indians in the higher ranks of the police in the interest of good administration and we require from both classes of men the same qualifications intelligence and capacity for work, knowledge of and sympathy with the people. Self-reliance and resourcefulness, sober judgment and promptitude. That being so, a uniform method of admission is best calculated to secure these objects; a distinction made will needlessly degrade one class of officers in their own estimation and in the estimation of people. To create a separate grade for Indians would not adequately secure the two-fold object we have in view namely to bring police administration more in touch with the people and to secure a class of self-relying and capable Indian Officers".

Regarding the relationship between the police and the Magistracy while agreeing to the overall responsibility of the District Magistrate for the administration of criminal justice in the district the 1902 Commission declared that the District Magistrate's control was not intended to extend to the administration of the police department. The Maharaja of Archangel made an impassioned plea for the complete dissociation of the executive and police from judicial functions. Quoting Sir Frederick Holliday, the Maharaja said: "The Union of Magistrate with the collection of revenue had been stigmatized as incompatible but the junction of the thief catcher and the judge is surely more anomalous, theory and more mischievous in practice." Ultimately however the Government of India ordered that the District Magistrate should continue to maintain his distinct status as the chief executive authority of the district. His interference in police matters should however be limited to the maintenance of law and order and detection of crime. They said: "He (District Magistrate) should not however, interfere in matters of departmental management and discipline except where the conduct and qualification of a police officer affect the criminal administration of his district. Even then this power of intervention should be exercised by issuing direct orders but by bringing the case to the notice of the superior officer of the police. It is

essential in the view of the Government of India that the law should now be made perfectly clear on this important subject so as to remove all occasions for the complaint that the District Magistrate's powers have been improperly extended and the authority of the District Superintendent over his own subordinates unduly reduced."

3.4.13 Constabulary and Station House Officer

Among the important recommendations of the Commission were its suggestions for recruitment of constabulary and for their training at provincial police schools. The pay of a constable was fixed at Rs 8 p m with increments of Re1 accruing in three, ten and seventeen years of approved service. The Head Constables, classified into three grades and drawing salary of Rs 15, Rs 17.50 and Rs 20, were not to be in charge of police stations. This responsibility was cast on the Sub-Inspectors of the new cadre who were recognised as the back-bone of the police force. In a critical assessment of the quality of the Sub-Inspectors of the day, H A start recorded: "The pivot of the structure is the Station House Officer and the class of men we get for that post is so inferior that it is impossible for the machine to work properly. It is obvious that such an office should be held only by trustworthy men, but the pay is small and the work, if honestly performed, is hard, and though the illegitimate earnings are considerable, the radium attaching to the office is so great that few respectable young men will enter the department". The Commission, therefore, proposed that Sub-Inspectors should be recruited directly between the ages of 21-25, that their educational standard should not be lower than Matriculation and promotions of Head-Constables to the rank of Sub-Inspector should be limited to 25% of the vacancies. They too were to be trained in provincial training schools.

3.4.14 Unerring Diagnosis

The Commission's diagnosis of the malady affecting the police administration in the beginning of this century was unerring. The Government was prompt in accepting the recommendations and in evolving a system of direct recruitment of Sub-Inspectors with fairly high educational qualifications and training them in police training colleges.

As regards the recruitment and training of European officers, the Commission recommended that recruitment to the European Service should be through a competitive examination and that successful candidates should undergo a two-year course of training in England and in addition to this, these officers should be attached to the Provincial training Schools for practical training in India. The Government did not accept the suggestion about the training in a residential university in England but laid down that officer recruits should have not less than 18 months training in India. The Commission also mooted the question of creation of a provincial police service of the cadre of Deputy Superintendent of Police to be filled by Indians whose functions and departmental status were to be similar to those of Assistant Superintendents. No immediate action was, however, taken and the Government of India merely contented itself with expressing a pious hope that it would be possible to secure officers, requisite qualifications to eventually man and lead the police force in India.

Other recommendations of the Police Commission pertained to the unification of the railway police into one administration unit in each state under the Deputy

Inspector-General in charge of the Criminal Intelligence Department, reorientation of armed police and renewed emphasis on maintaining the spirit of indigenous system of rural police. The Commission found the general principles regarding the demarcation of duties relating to crime and maintenance of internal security were more or less followed in Madras, Punjab and Bombay, while in Bengal they had been "allowed to fall into desuetude" and in the North Western Provinces they had been deliberately set aside. Though the Commission was unable to accept the need for maintain Military Police on the lines of Bengal, it suggested the extension of District Armed Reserves as a model for all provinces. It endorsed the earlier view of having homogenous police force and favored the abolition of distinction between armed and unarmed police, emphasizing that every policeman should be well-versed in the use of arms. In regard to the village police the Commission expressed itself in favor of maintaining the spirit of indigenous systems on the ground that the point whether the village can claim to control its own police or whether cooperation of the village community in the Police work is not of the highest value, if not, indeed, absolutely essential. It is on the basis of these firm convictions that the Commission proceeded to emphasize the need for maintaining and fostering the village agencies for police work through the village Headman and the village Police Officer.

3.4.15 CID & IB

The Police Commission's report gave a fresh impetus to the development of the police forces in all provinces in India. New Provincial schools were established, and those which were already in existence were reorganized to train the new cadre of Sub Inspectors who were to replace the old Station House Officers By far the most outstanding developments were in the creation of Criminal

Intelligence Departments and the emergence of the Intelligence Bureau. The Commission said that combined action on the part of the Police should correspond to the organization of crime, and that there should be systematic attention to provincial offenders and criminal tribes and classes, combined arrangements for dealing with crimes on roads and railways, and cordial co-operation between officers of districts. It suggested that the organization contemplated by them should be Under a Deputy Inspector-General of Police. The Criminal Intelligence Department thus formed, has borne the brunt of the most arduous and exciting tasks in the context of rapid political developments.

The emergence of the Intelligence Bureau was a noteworthy event in the development of the Indian Police. Prior to 1902, the only Central Police Agency in existence was the rugged and Dacoit Department, which was specially constituted for the suppression of Thug gee in the thirties of the century. After 1860 the activities of the department were, mainly confined to the native states, under the directions of a General Superintendent. The Police Commission of 1902 suggested the formation of an Imperial Criminal Investigation Department on the model of the Provincial Criminal Intelligence Departments with an officer of the rank of an Inspector-General of Police as its head. In making this recommendation, the Commission expressed clearly that the principal duty of the Central Agency was to collect, collate and communicate information under conditions of frank and cordial co-operation between the Center and the Provinces. It also emphasized that the proposed step did not in any way involve the establishment of a Central authority, since it believed that it was necessary to maintain inviolate the responsibility of the local governments and their officers for success in police work. In pursuance of these recommendations, the Central Intelligence Bureau was established in 1904 with H J Stewart as its first Director.

With the advent of provincial autonomy in 1935, the Central Intelligence Bureau was expanded and officers drawn from the provinces were appointed directly under the Bureau to provide the necessary links between the Bureau and the areas covered by them.

3.4.16 Further Developments in the Railway Police

The Indian Police Commission of 1902 reaffirmed the principles laid down in 1882 that watch and ward was a duty for which the Government Railway Police should not be held responsible. The Commission held that the primary duty for the railway police was preservation of law and order and did not concur with those who recommended that watch and ward duties should also be performed by them. A committee formed in 1907 carried the separation of these duties still further, thus dividing the rank and file of the Government Railway Police into two classes, according to their duties in connection with crime work for which the Government was responsible and for the maintenance of order, security of passengers and guarding of goods etc. which was the responsibility of the Railway Company. Further reforms were carried out in 1921 under a committee headed by J P Thompson, Chief Secretary to the Government of Punjab. Among the important recommendations of the committee were that the watch and ward staff should be properly organized as a railway unit under a superior officer at the headquarters of the railway and that it should be entirely removed from the control of the station staff.

3.4.17 Service Problems

Although the Indian Police Commission (1902-03) recommended the creation of a new cadre of Deputy Superintendents of Police, actual appointments to this cadre did not take place in the provinces till after 1905. In Bengal, Ray Abrader Sikh Chan was the first officer to be appointed in this rank. According to the system prevalent upto 1895, vacancies in the imperial service were filled by British officers through nomination. The system of recruitment of officers through competitive examination which was introduced in that year was on the same lines as that for admission into the army except for the fixation of, higher age limits. This helped to introduce into the police a larger number of educated men. But by 1912, public resentment against restricting the admission of Indians into the superior services had grown too strong to be ignored and the Government set up a Commission to enquire into the system of recruitment, the limiting factors in the employment of non-Europeans and the working of the system which had brought about two cadres of service viz., the Imperial and the Provincial. The Commission which was presided over by Lord Islington accepted in principle the eligibility of Indians possessing certain residential qualification in the U K to appear for the open competitive examination. It also recommended that Inspectors-General of Police should be appointed from the ranks of the police service though members of the Indian Civil Service could continue to be eligible for the post.

Lord Carson during his seventh budget speech (March 29, 1905) threw some light on the recruitment position of those days. The following extract will be relevant:

"There is entered in the budget the sum of Rs 50 lacs for police reform. That is only an installment and a beginning. We accept with slight modifications the full recommendation of the Committee (Police Commission, 1902) and we intend to carry out their programmed. We want a police force which is free from the temptation to corruption and inequity, and which must therefore be reasonably well-paid, which must be intelligent and orderly and efficient, and which will make its motto protection instead of oppression. I confess that my heart breaks within me when I see long diatribes upon how many natives are to get employment under the new system and how many Europeans. The police force in India must be an over-whelming native force; and I would make it representative of the best elements in native character and native life. Equally must it have a European supervising element, and let this also be of the best. But do not let us proceed to reckon one against the other, and contend as to who loses and who gains. The sole object of all of us ought to be the good of the country and the protection of the people."

On August 20, 1916, the Secretary of the State outlined in the House of Commons the policy of the British Government as one of "increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to a progressive realization of responsible Government in India." As a result of the Government of India's Act of 1919, competitive examinations for recruitment to the Indian Police Service began to be held simultaneously in England and India with an adequate provision for reservation for backward communities.

S M Edwards, Commissioner of Police, Bombay, has described the conditions of the Indian police in those days in the following words:

"Some idea of the difficulties to be encountered can be gathered from a consideration of the diverse work, which the force responsible for peace and order may be called upon to perform at the same moment. At one place in India, the police may be cautioning a taxi-cab driver for exceeding the speed limit; at another place they may be fighting pitched battles with mediaeval brigands; at a third they may be tracking down anarchists of a malevolence and fanaticism equal to anything that even Bolshevist Russia can boast. Year in and year out, under conditions, the ceaseless battle between the forces of order and disorder goes on. Upon the issue of the struggle, India's prosperity today and her progress in the future very largely depend. In this struggle, the brunt of the battle is borne by the Police. To them more than to any other body of servants is due the peace which is the first essential of all progress. Yet, despite their services, the police are not popular in India. The Indian-edited Press can as a rule see little good in what they do; if they interfere to prevent a meeting, which they think may lead to a breach of the peace, they are accused of attacking the most precious liberties of British subjects; if they come into conflict with a mob and disperse it efficiently, they are attacked for using violence against harmless citizens. If, through excess of caution, they fail to nip rioting in the bud, they are blamed for inefficiency and indifference. If, working under conditions of exceptional difficulty, they fail to check anarchical crime, their failure is at once commented upon in bitter terms; on the other hand, should they carry precautionary measures to the extent of arresting persons against whom no case can be proved to the satisfaction of the public, they are denounced even more fiercely. In short for all their work, the police are little trusted by the vocal section of Indian opinion. In India the constable is not looked upon as a friend of the peaceful citizen, as much as his potential oppressor. Partly, no doubt, this regrettable attitude is a heritage from bad old days, which India still too clearly remembers, when executive authority was synonymous with arbitrary power. Partly, it is due to the actual existence of a limited amount of petty oppression

on the part of ill-paid subordinates, which despite the best efforts of the upper ranks, is not yet completely eradicated, although becoming rarer day by day. Principally, however, it may be surmised that this attitude arises from the fact that the police, being the arm of the administration which comes most frequently into contact with the people at large, becomes unconsciously identified with the administration itself in the minds of all those who are discontented with the existing regime. As a consequence the Police have to some extent to carry upon their shoulders a burden of criticism which should properly be shared among all departments of Government".

3.4.18 Maharaja Darbhanga's Demand Conceded

Dissatisfaction, however, continued over the Government's recruitment policy which led to the appointment of the Lee Commission in the year 1923 presided over by Viscount Lee of Fareham. The Commission's most outstanding recommendation was that out of every 100 recruits for the Indian Police Service, fifty Europeans, and thirty Indians should be directly recruited and the remaining twenty should be appointed from the provincial service. What the Maharaja of Archangel had, in the face of prejudice and opposition, demanded twenty years earlier had at last come about and a big step was taken to associate Indians in an increasing measure with the problems of law and order and the social well-being of the country. Among the first nine Indians, to be appointed to the Indian Police Service was A K Sunhat who had the unique distinction of rising to the rank of Inspector-General of Police, Bihar in pre-independent India.

3.4.19 Police Manuals

The gradual development of police forces in all the states called for a systematic compilation of police regulations and orders. In the newly constituted Central Provinces a constable's manual was prepared for the first time in 1865. To unify police working throughout the province and to start regular technical training of subordinate police officers, the first Police Manual was printed and issued in 1890. In Bengal the first Police Code was compiled in 1884. The book was revised in 1893 and republished in 1913 as the Bengal Police Manual. After Assam was constituted as a separate province in 1876 the Assam Police Manual was published due to the efforts of Lieut. D Herbert in 1895. In Madras the Police Standing Orders have an interesting history. From 1863 a weekly publication called the Police Weekly Circular was being issued from the office of the Inspector-General of Police at Madras. Extracts from the circulars were later incorporated in the Police Order Book, which had a Telugu version as early as 1863. A regular edition of the Police Standing Orders was published in 1897. However, the pioneering state in this respect was the North-Western Provinces (U P) where the first Police Manual was published in 1863 and was reprinted in the years 1863, 1881, 1891 and 1900.

The All India Police Commission of 1902-03 felt the need for greater uniformity in regard to both the matter and the arrangement of police manuals on the ground that it would be of great advantage "not only to police officers themselves but also to all persons who have to deal with police work in more than one province." The Commission expressed the view that the manuals at the time

were cumbersome and preferred compact volumes containing only rules and instructions, which related to police work.

In the light of the recommendations, some attempts were made to revise the manuals and curtail the mass of unnecessary detail. In Madhya Pradesh the work was carried out by H Gwen, ICS in 1911. The Eastern Bengal and Assam Police Manual published in 1909 was the result of similar efforts. The police manuals in other states were also revised from time to time, but in general, the objective of achieving greater degree uniformity still remains to be achieved.

3.4.20 The Advance of Science

In the far reaching advances made in all branches of science during the last century, the police forces all over the world saw new channels of pursuit of criminals and methods of detection. The Indian Police were prompt in adopting the scientific methods of investigation and in some fields, as in the development of finger-print system, they had the distinction of making initial experiments which led to out-standing results. Till the end of the last century, the identification of criminals was attempted through the Brillion system of anthropometrics measurements. It was, however, after the appointment of Sir Edward Henry as Inspector-General of Police, Bengal, in 1891 that revolutionary changes in the field of identification were achieved. Drawing largely from his experience of the use of fingerprints in identifying the laborers of plantations, Sir Edward developed a system of classification of fingerprints for the purpose of criminal investigation. A Finger Print Bureau was established at Calcutta in 1897, replacing the existing Bureau of Anthropometric Measurements. The establishment of similar bureau in other States followed quickly. The Indian

Police Commission (1902-03) found that the finger-print system had given excellent results and suggested that with a view to permit full advantage there should be uniformity in classification and notation. The Commission while suggesting that the Provincial Finger Print Bureau should be under the Deputy Inspector-General of Police in charge of the Criminal Investigation Department, also recommended the establishment of a Central Bureau for the record of the finger-impressions of criminals likely to commit offences in more than one province.

The need for expert advice was also felt in the field of forensic medicine. Considering that poisoning is a frequent means of murder, the necessity for suitable chemical laboratories which could detect poisons was felt even in the last century and the Chemical Examiners' laboratories became an integral part of general hospitals in provincial capitals. The importance of forensic serology was appreciated in India as early as 1910, and a Central laboratory was established in Calcutta. Thus the office of the Imperial Serologist came into existence.

The Chief Inspector of Explosives was appointed in 1898 in Napery and the department gradually expanded with regional offices in a number of places all over India.

3.4.21 Police in Indian States

The change in the form of Government in 1858 witnessed the end of the policy of annexation of princely States. Consequently the existence of a number of princely States afforded the widest contrasts in administration. There were some progressive States like Hyderabad, Gwalior, Baroda and Mysore; other States

which perpetuated medieval feudal regimes, and still other States where there was do semblance even of administrative efficiency. At times the existence of these States provided vexing situations to the police in the adjoining British territories in the context of administration of criminal justice. To obviate the difficulties and under pressure from the Government of India, the States built up their own police forces and made sincere attempts to train and discipline them on the model of the neighboring forces. A brief reference will be made to a few States merely to indicate the development of the police forces in those areas.

In Hyderabad, the police administration unto the latter part of the 19th century was confused. The system conformed to the Seminary police system in Bengal with emphasis on restitution for damages suffered during anti-social acts. In the city of Hyderabad, however, the police functions were discharged by the powerful Kotwal, a legacy of the Munhall administration. In 1865, an attempt was made to set up a regular police force in the mofussil. An Inspector-General of Police was appointed in 1884 E S Ludlow being the first officer to hold that post which was later redesignated as Director-General of Police. A G Hankin took charge in 1894 and his tenure of office for nearly twenty-two years was noteworthy for numerous improvements including standardization of uniform and establishment of a Detective Police force and a Finger Print Bureau. By 1920, the general set-up of police administration in Hyderabad was more or less on the same lines as in British India.

The State of Marwar which was the largest in Rajputana presented, by the very nature of its terrain and the existence of large sections of criminal tribes, problems of considerable difficulty to the police. In the eighties of the last century police duties were performed by an irregular militia furnished by the Jagirdars. In 1905 a regular police force numbering about 1,500 under an

Inspector-General of Police was formed and its development owed much to the services of a number of police officers lent from Punjab and Bombay.

In the far flung southern state of Travancore, feudal chieftains called Pramanis enforced law, dispensed justice and collected Justice and revenues, and under them was employed a body of men designated as Valia Sarwadhikarikars and Parwatiyakars. The system was abolished on the creation of the office of the Diwan who became the key stone of the administrative arch. An organised police force was raised for the first time during the regime of Diwan Oomini Thampi and the first Police Regulations were passed in 1834. A thorough reorganisation of the police force took place in 1854-55 by which the police was placed under the magistracy and formed part of their official staff. In 1882, the police force consisted of a Superintendent of Police, three Assistant Superintendents. 46 Inspectors and 523 constables, in addition to a small-armed reserve. H Bensley, a British officer was the first Superintendent of Police and the department functioned with minor changes till 1938 when the designation of the head of the department was changed to Inspector-General of Police.

In Bhopal, a regular police force was established in 1857, all watch and ward duties prior to that date having been performed by an irregular army known as Imtazamia; A police Kotwal was posted in that year with headquarters at Bhopal and jurisdiction extending over the entire State. He was vested with magisterial powers also. In 1886, the police force was reorganised and the Kotwal was replaced by a Muntzem at headquarters and an Inspector in each Neezamat under the direct control of the Nasir-UI-Muham. The police officials were simultaneously divested of their magisterial powers. In 1912 the Bhopal police underwent further changes of a far reaching nature which raised it to the same level of efficiency, as in other premier States.

Police forces were thus evolved in all the princely States with varying degrees of success. In the development of the State police forces, the services of experienced police officers from the adjoining British provinces were frequently requisitioned and they helped in a large measure to bring them to the level of efficiency of the neighbouring States.

3.5 Police on the Eve of Independence

The turbulent years between the two world wars imposed new burdens on the police all over the country. The First World War occasioned a spurt of violence and general increase in crime. Political and economic unrest also added to the increasing tasks of the policemen. Prominent among the major eruptions of violence were the Moplah Rebellion (1921-22) and Rampa Fituri (1922-23). Both the uprisings were on a large scale and tested the courage and steadfastness of the police in difficult campaigns, and pin-pointed the need for the creation of distinct police units, trained and equipped for dealing with disorders of this nature. An immediate sequel to the Moplah Rebellion was the creation of the Malabar Special Police.

These eventful decades, however, marked the emergence of Mahatma Gandhi as the undisputed leader in the struggle for India's freedom. Mahatma Gandhi kindled a new light in the hearts of his countrymen and showed them the path of truth and non-violence towards the ultimate goal of Swaraj, thus diverting fervent nationalism and revolutionary zeal from the path of violence.

The Montague-Chelmsford Reforms, the Khilafat agitation, the Non-Cooperation Movement of 1920, the Simon Commission and the storms it raised, Gandhiji's historic march to Dandi and the Civil Disobedience Movement of 1930 pertain to the realm of history from the point of view of maintenance of law and order; however, they highlighted the enormous difficulties of the police. In successive campaigns of civil disobedience launched by Mahatma Gandhi and in the midst of the growing frustration in the country, it fell to the lot of the police in India to face the sullen mood and rising indignation of the people. For a short while, in consequence of the passing of the Government of India Act of 1935 the police had some breathing space when the Indian National Congress accepted office in a number of States in 1937. For the first time, the police had an opportunity of carrying out their functions under the guidance of popular Governments. But while events were moving to climax in the long drawn out struggle for freedom this was not destined to last long. When the Second World War broke out in 1939 a new chapter was opened in the history of Indian Independence. Following the decision of the Indian National Congress not to participate in the war by virtue of the nation's continued subjugation, the Congress ministries in the provinces resigned and the organisation went into opposition.

The period that followed was one of tremendous strain on the police forces of the country. During the war the duties and responsibilities of the police multiplied and grew in complexity. The Defence of India Rules required the police to enforce a plethora of restrictive and regulatory orders, which not only added tremendously to their work but also deepened the hostility of the people. While the strain caused by the duties connected with war continued, the culmination of the national struggle for freedom in the Quit India movement launched on August 8, 1942. Thrust the policemen into a welter of agitation, demonstrations

and mass upsurges, and brought them into increasing conflict with their own people.

And before long more gruelling tasks faced them as ugly forces of communalism raised their heads and overran parts of the country. The out break of serious communal riots in Calcutta on August 16, 1946 unleashed the virus of communal fanaticism and mass reprisals spread quickly to the rural areas of East Bengal and Bihar, and parts of U.P. and Punjab. The situation in the weeks immediately preceding independence was particularly bad in the NWFP and the Punjab, where murder and arson convulsed the provinces and brought the administration to a stand still. It stands to the credit of the police forces of the country as a whole that they raised equal to the occasion. They were called upon to intervene to prevent violent occurrences, to localise tension and allay panic, to escort refugees to places of safety and to guard their persons and property, to evacuate persons from a large number of vulnerable pockets and to investigate into a very large number of cases registered in the wake of communal disturbances. For these stupendous tasks, the police forces were not only numerically weak but also lacked in the necessary resources. They had insufficient mobility; communications with outlying areas were almost non-existent, and the armed constabulary was woefully short. Despite these limitations, the policemen did not grudge the untold hardships and sufferings that they were called upon to face often at the risk of their lives.

Thus on the threshold of freedom, the police in India found themselves engaged in a grim struggle with the evil forces let loose by the communal carnage that followed in the wake of partition. The work of the Indian Police in successfully grappling with the situation and bringing it under control forms one of the brightest pages in the annals of its history. With the successful accomplishment

of this task, the Indian Police looked forward with a sense of exhilaration to the future in a free and independent India. It was at the same time fully aware that with freedom would come not a lightening but an increase in its burdens and responsibilities. Yet the prospect of serving the people free from the odium of being the instrument of an alien regime and of grappling with new problems was all exciting and alluring one. The Indian Police turned to lace this prospect and the new horizons looming before it with confidence.

3.6 Police in Independent India (1947- 1961)

The decade preceding the grant of Independence on August 15, 1947, was one of unusual stress and strain, trial and tribulations, and of censure and praise for the police in India. The Second World War called upon them to tighten up internal security; to enforce a plethora of restrictive laws and rules and to undertake numerous protective duties. The "Individual Civil Disobedience Movement" launched in 1940 revived a period of hectic political activities culminating in the "Quit India" Movement in August, 1942. An endless influx of refugees and general unsettlement of the people followed the threat to India from the 'Japanese, who had bombed Calcutta in 1942 and 1943. Acute economic distress caused by an abnormal rise in the prices of staple food and shortage of essential commodities contributed to a phenomenal increase in crime. The periodical outbursts of communal violence commencing from the "Direct Action Day" observed by the Muslim League on August 16, 1946; convulsed the country into a spate of acute communal frenzy and serious riots broke out in the cities of Bombay and Calcutta, and in, parts of Bengal, Bihar, Uttar Pradesh and Punjab. As the resources of the police were far from adequate to meet these increasing demands, temporary forces were hurriedly raised and, as a result, recruitment, training and the overall organisational efficiency of the

police suffered considerably. In some States, steps were taken to increase the strength of the police and to improve their mobility by introducing mechanised transport and radio grid, but even then their ability to deal with the fast multiplying police problems left much to be desired. The sudden withdrawal of senior British and Muslim officers who opted to retire or serve Pakistan on August 15, 1947, caused a serious dent in the supervisory cadres and it became impossible to repair it for some time. Thus, on the eve of Independence, the police was not only a strained and almost exhausted force, but also indifferently equipped and deficient in strength. And as it happened, more than a decade that followed Independence the police was called upon to tackle a variety of serious problems threatening the political stability of the country. It is indeed gratifying that the Indian policemen at once realized their role in the context of the country's changed status and applied themselves to the task of steering the nation to stability and consolidation with courage, devotion and steadfastness.

Integration The immediate task that faced the police after the partition of the country was to stem the rising tide of communalism and to help the rehabilitation of the refugees. With the lapse of paramountcy the 554 native States covering an area of over five lakh square miles posed an imminent threat to the political unity of the country. No time was, therefore, lost in integrating these States, but Hyderabad remained intransigent and refused to fall in line with the rest of the States. The Itihad-ul-Musalmeen and its armed band of Razakars worked up an acute communal fever throughout Hyderabad and their depredations assumed such threatening dimensions that it could no longer be ignored. In September, 1948, the Government of India decided to intervene and the 'Police Action' that followed was a historic event in which the police fought side by side with the Indian Army. While the communal situation was being brought in hand and the political integration of the country was well in progress, a serious threat to internal security came from the Communists. In Hyderabad

and Andhra; the orgy of violence indulged in by the Communists necessitated the drafting of 13,000 armed policemen from all over the country to meet the challenge and after a hard and bitter struggle lasting for nearly two years the uprising in Telengana was controlled. Fierce battles were also fought in Tripura, Manipure, West Bengal, North Bihar, Eastern UP, the Punjab and Eastern Punjab States Union, Thailand and Malabo, and by the end of 1950 the police successfully liquidated the last remnants of subversive elements. But before long, the forces of law and order found themselves confronted with another serious menace arising from growing disruptive and fissiparous movements. The agitations for the creation of Andhra in 1953, the tense situation in Pondicherry in 1954, widespread agitations and riots that followed in the process of reorganization of the States in 1955-56, the demand for Dravidistan, the movement launched by the Nagas, the Punjabi Suba agitation and the language disturbances in Assam in 1960-61, the communal disturbances in Madhya Pradesh and Uttar Pradesh during 1961 and the most irritating issue of Goa, which was finally settled in December, 1961, kept the police on constant trial.

Saddled with the responsibility of guarding international frontiers with Pakistan after partition, policemen have been gradually called upon to man posts on the hills of Kashmir and Deputy Director, Intelligence Bureau in the difficult terrain of the Naga Hills and the North-east Frontier Agency. More recently, with China completely in control of Tibet and embarking on an expansionist programme the northern frontier suddenly erupted into an active volcano. On October 21, 1959, the Indian police was called upon to make the supreme sacrifice of ten valuable lives when a routine patrolling party was ambushed by hostile Chinese troops, superior both in number and armament. Writing on the eve of the New Year, 1960, the Prime Minister observed in a letter: "The frontier trouble with China is

a major event for us and for India and it might well be considered to be a historic development which will pursue us for a long time."

3.6.1 The General Elections

The first General Election in 1952 was another severe test of the efficiency of the Indian police. From the snowy peaks of the Himalayas to the torrid plains of the Deccan and the backwaters of Kerala, ballot boxes were carried and law and order was maintained to ensure successful conduct of the elections, the vehemence of election propaganda was checked, freedom of choice was secured to the voters and post-election animosities were effectively controlled. As a result, the first and perhaps the biggest of the democratic experiments succeeded on account of the efficiency and effectiveness of the police. With the experience of the first elections, the police found it comparatively easier to manage the second General Election in 1957.

The disturbed law and order situation, acute economic distress, growing industrialisation, increase in population and rapid urbanisation had led to a steep deterioration in the crime situation of the country and 6,25,909 cognizable crimes were reported during 1948 and the peak figure of 6,54,909 was reached in 1949 the police could ill afford to ignore the all-important task of social security, an essential requisite for the country's development and progress. It took the police a good five years to fight this disconcerting rise and an applicable fall was recorded in 1953 when 6,01,964 crimes were recorded. The depredations committed by several gangs of dacoits operating Rajasthan, Madhya Bart, Uttar Pradesh and Andra Pradesh had caused considerable concern and in 1953, 2,000 policemen were pressed into action against them.

3.6.2 Victory over Dacoits

Most of the dacoit gangs were successfully eliminated by the end of 1954, but the battle continued till the last round was crowned with glorious victory on December 15, 1960, when Lachlan Singh, who had played havoc for a decade, was killed. In this long and protracted war with the dacoits, a number of policemen lost their lives and others suffered untold hardships, But all these sacrifices were made and hardships were suffered cheerfully for the noble cause of living up to the highest traditions of the Indian police. There was a temporary setback in the crime situation in 1956 but it stabilized by 1959 and the downward trend has since been well maintained.

3.6.3 Record of Achievements

There is thus no doubt that the history of the police in Independent India is a record of manifold achievements of which any police force can feel proud. Addressing the Conference of the Inspectors-General in January, 1962, the Home Minister observed: "It is to the credit of the police that during the last 14-15 years they have been able for keep peace in the country as a whole. I am glad to say that it is not only the internal security, but even at our international border you are there. You have to work in deserts, in hills and 18.000-ft. high mountains and you have to defend our borders at different places. All the policemen must be fully proud of it." That the Indian police stood the test on all fronts during the last fifteen years speaks eloquently of the vital the intrinsic soundness of its organisation. Even today its structure as outlined in the Police Act (V) of 1861 and developed on the basis of the recommendations of the Indian Police Commission, 1902-03, has been left undisturbed. Its civil character and subordination to the civil authority is maintained and it continues to combine

a paid professional police force and part-time watchmen. Subject to the administrative control of the State Government, the administration of the police throughout a "General Police District" (Province or State) is vested in the Inspector-General of Police. In some States, an Additional Inspector-General has been provided to give him necessary assistance. The Deputy Inspectors-General continue to hold charge of police ranges and have important specialised branches. The administration of the police "through out the local jurisdiction (District) of the Magistrate" continues to vest, under the general control and direction of such Magistrate, in the District Superintendent of Police assisted by Assistant or Deputy Superintendents of Police and Inspectors of Police, and the Police Station is the primary unit of police administration. The whole structure is well integrated with a distinct line of command, a clear channel of direction and a well-organised level of execution.

In 1948 the total strength of the police in India was about three and half lakhs. The deficiency that had been caused in the supervisory cadres due to the exodus of British and Muslim officers in 1947 was tackled by constituting the Indian Police Service; to which special recruitments were made. This service offers and directs one of the largest police systems in the world. With the integration of a large number of princely States, the other important organizational task of amalgamating the various police forces with different scales of pay, different conditions of service, and even different penal codes, into an all-India pattern was carefully planned and executed. Though enquiry into the needs of the police has not been made by any all-India organization, commissions have been set up in the States from time to time and urgent needs have been constantly examined and reviewed by the Intelligence Bureau through periodical conferences of the Inspectors-General and of the Deputy Inspectors-General, CID.

3.6.4 Strength and Cost

On January 1, 1961, India had 5,19,260 policemen, providing on an average one policeman for every 2.3 square miles of area. The strength of the State police forces varies from State to State, Uttar Pradesh having a total force of 64,376 and the Locative Island of only 29. About Rs 790 million are spent on the stipendiary police force, the cost per policeman working out to Rs 1,570 a year and the cost of the police force per capita of the population to Rs 2.2. The necessity of cleaning the traditionally foul environment of the Police Station which is the nucleus of all preventive, detective and supervisory work of the police and of making it the most effective and popular unit of the police administration by making its charges manageable, providing adequate and qualified staff and by raising the status and caliber of the officer-in-charge of the Police Station has engaged attention. An average-sized Police Station serves a population of about 75,000 and an area of 100 square miles. Steps have been taken in most of the States to increase the number of Police Stations with a view to ensuring manageable charges and, in some States, the officers-in-charge of important rural and urban Police Stations are of the rank of Inspector of Police. The staff of a Police Station generally consists of one or more Sub-Inspectors, one or more Assistant Sub-Inspectors, one or more Head Constables and 10/20 Constables, but steps are being taken to revise the yardsticks and to augment the strength of Police Stations. Separation of investigation from law and order has been successfully done in the cities of Hyderabad and Madras, but the consensus of opinion is that in India, there should be no real and complete separation of the two branches and proper allocation of staff for law and order and investigation duties would serve the purpose. A Police Station is sub-divided into a number of units, each having a Dafadar and a number of Chowkidars. Although the terms Dafadar and Chowkidar are not found throughout the whole

of India, the pattern of rural police on account of its ancient traditions is more or less the same.

The members of the rural police are only part-time servants and do not have all the powers and privileges of a policeman. With the growing decentralization of administration and the introduction of the Gram Pinhead system, experiments are being undertaken in some States to place the rural police directly under the Muckheaps of the Gram Panchayats to ensure more efficient organisation of crime preventive measures in rural areas.

3.6.5 Supervision

For purposes of supervision, four or five Police Stations are grouped into police circles under officers of the rank of Inspectors of Police, and two to three police circles form police sub-divisions, under sub-divisional police officers of the rank of Deputy or Assistant Superintendent of Police. The necessity of having two intermediary supervisory levels between the District Superintendent of Police and the Police Station is being actively examined' in some States. A feeling also exists that the supervision at the level of the Circle Inspector leaves much to be desired and; therefore, there is a move to abolish this post in some States.

A group of two to four sub-divisions forms a district where it is central the administration of all criminal laws of the country. The district police organization is a self-sufficient unit. Besides the uniformed preventive and detective force, each district has a prosecuting staff, somewhere recruited from the police and somewhere from the Bar. Each District has got a reserve force armed with 303 magazine rifles and provided with a fleet of its own transport and other bigger vehicles; For the urban areas, separate uniformed police is provided for patrolling purposes and for regulating traffic, but this staff operates under the officer-in-

charge of the Police Station. In big cities, radio-patrol-car system with an information room has been introduced. A district, as it is constituted today, is completely self-contained not only to carry on all the day to day work relating to criminal administration and maintenance of public order, but also to meet certain emergencies. Only in case of a very grave emergency the district may seek assistance from outside. In some States, Additional Superintendents of Police have been posted in heavier Districts to assist the Superintendents of Police. The need of effective supervision of police work has always been keenly felt. In 1837, Humble Fredrick Shore, a District and Sessions Judge in Bengal felt that intensive tours and inspections would have found a very good check to many illegal and irregular practices of the subordinate police and in 1961 the Bihar; U.P. and the Punjab police Commissions stressed with equal Vigor the necessity of ensuring intensive supervision. The essence of their recommendations is that the District Superintendent of police must have adequate assistance at the headquarters and his charge should be manageable so that is not out of acquaintance and sympathy with the people and out of touch even with his own subordinates.

For administrative convenience, four to six districts are grouped together to form a division for the Magistrate and a Range for the police. The Deputy Inspector General of Police in-charge of a Range instructs, advises and guides the Superintendents of police, but without in any way interfering with their authority. He ensures that the standard of work is maintained at a high level and the relation between the police and the magistracy is cordial. In some States the divisional Commissioners have been entrusted with the supervision of the police administration though no much supervision is visualized by Sections 3 and 4 of the Police Act.

Broadly, the above description of the police organization holds good for the whole country. The only exceptions are the big cities of Calcutta, Madras, Bombay and Hyderabad. These cosmo Politician cities with their under-worlds have problems which do not exist in the districts, and, therefore, they have well-knit police organisations on the model of the Metropolitan police of London. The Commissioner of police the head of the City Police and in Calcutta and Bombay, he is to some extent autonomous and independent of the Inspector-General. This system secures specialization in matters of patrolling, prevention and detection of crime and control of traffic and enables the police to act with speed and effectiveness. This system has been recently extended to the city of Ahmedabad.

In Madras, a modified pattern known as "the Select City police Organization" has been devised for big cities like Madurai and Tiruchirapalli. The essence of this system is allocation of separate staff for law and order duties and for investigation of crime.

3.6.6 Investigation set-up

The district police concerns itself largely, with the preservation of peace and the investigation of crime. For professional gangsters and law-breakers; whose activities have wide ramifications, the Indian Police Commission of 1902-03 had recommended the creation of the Criminal Investigation Department (CID). It offers specialised and technical assistance to the uniformed police in the investigation of professional crimes with wide ramifications and collects, digests and distributes information about professional crimes and criminals. In several States, District Crime Bureau has been set up under the overall guidance of the Criminal Investigation Department. Within this department have been organized the State Finger Print Bureau, the State Photo Bureau and the handwriting

Section. The CID co-ordinates the activities of the Missing Persons Bureau, Juvenile Aid Bureau, and Boys Clubs. The Intelligence Branch of the Criminal Investigation Department works completely independently of the uniformed police and is meant to feed Government with intelligence about political matters. Generally, one Deputy Inspector-General holds charge of both the branches, but in some States, separate Deputy Inspectors-General have been provided for the two branches.

Extensive enquiries into the extent and magnitude of juvenile delinquency and trafficking in children were conducted by two sub-committees, set up by the Conference of the Deputy Inspectors-General, CID, in 1954 and 1956. The recommendations of the two sub-committees form the basis of various social defense measures that are now being organized in the various States.

3.6.7 Railway Police

The policing of over 35,000 miles of Indian Railways, the largest in Asia, is the responsibility of the State Governments. In each State, the Government Railway Police are separately organized on the pattern of the district police. In some States, the Deputy Inspector-General, Criminal Investigation Department, has been relieved of the charge of the Railway Police and its control has been entrusted to the Range Deputy Inspectors-General. There is a Superintendent of Police for every 1,200 miles of the Railway, and a Police Station for every 70 to 80 miles with its jurisdiction limited to the Railway station and the Railway track. In 1952, an alarming increase in the incidence of crime on the Railways prompted the Government of India to request the Director, Intelligence Bureau, to undertake an exhaustive enquiry. His report reiterated the principle of the Railway's responsibility in respect of goods entrusted to them for transport. It also recommended, inter alia, that the district police should be made fully aware

of its responsibility with regard to the incidence of the Railway crime and surveillance over the Railway criminals. In some States, steps have been taken already to implement this suggestion by notifying the District Superintendents of the Government Railway Police for their districts and vice versa.

There has been tremendous growth in the volume of traffic in the last one decade and, when compared to the volume of traffic in other advanced countries, there is no doubt that vehicular traffic has still to grow. The responsibility of the police to control and regulate traffic now overshadows in magnitude any other regulatory task. Policemen are responsible for ensuring orderly movement of traffic on all public roads and for enforcing the penal provisions of the Motor Vehicles Act, 1938. In some States, the Superintendent of Police is also the licensing and registering authority. The task of traffic control has been denied adequate attention. Special institutions have been organized in some States for the traffic police personnel, traffic signals have been standardized and increasing use is being made of mechanical devices to regulate and direct traffic. In Calcutta, a research unit has been set up to conduct continual study and survey of the traffic problems of the city and important highways and to suggest suitable and effective measures. Efforts have been made to educate the people in the use of public roads by organizing "Safety First Weeks", audio-visual lectures and by exhibitions of films.

3.6.8 Armed Police

An important wing of the State Police is formed of the Armed Police. The Indian Police Commission, 1860, expressed itself against the necessity of Military Police battalions and the Indian Police Commission, 1902-03, also favored amalgamation of the District Armed Reserves and the Military Police battalions,

but the latter continued to exist separately. During World War II (1939-45) the Armed Police organization was temporarily expanded all over the country on a large scale. Expansion of the Armed Police was again undertaken immediately after the transfer of power in 1947 as the increasing commitments of the army made it difficult to depend on them for the maintenance of internal security. A committee of Inspectors-General was set up in 1950 to standardize the pattern of Armed Police battalions and the recommendations of this committee have been generally accepted. The present strength of the Armed Police organization varies from State to State with 14 battalions in Uttar Pradesh and only one in Tripura. This force is meant to be deployed in any serious emergency when the district administration is unable to cope with its normal complement of officers and men. Some States continue to maintain units of Mounted Police—both armed and unarmed for ceremonial duties, control of crowds, regulation of traffic and for serious law and order problems.

A separate Armed Police known as the Railway Protection Police was organised in every State in 1946 for the specific task of securing safety of the Railway track. In 1959, this force was replaced by a statutory force known as the Railway Protection Force. It is under the administrative control of the Railway Board and its present strength is over 40,000. Its duties are protective and preventive whereas the judicial police functions continue to be performed by the State Railway Police.

There is also a Central Police Reserve with strength of 14 battalions, armed; on the pattern of a light infantry battalion, and meant for assisting States which call for reinforcement from the Center. This force is commanded by the Inspector-General of Police, Delhi. The Assam Rifles, also raised on light infantry pattern and under a separate Inspector-General of Police, is another unit of armed

policemen meant for duties only on the North and North-East Frontier. The latest development has been the idea of a zonal police reserve force, mooted for the first time at the second meeting of the Southern Zonal Conference in September 1957. The scheme has been accepted by all the zonal councils. The common police reserve force of the Northern Zone has been organised and details of similar forces in other zones are being worked out. It provides for the pooling of the agreed quota-from the existing reserve of the States and the Union territories in each of the zones to form a common force which would be available when required in an emergency anywhere in the zone.

3.6.9 Home Guards

The necessity of Home Guards to assist the police in maintaining law and order during emergencies was first realized in Bombay, when in December, 1946, the city was seized with a series of communal riots. The character of this organisation in Bombay is urban, but other States, where this force has been raised, volunteers have been drawn from the rural areas. While inaugurating the All-India Home Guards Conference in 1960, the Home Minister observed: "It is in the interest of the States, especially consider the times in which we live and the clouds on our horizon, that every citizen is ever ready to meet any emergency". A committee has been set up by the Government of India to standardize these auxiliary forces all over the country. In Bengal, there is a force of special police officers: raised under the West Bengal Act, XXXV of 1955. The members of this force are not entitled to any remuneration and are required to perform only such police duties as are entrusted to them. It has attracted persons, who are educated and well placed in life, and they have been found useful in controlling crowds and regulating traffic on special occasions.

3.6.10 Police wireless

To provide specialized services, a number of functional branches have been integrated into the State police organization. The immense possibilities of police radios were recognized already during the postal strike in August 1946, and again during the communal disturbances of November 1946. In 1947, a network of inter-State wireless systems was organized. In 1950, the Central Wireless Inspectorate functioning under the Ministry of Home Affairs was re-designated as the Directorate of Co-ordination of Police Wireless. The Technical Standards Committee, 1959, and the Equipment Standardisation Committee, 1960 recommended a uniform pattern for State Police Radio organisations and their equipment. In almost every State. All important police posts and some of those situated in outlying areas are on the radio grid. Steps have also been taken to modernize police transport. The Conference of Inspectors-General held in 1954 set up a sub-committee to examine the needs of police transport and this sub-committee prescribed the scales and types of vehicles for different police units. Its recommendations have not yet been implemented in full on account of financial stringency but its report has been accepted as the basis for gradual expansion of the police transport organisations in the States. Another Conference of Inspectors-General held in 1960 recommended that jeeps, heavy vehicles and motor-cycles required for police use should be standardised and made available at reasonable rates.

The unit of policewomen, comparatively a new development in the country, has fulfilled a long-felt want.

That a force of policewomen should be raised was a matter of controversy all over the world in the beginning of the present century, but it is now universally recognized that certain specialized duties of the police would better be performed by police women and especially those concerned with control of

prostitution, immoral traffic in women and children and juvenile delinquency. Kerala was the first State to introduce policewomen for escorting women prisoners, and Bombay, Bihar and Mysore followed in 1952. The necessity of policewomen was stressed by the Advisory Committee on Social and Moral Hygiene, set up in 1954 by the Central Social Welfare Board. Nine States have recruited policewomen and the latter have already distinguished themselves for their correct emphasis on sociological approach to law enforcement.

Another specialized branch is the Dog Squad. The use of dogs by police is of very recent origin. It was first introduced in India in the North-West Frontier Province in 1941. Madras followed in 1951 and now a number of other States have organized Dog Squads for patrolling, guarding and assisting in the investigation of cases by scent identification and tracking.

The success or failure of a sound organization is spelled out by the individual act of its member, and, therefore, steps have been taken to ensure that every policeman is properly selected and well trained. In the State police, recruitment is done at three levels the Constable, the Sub-Inspector and the Deputy Superintendent of Police.

3.6.11 Recruitment

Appointments to the rank of Deputy Superintendent is done by the State Government on selection by the State Public Service Commission. All officers above the rank of Deputy Superintendent of Police belong to the Indian Police Service, which is controlled by the Government of India. The recruitment in the rank of Assistant Superintendent of Police is done after a competitive examination held by the Union Public Service Commission on an all-India basis.

Endeavors have been made to improve and rationalize the system of recruitment and raise the physical and educational qualifications of recruits of all ranks, particularly unarmed Constables. Courses in Criminology, Police Administration and Forensic Science have been introduced in the syllabus of some of the Universities.

Basic training is given in the rank of Constables, Head Constables, Assistant Sub-Inspectors, and Deputy Superintendents. In the State training institutions, the syllabus for different ranks have been suitably revised, keeping in View the fact that modern conditions make it increasingly necessary that a police officer should be a well-knowledged man since the days when a man dressed in authority gave the orders which he considered suitable and enforced them by force if necessary, were gone. Subjects like public relations, man management, ethics and general knowledge have been added and stress laid on integrity, loyalty to the country and the upholding of people's civic and constitutional rights.

Refresher courses have been devised in West Bengal. Uttar Pradesh, Madras, Andhra Pradesh. Assam, the Punjab. Madhya Pradesh. Delhi and Bihar. Assistant Superintendents are trained in the Central Police Training College, Mount Abu. They have to undergo a five-month foundational course at the National Academy of Administration, Missouri, another six-week attachment with the army and 18 months practical training in the States. Refresher courses have been provided at the 5th and 15th year of service. Arrangements for the establishment of a Police Research Center at the college have been completed. This Center will study police problems; suggest remedies to be tested in the field and co-ordinate the activities of the various State police research centers.

3.6.12 Forensic Science

Judged by the rate of detection the professional standards of the Indian Police leave much to be desired. Sustained and determined efforts have been made to modernize the system of investigation and raise the ethical standard. For harnessing to the investigation of crime, forensic science laboratories are being set up in the States, and organisations for the examination of questioned documents, handwriting, forged notes and counterfeit coins have been modernized and adequately staffed. The Central Government has set up a Forensic Science Institute in Calcutta.

The Central Finger Print Bureau co-ordinates the work of the State Finger Print Bureau, collects and records the finger-print slips of professional criminals in India and of international criminals likely to operate in India and initiates research in the science of finger-prints. Up to the end of 1960, the Bureau had on record 4,32,333 finger-print slips. A notable achievement of this institution is the development of a new method of classification of proximal phalange impressions as an aid to the ten digit system. The method was reported to the International Criminal Police Organisation at the 29th session of its General Assembly held in Washington in October 1960. Appreciable progress has been achieved in the Use of footprints for identification and favourable judicial pronouncements have encouraged research in this direction. The Central Forensic Laboratory, Calcutta, was set up in 1959 to assist the investigating officers in the examination and evaluation of physical evidence and to conduct original research in the field of forensic science. The institution has to its credit original research on a variety of subjects.

The Central Detective School, Calcutta, provides a course of advanced training to selected Sub-Inspectors. Its syllabus has been prepared on the lines of similar courses in other countries but suitable for application to Indian conditions. The Government Examiner of Questioned Documents, Simla, undertakes examination of handwriting, typed scripts and printed matter in questioned documents. The Central Advisory Committee on Forensic Science set up in 1959 reviews the progress in the use of scientific aids for the detection of crime, recommends measures for its advancement and circulates suitable literature. A Central Medico-Legal Advisory Committee was set up in 1955 too advise the Central and State Governments on matters appertaining to medico-legal work, procedure and practice throughout India and to promote the development of new and modern techniques.

The Intelligence Bureau organises an all-India Police Duty Meet every year in the first week of November to infuse a spirit of healthy competition among State Police Forces in their various professional performances including use of scientific aids in investigation. Other measures taken to raise the standard of investigation are introduction of special courses of training in scientific investigation, supply of scene of crime boxes and cameras to the investigations officers, deputation of investigating staff for specialized training, education of the public regarding the immense possibilities of the use of science and the necessity of preserving scenes of crime through crime prevention exhibitions. Steps have also been taken to raise ethical standards and a very definite improvement has been noticed in their portaged registration of crime. Although the use of third-degree and other questionable methods has not been completely eradicated, no opportunity has been missed to discourage use of any unethical means. The All-India Police Science Congress started in 1960 has developed into an ideal forum for exchanging views about the defects persisting in police methodology and,

before long, the deliberations of this Congress, with which officers of all ranks are associated, should be able to devise useful remedies.

3.6.13 Amenities

With the steps taken to improve the quality of the police and raise its professional standards, the necessity of securing reasonable contentment and freedom from want to its members has been fully realized. The unavoidably large expenditure involved in the execution of the developmental plans has necessarily limited the resources available for improving the lot of the policemen, but the measures adopted by the States and the Union Government during the last 15 years are quite impressive. Emoluments have been raised, pension and retirement rules and other conditions of service suitably revised, priority has been given to the adequacy of police buildings, and medical facilities have improved. A sub-committee of the Inspectors-General set up in 1954 and two seminars organized in 1960 and 1961 on the occasion of the all-India Police Welfare Exhibition and Cultural Meet examined the welfare needs of the police in great detail and suggested useful measures for improving the health of the force the education of their children, better housing, the augmentation of the family income the welfare of retired and disabled personnel and cultural activities. In all States there are some welfare organizations to review and develop welfare activities in a planned and systematic manner. Welfare funds have been instituted to provide relief to needy policemen and schools have been set up for the education of policemen's children. The Central Government has introduced a scheme of house-building advances to encourage construction of police buildings and in some States beautiful police colonies have sprung up canteens and recreational facilities are now available at all district headquarters. An all-India Athletic Meet for the police forces is organized every year by the Police Sports Control Board. The achievements of our policemen in the country's athletics and

sports are quite brilliant. Eight athletes, Out of the twenty two representing India in the Second Asian Games at Manila in 1954, were policemen; the victorious Lydian Olympic Hockey team for 1956 had six policemen; two policemen were awarded the 'Aruba Award' for 1961 at the XX National Games held in February 1962.

3.6.14 Awards

A number of awards have been instituted to show adequate recognition of distinguished and exemplary services. The President's Police and Fire Services Medal and the Indian Police Medal instituted on January 26, 1950, recognize acts of gallantry and meritorious service; The Prime Minister's Police Medal for Life Saving instituted on October 23, 1958, encourages policemen of all ranks to bring help and succor to the afflicted. To recognize duty performed under conditions of particular hardship and severe climate a Police (Special Duty) Medal has also been instituted.

There has been a very noticeable change in the nature, character and concept of police duties. The Government Memorandum accompanying the Resolution appointing the first Indian Police Commission of 1860 had emphasized that the duties of the police were to be entirely civil, their various functions were to be protective, repressive or detective, and the police was not to perform any judicial function. Police work continues to be essentially a law-enforcement calling, but its concept underwent a significant change on January 26, 1950. The Fundamental Rights granted in the Constitution and the Directive Principles of State Policy have made the responsibilities of the police more onerous. The police have to secure to every individual citizen a natural and effortless sense of

freedom and security, irrespective of his or her faith or political persuasion since without it the process of national integration can never be complete. Thus, in the most important task of national integration, the police have an important function to perform and a heavy responsibility to discharge. Though the Indian Police Act, 1861, visualized organization of the police forces on a provincial basis, the Indian Police Commission of 1902-03 laid considerable stress on the necessity of maintaining the essential unity of the Indian police and, therefore, urged that there should be a single Police Act for the whole of India, that portions of the Provincial Police Regulations which were of general application should be prepared under the instructions of the Government of India, that uniformity of nomenclature as regards both the personnel and the police department and its records should be ensured, that there should be periodical conferences between the Inspectors-General of different provinces, and that the Government of India should make a quinquennial review of police work for the whole of India. The necessity of maintaining the unified character of the Indian police is of great consequence in the context of the present cry for national integration of the country. It is, therefore, vitally necessary that at the organizational level, policemen develop the necessary frame of mind whereby they are continuously conscious of belonging to one single force with common ideals, traditions and objectives.

3.6.15 Home Ministry and Intelligence Bureau

This delicate task has been effectively executed by the Ministry of Home Affairs assisted by the Central Intelligence Bureau. The criminal law which the police forces of the country enforce continues to be common to all the States. The Intelligence Bureau has been co-coordinating the work of the State Police Forces and also advising them on all police matters. The annual conference of Deputy

Inspectors-General, CID, the biennial conference of the State Inspectors-General, the annual All-India Police Science Congress, the various annual all-India Police Meets, the Central Forensic Institute in Calcutta, the Indian Police Service and the Central Police Training College at Mount Abu, are some of the unifying measures which the Government of India have undertaken. The annual Police Meets emphasize not only the underlying unity of India, but create bonds of brotherhood, comradeship and fellow feeling. The Indian Police Journal, a quarterly organ of the police in India, also helps secure a sense of oneness by publishing the achievements of policemen and serving as a forum for exchange of experiences of the various police forces. The system of maintaining crime statistics has also been standardized. Quarterly and annual crime statistics are compiled on an all-India basis and an All-India Crime Report is published annually. The Central Intelligence Bureau has thus become the cementing link and as it is manned by officers on loan from the States, its unifying role has been particularly effective and beneficial. It is a vast storehouse of information which it collects and shares with the State Police Forces of the country, other Government Police organizations and the United Nations Social Services Division.

3.6.16 Prohibition and Corruption

Apart from the responsibilities that the police shoulder as the custodian of the Constitution, it has also taken upon itself in a steadily increasing degree numerous other duties like rendering First-Aid, combating fires, organizing relief in the event of natural calamities, enforcing prohibition, tackling the growing menace of 'corruption, assisting in the rehabilitation and reformation of criminals and enforcing a large number of miscellaneous enactments. Enforcement of prohibition and detection of corruption are the two most important duties that have been added to the obligations of the police after Independence. In the

States in, which prohibition has been introduced, there is a special police organization to enforce the law relating to prohibition. With the States participation in the economic activities and the launching of several new enterprises for national prosperity, the emphasis on upright conduct and a high standard of service and integrity on the part of public servants has become more pronounced. In 1941, the Government of India set up a Special Police Establishment to fight corruption in the Central Services. The Delhi Special Police Establishment Act, 1946, has enabled this organization to function in the States with the concurrence of the State Government to the limited extent of investigating certain offences in which the Union Government employees are involved. An enforcement wing was added in 1953 to investigate import and export irregularities. Special organizations have also been set up in the State. There is a Complaints Scheme in Uttar Pradesh with a Deputy Superintendent of Police in each district for enquiring into complaints against non-gazetted government servants. While the police has been assisting government in fighting corruption, its presence in the force itself has been causing great concern. Various departmental measures have been taken, including compulsory retirement of corrupt officers, but the results have not been fully rewarding and, consequently, though police duties now embrace many fields, of human activities, we have failed to secure the ultimate prize, which, after all, is the one that matters for the police, that is public trust.

Independence has brought great awareness on the part of the people about their rights and, they are becoming more critical of police methods and actions. It is partly a hangover of the, old days when the police was distrusted and considered something distinctly apart from the ordinary citizens, but historical reasons alone do not explain our failure to earn the goodwill of the people, Efforts have been made to make the people friendly and co-operative and to associate them with

the activities of the police but the results achieved are far from satisfying. The one single factor responsible for retarding progress in the building up of the desired police-public relationship is our inability to ensure that every single member of the force exercises his powers justly, humanely and impartially it is unfortunate that the ranks are yet insufficiently educated to understand the significant role of the police in a welfare State. The new code of conduct, if adhered faithfully, should bring about some improvement in the attitude of people but much remains to be done towards the completion of the task of so training up every individual policeman that his skill, integrity and general capacity secure the complete trust to the people and their approval of his conduct and actions. Nothing but the complete fulfillment of this dream would satisfy all those policemen, who have gone before us and whose fine deeds and sacrifices have laid the foundations of the Indian Police in the last 100 years.

Chapter IV

The
Concept
of
Panchayat Raj

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THE CONCEPT OF PANCHAYAT RAJ

4.1 The Search for Swarajya

Democracy is considered as one of the best forms of government because it ensures liberty of thought, expression, belief, faith and worship, equality of status and opportunity, fraternity as well as the right to participate in political decision-making. Participation and control of governance by the people of the country is the essence of democracy. Such participation is possible only when the powers of the state are decentralized to the district, block and village levels where all the sections of the people can sit together, discuss their problems and suggest solutions and plan, execute as well as monitor the implementation of the programmes. It is called the crux of democratic decentralization.

4.2 Rationale for Democratic Decentralization

G Shabbir Cheema and Dennis A Rondinelli, in their book *Decentralization and Development*, have enumerated the following advantages of decentralization:

1. Tailor-made plans as per the needs of heterogeneous regions and groups are possible.
2. It can cut red tape.
3. Closer contact between government officials and local population is possible.

4. It can allow better penetration of national policies to areas remote from the national capital.
5. It will ensure greater representation of political, religious, ethnic and tribal groups in development decision-making that could lead to greater equity in allocation of resources.
6. Capacity of local institutions and their managerial and technical skills will develop.
7. Top management would be relieved of routine jobs and devote time to more important jobs.
8. It will ensure better coordination.
9. It will institutionalize the participation of the citizens and exchange of information.
10. It will offset the influence of the elite people.
11. It will lead to a more flexible, innovative and creative administration.
12. Local people can execute, monitor and evaluate better than the central agencies.
13. Increased political stability will be ensured by increasing the participation of the local people in decision-making.
14. It will also reduce the cost of planning and increase the number of public goods.

However, mere decentralized decision-making will not be effective or ensure social equity unless the capacity of local organizations and administrative units is developed. Decentralization is not an end in itself, but it depends on the

circumstances under which decentralization occurs. Democracy provides the best environment for nurturing its growth and realization.

Abraham Lincoln defined democracy as "the government of the people, by the people and for the people". But, in the present context, people can participate in the government at the top level only indirectly by electing their representatives to run the administration, but at the lower levels, they can participate directly by identifying their needs and prepare micro-level plans as well as execute such plans.

In India, Mahatma Gandhi, Jawaharlal Nehru and Jai Prakash Narayan described democracy as the government that gives 'power to the people'. Gandhi said: "True democracy could not be worked by some persons sitting at the top. It had to be worked from below by the people of every village." Nehru also advocated democracy at the lower levels when he opined: "Local self-government was and must be the basis of any true system of democracy. People had got into the habit of thinking of democracy at the top and not so much below. Democracy at the top could not be a success unless it was built on this foundation below." Jai Prakash Narain also favoured power to the people of the village along with the government at the centre when he remarked: "To me the Gram Sabha signifies village democracy. Let us not have only representative government from the village up to Delhi, one place, at least let there be direct government, direct democracy. The relationship between the panchayat and the Gram Sabha should be that of the Cabinet and the Assembly."

Philosophy of Panchayat raj Mahatma Gandhi's vision was that democracy through people's participation could be ensured only by way of 'Gram Swarajya'. He wanted Gram Swarajya in villages where there will be a village republic and the management of the affairs of the village would be done by the people themselves. They would elect their president and common decisions would be taken unanimously by the Gram Sabha of the village. According to Gandhiji's

Gram Swarajya, "every village should be a democracy in which they will not depend even on neighbour for major needs. They should be self-sufficient. For other needs, where cooperation of others would be essential, it would be done through mutual cooperation. It will be swarajya of the poor. No one should be without food and clothing. Everybody should get sufficient work to meet one's necessities. This ideal can be achieved only when the means of production to meet the primary needs of life are under the control of the people. True swarajya cannot be achieved by power to a few people. People should have the capacity to prevent misuse of power. People should have the capacity to get hold of power and regulate it."

"How to give power to the people" has been an issue of concern and debate in our country India, as a welfare state, has to discharge multifarious functions. If the central and the state governments alone discharge all such functions, efficiency cannot be ensured. Hence, it becomes essential to decentralize powers and responsibilities to the local bodies, which may plan programmes as per the local needs and aspirations, as well as execute them efficiently with the help of the local people. The late Prime Minister of India, Lal Bahadur Shastri, was also of the opinion that only the panchayats know the needs of villages and hence development of villages should be done only by the panchayats. Prosperous people in villages should ensure that powers given to the panchayats are used in the interest of the poor. The panchayats are the foundation of democracy and if the foundation is based on correct leadership and social justice, there can be no danger to democracy in this country. Efforts should be made that the institutions established for community development and Panchayat raj, after independence, are used for establishment of real democracy and improving economic and social conditions of the people.

After independence, many functions were included in the state list, consequent to the objective of a welfare state as enunciated in Article 38 of the Constitution of India. Besides law and order and public administration, many welfare functions like education, health and family welfare, transport, social security, agriculture extension, animal husbandry, irrigation and power, urban development, rural development, poverty alleviation and employment generation, population control, pollution control and environment regulation, etc., became the concern of the states. Consequently, many new departments were created, resulting in a huge expansion of the service cadre and bureaucracy. Therefore, it became essential to decentralize the powers, especially relating to the social service sectors and welfare functions. Moreover, it was also necessary to consult people for whom such schemes were being implemented.

4.3 Swarajya through Panchayat Raj

It was also laid down in Article 40 of the Constitution that "the state shall endow such powers and responsibilities to the panchayats so as to make them institutions of self-government" In pursuance the Directive Principles also, it was conceived to decentralize powers and functions to the Panchayat raj Institutions (PRIs).

When five-year plans were launched, community development in rural areas was being done through bureaucrats who were not conversant with the local needs of the people. People's participation was missing. The Balwant Rai Mehta Study Team recommended the association of the people's elected representatives for

effective rural development, which led to the establishment of Panchayat raj in 1959. SK Dey the then Minister for Community Development, announced that "Panchayat raj as we now visualize will, therefore, mean progressive increase in competence from the ground upwards and corresponding transfer of responsibilities from the Centre to the ground. If one wishes to climb higher, one must reduce the burden of avoidable weight on his shoulders. In order to function at the level, our Centre must be relieved of responsibilities which should be discharged by the State Government, the State Government should be relieved likewise, of responsibilities such as can be discharged by the Panchayat raj Institutions along the line-the Zila Parishad Block Panchayat Samiti, Panchayat, associate voluntary institutions and the individual families. Panchayat raj will thus, grow to be a way of life and a new approach to government as against a unit of government. It will bring about a complete link up of our people from the Gram Sabha to the Lok Sabha."

In a democracy, the decision-makers should use their powers, as far as possible, with the consent and understanding of all concerned. By way of Panchayat raj, people participate more and more in politics and administration, The key to the success of democracy lies where more and more strength is given to people's elected bodies at the district, block and village levels. At the village level, even the poor people, including the SCs, STs, women and other marginalized sections of the community get a chance to participate in the administration of the village. Thus, Panchayat raj is a system, which ensures people's participation at the lowest levels. It is democracy at the base level. PRIs become a training ground for developing leadership at the primary stage because they become well versed with the local problems and ways to deal with such problems.

4.4 Guiding Principles for Panchayat Raj

The credo of Panchayat raj is:

- Give power to the people.
- Power is about people's participation.
- Build democracy bottom up.
- Awaken the collective consciousness of the masses.
- Start with the Gram Sabha.
- Through elected representatives, not bureaucrats.
- Give the feeling of participation.
- Bring about transformation through real devolution of power.
- Teach by showing, learn by doing.
- Plan with people's consensus.
- Work with the people in cooperation.
- Motivate people to strive for their own good.
- Approach with humility and a measure of faith.
- Lead the people to achieve their goals.
- Not a show-case but a pattern.
- Not coercion but consensus.
- Not order but participation.
- Not rule but representation.
- Not relief but realizing their potential power.
- Not to conform but to transform.
- Not a piecemeal but integrated approach.

These principles have universal value and the effort to put them into concrete reality, however, have met with little success. Panchayat raj has been no exception in this region. A sustained attempt to relay the goals of democracy at the grass roots level has yielded a vocabulary of suggestions, which, if implemented faithfully, can go a long way in realizing the goals of swarajya.

These are, of course, an outcome of researches on experiments with Panchayat raj during the last four decades and are being outlined here to focus on the basic issues of concern across the different states in India since these continue to be the core of the debate on the new Panchayat raj.

4.5 Realizing Swarajya through Panchayat Raj

1. Regular elections should be held for the PRIs every five years so that the people at the village level regularly get a first-hand opportunity to take part in the decision-making at the local level and take training in politics.
2. PRIs should be entrusted with sufficient powers and functions so as to make them institutions of self-government in the real sense of the term.
3. Powers without resources is a nullity. Hence, the government should be liberal in passing on the share of taxes collected by the state to such bodies in proportion to the population for local development works.
4. Panchayats should be empowered to impose local taxes like house tax, toll tax, entertainment tax, sanitation tax, water tax, etc., compulsorily to raise their own resources for development.
5. Incentive in the form of matching contribution equal to the taxes and other own resources raised should also be provided by the state so that the PRIs become self sufficient.
6. All such efforts will bear fruit only when sufficient staff is also placed at the disposal of the panchayats to implement the decisions taken at local levels.

7. Capacity building of newly elected people's representatives, specially the women, SCs and STs, through intensive training and orientation programmes must be made a regular feature so as to develop local leadership and ensure efficiency and social justice in development.

8. Political will at the state level and the will of the top bureaucracy is also a precondition for the successful implementation of panchayat raj in the true spirit.

9. The Gram Sabha, as the Lok Sabha of the village, can ensure full participation of all the adult voters as well as train villagers in democracy. Hence, powers should be vested in the Gram Sabha to ensure real 'Gram Swarajya'. The decisions of the Gram Sabha should be made binding on the Panchayat as the cabinet is bound by the decisions of the parliament. The Gram Sabha, as a vigilance body for social audit of the Panchayat, should exercise ownership of the natural resources of the village and have control over all the social service institutions and their staff.

10. The Members of the Parliament, the Legislative Assembly and the Ministers of the State should not snatch the powers and resources of the PRIs but give them full support to develop as real institutions of self-government.

Thus, the PRIs can ensure grass roots democracy in true spirit, provided that all the powers and functions regarding rural development, along with proper resources and staff, are vested in them. This would undoubtedly pave the way for Gram Swarajya in India.

4.6 Growth and Development of Panchayat Raj

4.6.1 An Evolutionary Perspective

Historical roots of the local self-government in India can be traced from the ancient past, though its present pattern of urban and rural bodies reflects a distinct impact of the British period. The history of Panchayat raj in India can be divided into the following periods from the analytical point of view:

1. Vedic era
2. Epic era
3. Ancient period
4. Medieval period
5. British period
6. Post-independence period

Historically, every village in the country had a panchayat which was responsible for finding the solutions to the local problems within the village itself. Panchayats or the village councils are as old as India's history and have been a part of her tradition. In *Discovery of India*, Pandit Nehru has provided a fairly exhaustive idea about the working of the Village panchayats in ancient India. Panchayats had vast powers, both executive and judicial. Its members were treated with great respect by the king's courtiers and the public. Land was allotted by the panchayats. They also collected taxes out of agricultural produce and paid the share of the village to the kings. Over and above the Village panchayats/Village Councils, there was a big panchayat to supervise and intervene, if necessary.

4.6.2 Vedic Age

'Panch-Ayat' means a group of five persons selected by the villagers. Indirectly, it denotes the system through which rural people are governed. It indicates that there was some method of self-government. In the old Sanskrit scriptures, there

is a word 'Panchayatan', which means a group of five persons, including some spiritual man. But, gradually, the concept of the inclusion of a spiritual man in such groups vanished. In the Rigveda, there is a mention of 'Sabha', 'Samiti' and 'Vidath' as local self-units. Subsequently, the panchayat became a group of any five selected persons of the village to decide village disputes. The concept of 'Panch Parmeshwar' or 'Panch-the God' existed in the ancient age. 'Yagna' or sacrifice, to be successful, must be done by five devoted persons as per the Vedic saying. It indicates the pious conscience of Panchas. There is a description of 'Sabha' and 'Samiti', which were the democratic bodies at the local level. The king used to get the approval of the 'Sabha' or 'Samiti' regarding certain functions and decisions.

4.6.3 Epic Era

The study of the Ramayana indicates that administration was divided into two parts-'Pur' and 'Janpad' or city and village. Villages were 'Janpad' and the village people were called the 'Janpada'. 'Gram', 'Maha Gram' and 'Ghosh' (village, big village and group of villages) are mentioned in the Ramayana. 'Pattan' were towns near villages and served as 'Mandi' or market for the villagers. 'Shreni' and 'Nigam' were there as local bodies but no description regarding their constitution is available in the Ramayana. Even in the Ramcharit-Manas by Tulsidas, the welfare of the people has been described as the main object of the ruler. The system of governance was divided into the rule of the king (Raj-Tantra), the rule of the people (praja-Tantra) and the rule of the wise men (Vidvat- Tantra) or educated and knowledgeable persons. In the whole of the state, there was also a Caste Panchayat and one person elected by the Caste Panchayat was the member of the king's Council of Ministers. Thus, the king used to take the advice of all the caste representatives who were also ministers.

Self-government of a village finds ample expression in 'Shanti Parva' of Mahabharata and Manu Smriti as well as in Kautilya's Arthashastra. 'Sabha' and

'Samiti' played a part in controlling the decisions of the king. As per the Mahabharata, over and above the village, there were units of 10, 20, 100 and 1,000 village groups. 'Gramik' was the chief official of the village. 'Dashap' was the chief of ten villages. 'Vinshya Adhipati', 'Shat Gram Adhyaksha' and 'Sahasra Gram Pati' were the chiefs of 20, 100 and 1,000, villages respectively. The lower village head would give information about special events to the higher village head. They used to collect local taxes and were responsible for protection of their villages. There were small and big towns. There was also 'guptachar' (CID) system in towns to search for the offenders. The village heads also protected people against the cruelty of the king. 'Sabha Parva' of the Mahabharata mentions the Gram Panchayats but it is not clear whether the Panchas were elected by the people or nominated by the kings.

Manu Smriti stresses on organized system of local self-government. It has highlighted the importance of the decentralization of the functions of the state. The king was advised to keep responsible ministers for advice. Manu has mentioned 'village' as a smallest unit of governance. Units of 10, 20, 100, 1,000 village groups were also a part of the system of self-government. 'Rakshak' (saviour) was responsible for the village. His function was to maintain law and order. Lower Rakshak owed responsibility to the higher Rakshak.

4.6.4 Ancient Period

Kautilya, in his Arthshastra advised the king to constitute units of villages having 100-500 families. There would be centres of 10 villages, 200 villages, 400 villages and 800 villages. These centres would be respectively known as 'Sangrahan', 'Karvatik', 'Drona Mukh' and 'Sthaneeya'. Town was termed as 'Pur'.

Its chief was 'Nagrik'. Local bodies were free from any interference from the king's side.

In Chandragupta Maurya's regime, the policy of decentralization of powers was adopted. The village was the smallest unit of governance. A person elected by the people of the village was the 'Gramik' (head of village). Magasthenese has described how Patliputra town was administered by six committees consisting of five members each.

In the Gupta period also, the 'Gramik' was the village head and a village was the smallest unit of governance. The records of the Gupta period mention 'Gram Sabha', 'Gram Janpad' and 'Panch Mandli'.

Neeti Shastra of Shukracharya also mentions village governance during this period.

In South India, the 'Satvahan' kingdom existed in the 1st century BC. There were local bodies for governance in the cities as well as the villages. The 'Chola' rulers also developed self-governance in the villages. 'Nadu Parishads' were representative bodies which were solely responsible for the maintenance of the villages.

In northeastern India, there were small republics, which were quite independent in internal matters. The Village Panchayats were vested with sufficient administrative powers and the king interfered the least.

Medieval Period, During the Sultanate period, the Sultans of Delhi knew that it would be impracticable to govern a vast country like India from the centre directly. Hence, they divided their kingdom in to provinces called 'Vilayat'. 'Amir' or 'Vali' was the head of a province. Management of finance, collection of taxes and selection of judicial officers were under their charge. For governance of a village, there were three important officials-Mukkadam for administration, Patwari for collection of revenues and Choudhrie for decision on disputes with the help of the Panch. A village was the smallest unit where the management was looked after by Lambardar Patwari and Chowkidar. Villages had sufficient powers as regards self-governance in their territory. Panchayats were prevalent in villages in the medieval period. Agricultural produce from villages was the main source of the revenue of the state.

Marathas also constituted local self-government institutions in rural and urban areas during the rule of the Peshwas in the Maharashtra area.

4.6.5 British Period

Self-governance was not the objective of the British government. Their main objective was the protection of imperial interests. It was only with such an object

that the powers were given at the local level. More attention was paid to urban administration rather than rural areas.

According to SR Maheshwari, the beginning of local government can be presumed from 1687 when the Madras City Corporation was established. The subsequent history can be detailed as follows:

1. 1687-1881: Local government was established to share the burden of resources of the central and provincial governments.
2. 1882-1919: Local government was seen as local self- government.
3. 1920-1937: Local government was established in the provinces and people's representatives were controlling the provincial administration also.
4. 1938-1947: Local government was in the state of rejuvenation and reconstruction.

4.6.6 Period between 1687-1881

In 1687, the Madras City Corporation was made responsible for the public services. Besides collection of taxes, civil and criminal matters were also dealt with by it. In 1726, Bombay and Calcutta municipal bodies were established. In 1773, under the Regulating Act, Justice of Peace was appointed in presidency towns. They supervised health and sanitation in these cities. Sir Charles Metcalfe, the Governor General of India (1835-36) called the Indian village communities "the little republics". In 1863, the Calcutta City Corporation was formed. The year

1870 was a landmark when Lord Mayo passed a resolution suggesting the decentralization of powers and the necessity of associating Indians in administration. He suggested the strengthening of the municipal bodies and making them more powerful. Representation based on election was implemented only in Madhya Pradesh. The 1880 Famine Commission also indicated the necessity of the local bodies at the village level for famine relief works.

4.6.7 Period between 1882-1919

Lord Ripon came as the Viceroy in 1880. The Local Self-government Resolution, 1882 was the most important act of his tenure. It is regarded as the 'Magna Carta'. Since political education of people starts at the local level, Ripon wanted to develop municipal bodies. Local boards were established in rural areas. Districts and tehsils were formed. Functions and sources of revenue were allotted to such local bodies. The number of non-official members was more than the official ones, not less than two-third. The government was only to guide them rather than control them. The chairmen of the local boards were elected by the members themselves. To stimulate the candidature of men of standing, courtesy titles of 'Raj Bahadur' and 'Rai Saheb' were allowed to Indian members during their term of services on local bodies. During 1883-85, the local self-government acts were passed in many provinces. Local boards could be superseded in case of abuse of powers. The British bureaucracy did not think of Indians as mature and experienced enough for local self-government. Hence, Lord Curzon subsequently opposed such liberalism and increased government control over such local bodies.

4.6.8 Royal Commission

The Royal Commission (1909) reported on decentralization that paucity of funds and caste and religious disputes were the main obstacles in effective functioning of the local bodies. The Commission recommended "it is most desirable alike in the interest of decentralization and in order to associate people with the local tasks of administration that an attempt should be made to constitute and develop Village Panchayat for the administration of local village affairs".

Many suggestions were given to make the Village Panchayats, the sub-district boards and the municipalities more powerful. But, this remained on paper.

In 1909 itself, the 24th Congress session at Lahore adopted a resolution urging the government to take early steps "to make all local bodies from Village Panchayats upwards elected with elected non-official chairmen" and support them with adequate financial aid.

4.6.9 Montague-Chelmsford Report

In 1918, the Montague-Chelmsford report suggested that the local boards be made representative bodies. State intervention should be minimum. They should learn from their mistakes. The suggestions of the Royal Commission were incorporated in 1918 with the proposed scheme of dyarchy. The municipalities

were vested with more powers to impose taxes. The Village Panchayat Act was also passed and panchayats became a legal body.

4.6.10 Period between 1920-1937

Notwithstanding the Montague-Chelmsford scheme, PRIs did not become truly democratic and vibrant instruments of local self-government at the level of villages, due to constraints - organizational and fiscal. In 1930, evaluation of the implementation of self-government was done by the Simon Commission. It reported that except Uttar Pradesh, Bengal and Madras, they did not find any progress in the rural areas. The condition of the local bodies deteriorated between 1919 and 1930. Hence, it was suggested by the Simon Commission to increase the control of the state over these local bodies. During the period between 1920 and 1937, the local boards were elected bodies, chairmen were non-official persons and more administrative and financial powers had been given to local bodies. Bengal Self-government Act (1920), Central Provinces and Berar Panchayat Act (1920), Uttar Pradesh Village Panchayat Act (1920), Punjab Panchayat Act (1922) and Assam Self-Government Act (1925-26) were passed by the native states.

The Congress party passed a resolution for Self-Government in the Nagpur Convention in 1931. Gandhiji also wrote an article in the newspaper.

4.6.11 Period between 1937-1947

The Government of India Act, 1935 gave powers to the provincial governments. Popular elected governments in the provinces got provincial autonomy and they were duty bound to enact legislation for further democratization of the local self-government institutions, including the Village Panchayats. Popular governments could arrange more finances. Separation between provincial taxes and local taxes was ended. In almost all the provinces, local bodies were given more functions. Powers to impose taxes were reduced. Thus, the local bodies were organized properly during the British period, though during the Second World War in 1939, the popular government vacated the office. But, the position of the local self-government institutions remained unchanged till August 1947, when the country attained independence.

Thus, the spirit of democratic decentralization at the village level was existent right since the ancient period. It became more and more organized and took proper shape by the time India became independent in 1947.

Post-independence Period The Village Panchayats was a part of the ideology of Indian National Movement. Gandhiji had given the idea of 'Gram Swarajya': "The Government of the village will be conducted by the panchayat of five persons annually elected by the adult villagers, males and females, possessing minimum prescribed qualifications. These will have all the authority and jurisdiction required. Since there will be no system of punishment in the accepted sense, the panchayat will be legislature, judiciary and executive combined to operate for its year of office. Any village can become such republic today... Here there is perfect

democracy based on individual freedom. The individual is the architect of his own government. Gandhiji considered Gram Swaraj to have self-sufficiency in villages where people would be self-dependent and have an autonomous self-government. Acharya Vinoba Bhave organized the 'Gram Daan' movement. Many villages were donated. People became masters. There was perfect swarajya. The Gram Sabha exercised all the powers in the village. It is a sad commentary on India's commitment to democratic decentralization that despite the nationalist movement's commitment to panchayats and Mahatma Gandhi's propagation of the ideal, the first draft of India's constitution did not include a provision for panchayats. Dr. Ambedkar opined that villages in India were caste-ridden and had little prospects of success as institutions of self-government. Arguments of those who pleaded for inclusion of Village Panchayats in the Constitution, however, finally prevailed and found place in Article 40 of the Indian Constitution which reads as under:

"The state should take steps to organize Village Panchayats and endow them with such power and authority as may be necessary to enable them to function as units of self-government."

The basic conviction could not be ignored that Village Panchayats could play an important role in the social transformation and the implementation of the development programmes. But during the past, whatever genuine efforts were made for devolution of powers, political interests did not want it to succeed. Political will is still lagging behind, despite the Swarna Jayanti of India's independence.

4.6.12 Period between 1947-1957

During this era, Mahatma Gandhi's conception regarding the Village Panchayat as the primary grass roots level democratic unit prevailed. People's participation came to be considered as necessary so that India's perception as a welfare state could be fulfilled. According to Gandhiji, "greater the power of the panchayat, the better for the people as true democracy".

Community Development Programme (CDP) was started in 1952 under the major influence of the Etawah Project undertaken by the American expert, Albert Mayer. Community development sought to motivate the rural people to take community-based approach for the improvement of the economic and social-condition of their life. The government was expected to provide general guidance and technical-cum-financial assistance in some blocks in a phased manner. National Extension Service (NES) was also introduced in 1953, as a prelude to community development in various blocks.

Panchayats at the village level took interest in development schemes. District boards were hardly given any role in implementation of development programmes. There was increasing interest and enthusiasm in the beginning but it was shortlived. The programmes were more or less bureaucratic and excessively politicized. SDO-cum-BDO fulfilled the local demands like road, drinking water wells panchayat ghar, school building, etc. All schemes were treated as government schemes rather than people's programmes.

4.6.13 Period between 1957-1961

Complaints of wastage of funds, corruption, malpractices and favouritism began to mar the public image of the development process. A study team under the chairmanship of Balwant Rai Mehta was appointed in 1956 to critically review the CDP and NES and suggest measures for effecting economy and improving efficiency in implementation of schemes. At the same time, the Planning Commission had already been advocating that Village Panchayats should be strengthened and given the responsibility for taking over development administration.

4.6.14 Balwant Rai Mehta Study Team Report (1957)

The team felt that "there should be a single representative and vigorous democratic institution to take charge of all aspects of development work in the rural areas ...it must not be cramped by too much control by the government or government agencies ...it must receive guidance which will help it to avoid mistakes. In the ultimate analysis, it must be an instrument of expression of the local people's will in regard to local development". It suggested that the concept of democratic decentralization should form the basis for the planning and implementation of the community development and national extension service programmes. Both the programmes should be merged. The main recommendations of the study team were as under:

1. Suitable administrative decentralization for effective implementation of development programmes.

2. Place decentralized administrative system under the effective control of elected representatives of people.
3. Development block covering about 100 villages and having a population of a hundred thousand should coincide with taluka/ tehsil/ sub-district unit.
4. There should be three tiers Zila Parishad at the district level to replace the District Board, Panchayat Samiti at the block level and the Gram Panchayat at the village level.
5. Panchayats should work under the overall supervision of the Panchayat Samiti, which would include their representatives.
6. The 3-tier Panchayat raj system would be vested with powers and functions. Resource will be largely devolved upon the Panchayat Samiti the intermediate tier. The Panchayat Samiti will play a primary role in rural development process.
7. Looking at the diversity of the socio-economic conditions, some states might modify the proposed system. They may prefer devolution of powers to the district level body.
8. Composition of the Panchayat raj bodies should be representative of all sections of people, by and large.
9. Dynamic attitude should be adopted towards the functioning of the proposed new set-up. Further devolution of powers, functions and resources from the state government should be done in future, looking to the success of the scheme.
10. Effective training of people's representatives at the three tiers of the local bodies was also stressed.
11. People's representatives would plan the community development and allied programmes as well as direct and supervise their implementation by the

bureaucracy. Hence, they should develop the knowledge and attitude essential for it. Seminars, workshops and conferences and training courses should be arranged adequately.

The National Development Council agreed to most of the recommendations in 1958. Looking at the varying conditions, states were given the freedom to decide about the exact application of the concept of democratic decentralization and its institutional set-up. The Government of India also convinced the states to switch over to institutionalize participative approach to rural development at all levels with some variation in the structure. Almost all the states adopted the system.

However, the recommendations of the study team were also criticized on the following grounds:

- (a) There was no emphasis on revival of village assemblies. The Gram Sabha could play a useful role for ensuring public accountability of the panchayats.
- (b) No suggestion was given to solve the problem of domination by the village elite and village factionalism.
- (c) The choice of Panchayat Samiti as the primary unit within Panchayat raj was not functionally correct. Zila Parishad had better potential due to mature leadership.
- (d) District Collector as the chairman of the Zila Parishad would bureaucratize the working of Panchayat raj. It would disturb the functional autonomy of the people's representative.

4.6.15 Period between 1959-1965

Rajasthan was the first state where Panchayat raj was established on 2nd October 1959. Pandit Nehru kindled the lamp at Nagaur to inaugurate panchayat. Andhra Pradesh and Tamil Nadu followed it in 1959, Assam, Karnataka, Orissa, Punjab and Uttar Pradesh in 1960-61, Maharashtra, Bihar, Madhya Pradesh and Kashmir decided not to have multi-level panchayat raj and gave more powers to the Village Panchayats.

In several states like Rajasthan, Bihar, Madras, Mysore and Orissa, powers were largely devolved on the middle-level tier, e.g., Panchayat Samiti, for undertaking a substantial number of development functions and the Zila Parishad was mainly responsible for advising, guiding, supporting and supervising the Panchayat Samitis and also to consolidate the plan proposal at the district level. It would also be a watchdog of the state in the district and would advise the state government on general and financial matters relating to Panchayat raj in action.

In Maharashtra, powers were largely devolved on the Zila Parishad for planning and implementation of rural development programmes as per the Naik Committee's recommendations.

In some states like Andhra Pradesh, Gujarat, Uttar Pradesh and West Bengal, the Zila Parishad was also vested to undertake directly some specialized development functions along with guidance, monitoring and general supervision. Jammu & Kashmir and Haryana adopted a 2-tier system at the village level and the block

level. Among the Union Territories, only Himachal Pradesh adopted a 3-tier system. Pondicherry had French-type community at the local level. Others did not take any action to set up a 3-tier or 2-tier system of Panchayat raj.

4.6.16 Rise and fall of Panchayat Raj (1965-78)

Different states followed different systems of Panchayat raj while Jammu & Kashmir followed a 1-tier, Haryana chose a 2-tier and Rajasthan and Andhra Pradesh adopted a 3-tier system. Panchayat Samiti was more powerful in Rajasthan and Andhra Pradesh whereas Zila Parishad was more powerful in southern states. In the beginning, there was enthusiasm but it dwindled after the second panchayat elections in 1965 onwards.

Committees in Various States In view of the increasing importance of Panchayat raj, the following committees were appointed in different states to recommend on organizational pattern, resources of PRIs, administrative powers, personnel system and other problems.

Andhra Pradesh

Purshottam Pai Committee	1964
Ramchandra Reddy Committee	1965
Narsimhan Committee	1972
Rajasthan Mathur Committee	1963

Sadiq Ali Committee	1963
Girdharilal Vyas Committee	1973
Kharra Committee	1990
Cabinet Sub-Committee	1992

Karnataka

Basappa Committee	1963
Ut tar Pradesh	
Govind Sahai Committee	1959
Murti Committee	1965

Maharashtra

Naik Committee	1961
Bongiwar Committee	1963

During this period, Panchayat raj gained momentum. It became a process of governance, linking people from the Gram Sabha to the Lok Sabha and thereby proving that democracy at the top would not be a success unless it was built from below. SK Dey had rightly opined that the panchayat was a local body limited to a geographical area whereas Panchayat raj was distinct from panchayat. Panchayat raj had, thus, become a philosophy envisaging linking of the Gram Sabha with the Lok Sabha.

The report of the Ministry of Community Development stated in 1966 that younger and better leadership was emerging through PRIs and there was a fairly high degree of satisfaction among the people regarding their working. Many

chairmen of the Zila Parishads and the Panchayat Samitis became Chief Ministers or Cabinet and State Ministers by 1965-70. It created feelings of enmity between the PRI leaders and the state politicians. Hence, political will at the state level was missing after 1965. Lip service was being paid to Panchayat raj but in the heart of their hearts, the state leaders tried to discourage Panchayat raj in most of the states. Bureaucracy also tried to snatch the powers of agriculture extension and animal husbandry on the pretext of the World Bank and other foreign assistance in Rajasthan and other states. The Industries Department closed its handloom production centres and withdrew its staff in Rajasthan.

In 1968-69, the Venkatapiah Committee was appointed by the Reserve Bank of India for All India Rural Debt and Credit Survey. It was after this report that the Small Farmer Development Agencies (SFDA) were created in 1977 to spend the central funds for agriculture and animal husbandry. They were converted into District Rural Development Agencies (DRDAs) in all the districts in 1978. All central funds for rural employment and poverty alleviation were routed through these agencies. Though it was done for impartial sanction of projects without any political bias, the Zila Parishads became weaker and weaker day by day. There was no permanent development service also, except in Gujarat and Punjab. Hence, interest and enthusiasm in PRIs declined during this period.

4.6.17 Ashok Mehta Committee (1977)

The Government of India appointed the Ashok Mehta Committee in 1977 to study the role and powers of the PRIs in rural development and give suitable suggestions. This committee classified the period of 1962-64 as the

establishment era for PRIs, 1964-69 as the period of dormancy and 1969-74 as the period of decline.

The committee was of the view that though the PRIs faced ups and downs, yet these institutions never failed. It suggested measures to strengthen the PRIs so that the system of democratic decentralization became effective for planning and development.

The main recommendations of the committee were as under:

1. More genuine and effective devolution of powers to PRIs should take place.
2. Primary unit in the panchayat system should be the Zila Parishad and not the Panchayat Samiti because Zila Parishad had better leadership and resources.
3. Mandal panchayat with proper powers and resources and covering smaller area than development block and larger area than Village Panchayat should replace the panchayat. Such a Mandal Panchayat would be more effective in the management of development schemes. It should be for a population of 15,000-20,000, so as to be more competent and better organized technically.
4. Well-qualified senior civil servants should be posted in the administration wing of the Zila Parishads and Mandal Panchayats.
5. Below the Mandal Panchayat, there should be a village committee including the weaker sections of people to perform functions allotted to it by the Mandal Panchayats.
6. To ensure coordination among the rural and urban bodies, the municipal bodies should also have representatives in the Zila Parishad and the Mandal Panchayat.

7. Political parties should take part in the elections of Panchayat raj to precipitate its working, energize it and make it more coherent in working.
8. A massive programme of education and training of the people's representatives and the bureaucracy with the panchayat raj should be organized for improving their capabilities and reorient their attitude.
9. A Panchayat raj Finance Commission should be set up. It should allot funds for each district to meet the demands of district level planning as per the needs and stage of development.
10. Besides state grants, the PRIs should also develop their own resources. The state may provide matching share equal to the collection of taxes, etc., by the Mandal Panchayats.
11. The Nyaya Panchayat should be de-linked from the Village Panchayat.
12. The Zila Parishad should prepare the district plan, which should be implemented through the Mandal Panchayats.

Andhra Pradesh and Karnataka implemented these suggestions by creating Mandal Panchayats. Many powers were given by Chief Minister Hegde in Karnataka to the PRIs in 1984-85. It set an example for the whole of the country. Madhya Pradesh also adopted changes in the panchayat raj system in 1990.

The West Bengal government took initiative in 1978 to give new life to the panchayats on the lines of the Ashok Mehta Committee's recommendations. Jammu & Kashmir revised the existing panchayat Acts and passed new Acts.

These states adopted the recommendations to suit their conditions and learn from each other's experience.

The most important thrust of the second phase was that the PRIs emerged from development agencies at the local level into political institutions. The emphasis shifted from the bureaucracy to political elements. This was a welcome trend.

Though the recommendations of the Ashok Mehta Committee were not accepted by the Union Government due to a change in the ruling party, it did exercise effective some influence upon the working of panchayat raj in a few states.

4.6.18 Ch Hanumanth Rao Team (1982)

The Planning Commission wanted effective people's participation through the PRIs in rural development so that plans are more responsive to people's needs and aspirations and there is coordinated as well as accelerated progress. The Planning Commission experts, under the leadership of Dr C H Hanumanth Rao, were deputed to study as to how to prepare plans at the district level. He suggested that decentralization of, planning should take place. Development plans have remained centralized, hence, participation of local people has been lacking. People should be associated right from the plan formulation stage.

In 1984, the Prime Minister wrote to all the State Chief Ministers to take action without further delay to hold overdue elections to the PRIs.

4.6.19 G V K Rao Committee (1985)

In 1985, the Union Government appointed GVK Rao Committee to advise on poverty alleviation programmes and organization of the PRIs. The committee advised for regular elections to the PRIs and formulation of plans at the district level.

4.6.20 Laxmi Mal Singhvi Committee (1986)

This committee was formed by the Government of India to suggest steps for revival of panchayat raj. It advocated that panchayat raj should primarily be viewed as the local self-government system and should be strengthened accordingly. It is the foundation stone for the country's democratic political system. Management of rural development was its secondary role. The existing constitutional provision in Article 40 is too general and also discretionary. It cannot give a firm basis for panchayat raj, which has been weakened due to neglect and unscrupulous politicking in various states. The committee advocated constitutional recognition to strengthen panchayat raj, which became the basis for the 64th Constitutional Amendment Bill.

4.6.21 Workshops of Collector (1987-88) and Conferences of Panchayat Raj Leaders

The Department of personnel and Administrative Reforms, Government of India, organized quite a number of workshops at Bhopal, Hyderabad, Imphal, Jaipur and Coimbatore where the Collectors of many districts discussed the subjects to be entrusted to panchayat raj at the district level. The importance of the PRIs was recognized for expediting development programmes in rural areas and in the interest of responsive administration. The workshops recommended that the list of functions of the PRIs should be incorporated in the Constitution of India. Functions like agriculture, animal husbandry, minor irrigation, social welfare, health, drinking water and social forestry were suggested to be included in the list of the functions to be delegated to the PRIs. All agreed on revamping the panchayat raj system.

Conferences of panchayat raj leaders, including women, were also organized to know their views about the reorganization and strengthening of panchayat raj. The demands for de-bureaucratization of the control of panchayat raj as well as for devolution of more powers and resources were the focal issues in these conferences.

As a result of these workshops and conferences, it was decided to amend the Constitution so as to provide protection to panchayat raj against negligence or arbitrary action by the state governments.

4.6.22 P K Thungan Committee (1989)

This committee recommended regular elections and according constitutional status to the PRIs and making the Zila Parishad the agency of planning and development.

In Rajasthan, a committee was constituted under the chairmanship of the panchayat Minister to study panchayat raj in Andhra Pradesh, Karnataka, etc., and suggest measures for strengthening panchayat raj in the state. The main recommendations of the committee were:

1. Per capita grant-in-aid to the panchayats is increased from Rs 4 to Rs 20.
2. The power of the panchayat to impose penalty should be, increased from Rs 50 to Rs 200 and the rate of the fees also should be revised.
3. Services such as education, ayurved, health, hand pumps, etc., which cater to the needs of rural people, should be brought under the administrative control of the PRIs.
4. The District Rural Development Agency and the Zila Parishad should be amalgamated into one agency.

The Rajasthan government also appointed a cabinet sub-committee in 1992 to study the panchayat raj system operating successfully in Karnataka, Maharashtra and Andhra Pradesh. The group visited these states and gave its recommendations. The State Government did not think it proper to bring about

any structural changes like re-organization of panchayats into Mandal Panchayats, as recommended by this group. The decision was, of course, taken to reorganize all the by increasing their number from 7358 to 9184 after the reorganization process was completed.

As a result of the recommendations of various such committees and the tempo generated, the Central Government decided to give a constitutional status to the PRIs and passed the 73rd Constitution Amendment Act in 1993 to provide uniformity to the panchayat raj system throughout India. Reservation to Scheduled Castes, Scheduled Tribes and women was also guaranteed by the Indian Constitution.

Though most the state governments amended their Panchayat raj Acts during 1993 and 1994, yet things have mostly remained on paper. Political will is still lacking. Powers, staff and resources to the PRIs have hardly been transferred. The PRIs still remain more an agency of development rather than institutions of self-government.

4.7 Constitutional Status of Panchayat Raj Institutions

Although the importance of the panchayat raj system had been realized and recognized since the ancient times for its basic virtue of decentralization of powers in the interest of efficient administration, yet it was not codified until the British started ruling India. The initial experiments were ad hoc in nature and not

comprehensively worked out with due attention to the principles of decentralization.

4.7.1 History

The institutional history of local self-government dates back to the famous resolution by Lord Ripon in 1882. Ripon's resolution of 1882 can be treated as the 'Magna Carta' of the British Empire. Local boards were established in rural areas. The chairman of the local board was elected by the members themselves. Tehsil was placed under the local board. But, there was absence of well-defined spheres of action at different planning levels. Moreover, there was lack of proper and effective functional arrangements to make decentralization operational.

Local self-government laws were passed in many provinces, but it was not clear how a system of planning and governance should be embodied in the legislation. Administrative procedures were used more than legal procedures. A lot depended on political necessity and the will of the state regarding the degree of decentralization. But, there is no doubt that the legislative enactments helped to institutionalize decentralization.

In 1908, a Royal Commission studied why decentralization had not been a success in various provinces. It was of the opinion that it was desirable in the interest of decentralization to associate people with the local tasks of administration. It studied the working of the local and district boards in various provinces of the Country and came to the conclusion that the unrepresentative

character and inadequate powers of these bodies had made them a failure. It suggested that attempts should be made to constitute and develop Village Panchayats for the administration of local village affairs. The Commission recommended a genuine electorate consisting of members of the panchayats, due representation of minorities by nomination and elected majority on all the boards. However, most of the recommendations remained on paper.

The Government of India Resolution of 1915 incorporated the recommendations of the Royal Commission, except the reform of the board's electorate. The Government of India Resolution of 1918 accepted fully and frankly the principle of substantial elective majorities on all the boards. The elective principle was to be reinforced by the democratization of the local electorate. The representation of minorities was to be secured by retaining the practice of nomination rather than by introducing some system of communal or proportional representation.

The Montague-Chelmsford Report, 1918 recommended changes in local bodies to make them broad-based. They were embodied in the Government of India Act, according to which the local administration became a transferred subject under the control of popular governments. Every province was given the freedom to develop local bodies as per its requirements. The list of the local taxes and the provincial taxes was separated.

Thus, we find that a systematic effort was made during the British rule to build and strengthen the institutions of self-government. But, they were designed to suit the colonial masters. In spite of these efforts, the institutions did not emerge as true centres of power and suffered from a number of weaknesses.

4.7.2 Village Panchayat Acts in Various States

Many native states and eight provinces of British India passed the Village Panchayat Acts as below:

1. Madras Panchayat Act, 1920
2. Bombay Panchayat Act, 1920
3. Bengal Self-Government Act, 1920
4. Central Provinces and Berar Panchayat Act, 1920
5. Uttar Pradesh Village Panchayat Act, 1920
6. Punjab Panchayat Act, 1922
7. Assam Self-Government Act, 1925
8. Bihar Panchayat raj Act, 1947
9. Native States of Cochin (1919), Indore (1920), Travancore (1925), Baroda (1926), Kolhapur (1926), Bikaner (1928), Karauli (1939), Hyderabad (1940), Mewar (1940), Jasdan (1942), Bhavnagar (1943), Porbandar (1943), Bharatpur (1944), Marwar (1945), Wadia (1946), Morvi (1946), Sirohi (1947) and Jaipur (1948).

Panchayats, under erstwhile states, covered a limited number of villages geographically and had quite a limited number of functions. In spite of the

passing of all such Acts, these institutions did not emerge as self-governing institutions, but this was designed to suit the colonial masters.

The Government of India Act, 1935 conferred certain powers on the provincial governments but the recommendations of the Royal Commission, 1909 were again ignored, although the scope of the panchayats was extended.

The provincial government controlled the panchayats through the District Collector. This continued till independence in 1947.

4.7.3 Post-Independence Period: Panchayat Raj Acts

Article 40 of the Constitution of India, under the Directive Principles of the State, laid down that "the state should take steps to organize Village Panchayats and endow them with such power and authority as may be necessary to enable them to function as units of self-government." Dr B R Ambedkar, however, did not favour such a clause in the Constitution because, according to him, villages were divided on the basis of caste and religion, but Mahatma Gandhi and others insisted that the concept of 'Gram Swarajya' should become a part of the Constitution of India. Hence, this clause was introduced in the Constitution and it was on the basis of this principle that various states passed the Panchayat Acts as under:

1. Uttar Pradesh Panchayat raj Act, 1947
2. Bihar Panchayat raj Act, 1947

3. Punjab Gram Act, 1952
4. Rajasthan Panchayat Act, 1953
5. Jammu and Kashmir Village Panchayat Act, 1958
6. Tamil Nadu Panchayat Act and District Development Council Act, 1958
7. Kerala Panchayat Act, 1960
8. Gujarat Panchayat Act, 1961
9. Bombay Village Panchayat Act, 1961
10. Orissa Gram Panchayat Act, 1964.
11. Andhra Pradesh Panchayat Act, 1964
12. Himachal Pradesh Panchayat raj Act, 1968
13. Assam Panchayat raj Act, 1972
14. West Bengal Panchayat raj Act, 1973
15. Manipur Panchayat raj Act, 1975
16. Sikkim Panchayat Act, 1982
17. Tripura Panchayat Act, 1983
18. Madhya Pradesh Panchayat Act, 1990

The Government of India had appointed the Balwant Rai Mehta Study Team to suggest changes in panchayat raj. It advocated a 3-tier system of Gram Panchayat at the village level, Panchayat Samiti at the block level and Zila Parishad at the district level. Rajasthan was the first state to adopt it on 2nd October 1959 by passing the panchayat Samiti and Zila Parishad Act. Orissa followed it in the same year. Punjab, Uttar Pradesh, Bihar, Gujarat, Haryana and Maharashtra adopted it in 1961, Himachal Pradesh in 1968, Assam in 1972, West

Bengal in 1973, Manipur in 1974, Karnataka in 1983 and Andhra Pradesh in 1986. Though democratic decentralization was working in these states but regular elections were not held. The weaker sections of the society and women did not have proper representation in these institutions. To make panchayat raj effective; some amendments were needed in the Constitution of India.

In 1986, the Committee under the noted constitutional expert, Dr LM Singhvi, recommended a constitutional status for the PRIs. He suggested that a separate chapter should be added in the Constitution of India so as to give an identity and integrity to the PRIs.

The GVK Rao Committee (1985) also suggested regular elections to the PRIs and the formulation of plans at the district level.

The Sarkaria Commission (1988) on Central State Relations did not agree with LM Singhvi Committee's report of conferring a constitutional status on panchayat raj. The Commission advocated that the power regarding panchayat raj should vest under entry 5 of list II exclusively with the states. A uniform law may be enacted by all the legislatures in accordance with the model bill of the Inter-State Council of Ministers established under Article 263 of the Constitution. By a law of the parliament; under Article 252 (1), it can be implemented with the consent of the legislatures of all the states. It could be enforced by a parliamentary law uniformly applicable in India, containing provisions analogous to Articles 172 and 174 of the Constitution. In spite of Article 40 of the Constitution of India, the state governments viewed the panchayats with suspicion for almost 40 years and added to their decline.

4.7.4 Amendments in Rajasthan

Rajasthan had the distinction of amending the Rajasthan Panchayat raj Act in 1992, before the constitutional amendment. Important amendments were made in the year 1992 in the Rajasthan Panchayat Act, 1953, and the Panchayat Samiti and Zila Parishad Act, 1959, respectively, whereas the new panchayat raj Act after the Constitutional Amendment was passed on 24th April, 1993. The following changes were made on 17th June, 1992:

1. Gram Sabha: Functions of presenting accounts of development works, audit reports, etc., were made. Holding two meetings every year was made mandatory. Not holding two Gram Sabha meetings was made a disqualification and treated as misconduct for the removal of the Sarpanch under Section 38 of the panchayat Samiti and Zila Parishad Act.
2. Term: The term of the panchayat was increased from three to five years.
3. Election: Conduct of election was made the responsibility of the Director in his capacity as the Chief Election Officer.
4. Administrator: Administrator would not continue beyond six months.
5. Reservation: Reservation of seats for SCs/STs in proportion to the population and one-third seats for women was made.
6. Chairpersons: Reservation for chairpersons was also made as above.
7. Disqualification: Any member/chairperson having more than two children was disqualified from contesting the panchayat election.

Rajasthan, therefore, became the first state where such important provisions regarding the reservation for the weaker sections and women and family planning clauses were made for the first time in the whole country.

In spite of all the committees and constitutional amendments, Panchayat raj remained dormant, especially due to lack of regular elections, finances, uniformity of organization, political will at the state level, decision-making and the planning at the local level, etc. Many powers had been transferred to various departments. Even rural employment and poverty alleviation programmes were conducted through the agency of the District Rural Development Agency at the district level. There was a demand to make the PRIs vibrant bodies for rural development and give them a constitutional status.

In 1988, PK Thungan Committee had recommended that the panchayat raj bodies should be constitutionally recognized on the basis of the Constitution (64th Amendment) Bill drafted and introduced in the parliament.

The Constitution (64th Amendment) Bill was presented in the parliament in 1989 in order to make the PRIs powerful bodies but Rajiv Gandhi's effort failed due to the lack of a majority in Rajya Sabha in May 1989.

However, the spirit behind it continued to gain momentum for its following salient features:

- (1) The constitutional amendment, which guarantees elections on the expiry of the term.

(2) The four-pillar government 3 or 4 tier government Centre, State, District and Village Government to ensure political democracy. Ram Manohar Lohia, Deen Dayal Upadhaya and other socialists had also advocated 'Chokhambha Raj'.

(3) Local self-government must be strengthened by evolving suitable systems at the state level.

(4) A 'marriage' of the District Government and panchayat raj. People's participation must be given legitimacy.

It was a welcome step but there was serious objection on two grounds:

(i) It overlooked the states and was seen as an instrument of the Centre to deal directly with the PRIs.

(ii) It was imposing a uniform pattern throughout the country instead of permitting the individual states to legislate the details, keeping in mind the local circumstances.

The Constitution (64th Amendment) Bill got a two-third majority in the Lok Sabha but it failed in the Rajya Sabha on 15th October, 1989, by two votes. The political parties, intellectuals and the citizens found the loopholes in the bill, though the criticism had political overtones.

The Constitution (74th Amendment) Bill (a combined bill for the PRIs and the municipalities) was introduced on 7th September, 1990, but was never taken up for discussion.

On 6th September, 1991, two constitution amendment bills 72nd (Panchayats) and 73rd (Nagar Palikas) were introduced in the parliament. They were referred to the Joint Select Committee of the parliament. The committee report was received on 22nd September 1992. The Narsimha Rao government presented the Constitution (72nd Amendment) Bill in the Lok Sabha on 22nd December 1992, and the Constitutional (73rd Amendment) Bill in the Rajya Sabha on 23rd December, 1992. The Bill got the approval of 17 states in 1992 and of Bihar and West Bengal on 20th April, 1993. The President of India gave his assent on 24th April 1993, when it became law. It was enjoined upon all the state governments, through constitutional amendment in Article 243 (M), that all the state governments should amend their Panchayat Acts in conformity with the constitutional provisions, as contained in Article 243.

The Constitution (73rd Amendment) Act, 1993 was passed because there was an imperative need to enshrine in the Constitution certain basic and essential features of the PRIs and to impart certainty, continuity and strength to them.

The basic features of the Act were as under:

4.7.5 Constitutional Status to PRIs (Article 243B)

A new part IX with the heading 'Panchayat' was added to the Constitution. Article 243, a new Schedule XI, containing 29 powers to be transferred to panchayats, was added. Thus, the PRIs became an integral part of the Constitution.

4.7.6 Constitutional Status to Gram Sabha (Article 243A)

Gram Sabha, as an assembly of adult people of Gram Panchayat, is a direct democratic body of self-government at primary level. It also found its place in the Constitution. The Gram Sabha may exercise such powers at the village level as the legislature of a state may provide.

4.7.7 Constitution of Three Tiers of Panchayats (Article 243B & C)

The legislature of the state may make provision with respect to the composition of the panchayats. All the seats at the village level, intermediate level and district level shall be filled by persons chosen by direct election from the territorial constituencies in the Gram Panchayat, Panchayat Samiti or Zilla Parishad area. Members chosen by direct election shall have the right to vote. The chairperson shall be elected by way of direct election at the village level and from amongst the directly elected members at the block and district levels. In case the population of a state is less than 20 lakhs, there may be only two tiers at the village and district levels.

4.7.8 Reservation of Seats (Article 243D)

(i) Seats shall be reserved for the SCs/STs in proportion to their population.

(ii) Not less than one-third of the total number of seats shall be reserved for women in each category, e.g., SCs/STs. These seats shall be allotted by rotation to different constituencies.

(iii) The office of the chairpersons of the panchayats at all levels shall also be reserved in the same proportion for the SCs/STs/women.

(iv) Reservation for other backward class of citizens may be done as the state legislature may provide.

4.7.9 Duration of Panchayats (Article 243F)

Previously, the panchayat elections were held at the will of the state governments. Hence, it was provided that every panchayat, unless sooner dissolved under any law, shall continue for five years from the date appointed for the first time. If a panchayat is dissolved before the expiring of its duration, election shall be completed before the expiration of a period of six months from the date of such dissolution.

Provided that where the remainder of such period is less than six months, it shall not be necessary to hold any election under this clause. A panchayat constituted after dissolution shall continue only for the remainder of the period for which the dissolved panchayat would have continued had it not been so dissolved.

4.7.10 Disqualification for Membership (Article 243F)

A person should not be less than 21 years of age. He should not be disqualified according to the rules framed by the state legislature. In case of dispute, the matter shall be decided by such authority and in the manner as the state legislature may provide.

4.7.11 Powers, Authority and Responsibilities (Article 243G)

The legislature of a state may empower 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, subject to such conditions as may be specified with respect to

- (a) the preparation of plans for economic development and social justice, and
- (b) the implementation of schedules for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the XI Schedule.

4.7.12 Powers to Impose Taxes and Funds (Article 243H)

The legislature of a state may authorize a panchayat to levy, collect and appropriate taxes, duties, tolls and fees in accordance with procedures and subject to limits. It may also provide for making grants-in-aid to the panchayats from the consolidated fund of the state.

4.7.13 Constitution of Finance Commission (Article 243I)

The Governor of a State shall, as soon as possible, may be within one year from the commencement of this Act and at the expiry of every fifth year, constitute a Finance Commission to review the financial position of the panchayats and make recommendations to the Governor as to the principles which should govern the distribution between the state and the panchayats of the net proceeds of taxes, duties, tolls and fees leviable by the state which may be divided between them and the allocation between the panchayats at all levels of their respective share of such proceeds.

The legislature of a state may provide for the composition of the Commission, the qualifications which shall be requisite for appointment as members thereof and the manner in which they shall be selected. The Governor can ask every recommendation made by the Commission and the action taken thereon to be laid before the legislature of the state.

4.7.14 Audit of Accounts (Article 243J)

The legislature of a state may make provisions with respect to the maintenance of accounts by the panchayats and the auditing of such accounts.

4.7.15 Election (Article 243K)

There will be a State Election Commissioner for the preparation of the electoral rolls, superintendence, direction and control of all panchayat elections. He will be appointed by the Governor of the State. The service conditions and duration of the post shall be as decided by the state legislature. He can be removed by the same method as prescribed for a Judge of the High Court. The Governor shall provide such personnel as may be required by the Election Commissioner for the fulfilment of the functions.

4.7.16 Non-applicable to Certain Areas (Article 243F)

Nothing in this Act will be applied to the Scheduled Areas unless modified and amended by a law of the parliament. Hence, the following were exempted:

- (i) States notified in Articles 244(1) and (2).
- (ii) Nagaland, Meghalaya and Mizoram.

- (iii) Those hilly areas of Manipur where Hill Development Council exists.
- (iv) District Darjeeling of West Bengal where Gorkha Hill Council is functioning and the Zila Parishad will not be useful.
- (v) Where procedures and rights of the Gorkha Hill Council are affected.

It was also provided that the Lok Sabha may promote the interests of the STs in the scheduled areas mentioned in sub-section (1).

4.7.17 Continuance of Existing Panchayat Laws (Article 243M)

Nothing contained in the existing laws of the Panchayats in the states shall be applicable if they are in contravention of this Amendment Act. All the state governments shall amend the existing laws accordingly, latest within one year, i.e., by 24th December 1994.

4.7.18 Inclusion of XI Schedule (Article 243G)

After X Schedule in the Constitution, Schedule .XI shall be treated as included. It contains:

1. Agriculture, including agricultural extension.
2. Land improvement, implementation of land reforms, land consolidation and soil conservation.
3. Minor irrigation, water management and watershed development.

4. Animal husbandry, dairy and poultry.
5. Fisheries.
6. Social forestry and farm forestry.
7. Minor forest produce.
8. Small-scale industries, including the food processing industries.
9. Khadi, village and cottage industries.
10. Rural housing.
11. Drinking water.
12. Fuel and fodder.
13. Roads, culverts, bridges, ferries, waterways and other means of communications.
14. Rural electrification, including distribution of electricity.
15. Non-conventional energy sources.
16. Poverty alleviation programme.
17. Education, including primary and secondary schools.
18. Technical training and vocational education.
19. Adult and non-formal education.
20. Libraries.
21. Cultural activities.
22. Markets and fairs.
23. Health and sanitation, including hospitals, primary health centres and dispensaries.

24. Family welfare.
25. Women and child development.
26. Social welfare, including welfare of handicapped and mentally retarded.
27. Welfare of weaker sections and, in particular, of the SCs/STs.
28. Public distribution system.
29. Maintenance of community assets.

4.7.19 74th Constitution Amendment on State Planning Committee

Alongwith the Constitution (73rd Amendment) Act for the panchayats, the Constitution (74th Amendment) was also passed for the Municipalities in 1993. There was one common provision in Article 243 (Z) (D) for the constitution of the District Planning Committees. It provided that in every state, District Planning Committee shall be constituted at the district level, which will consolidate the plans prepared by the panchayats and the municipal bodies in the district. It will be a draft development plan for the whole district. The state legislature should make the necessary provisions in the law for the constitution of the District Planning Committee, the system of filling up posts, the functions and the selection of the chairman. The chairman of every District Planning Committee shall forward the development plan to the state government.

Statewise Panchayat raj Acts passed in conformity with the Constitution (73rd Amendment) Act areas under:

1. The Andhra Pradesh Panchayat raj Act, 1993.
2. The Bihar Panchayat raj Act, 1993.

3. The Gujarat Panchayat Act, 1993.
4. The Karnataka Panchayat raj Act, 1993.
5. The Tripura Panchayat Act, 1993.
6. The Orissa Gram Panchayats, Taluka Panchayats, Zila Parishads (Amendment) Act 1993
7. The Himachal Pradesh Panchayat raj Act, 1994.
8. The Kerala Panchayat raj Act, 1994.
9. The Madhya Pradesh Panchayat Act, 1994.
10. The Bombay Village Panchayats and the Maharashtra Zila Parishad and Panchayat Samiti (Amendment) Act, 1994.
11. The Assam Panchayat Act, 1994.
12. The Manipur Panchayat raj Act, 1994.
13. The Arunachal Pradesh Panchayat raj Ordinance, 1994.
14. The Punjab Panchayat raj Act, 1994.
15. The Rajasthan Panchayat RaiAct, 1994.
16. The Tamil Nadu Panchayat raj Act, 1994.
17. The Uttar Pradesh Panchayat (Amendment) Act, 1994.
18. The West Bengal Panchayat (Amendment) Act, 1994.

Thus, the journey from the "local self-government" idea of Lord Ripon to the "institutions of self-government" concept in the Constitution (73rd Amendment) Act took more than a century .The new panchayat raj must be seen as the "third tier of governance".

Doubts About the Applicability of Constitutional Laws Though we have constitutional laws and guarantees for many problems we face in the society, but we cannot say that we are better off because of these safeguards. Political will and people's political awareness are crucial for making democratic decentralization in panchayat raj effective. Constitutional support or legislative measures can create the necessary conditions. Three-dimensional approach-political will, people's awareness and building healthy conventions and traditions-is a must for any far-reaching changes to be brought in our society. This led to a debate, which focused on the following questions:

- (i) Can a constitutional provision by itself be an adequate substitute for political will?
- (ii) would these statutes be implemented in letter and spirit or would they remain laws on paper only?
- (iii) Is implementing decentralization below the state level desirable through the constitutional amendment?
- (iv) Whether thrusting a uniform prescription on the states with disparities in administrative culture, historical background and demographic size would be advisable.

Though arguments might be valid to some extent but it is certain that the constitutional amendment was a must for creating vibrant PRIs in the country.

4.7.20 Major Flaws and Deficiencies

1. The uniform 3-tier pattern should have been left to the discretion of the states, looking to the success of two tiers in Karnataka, Andhra Pradesh and Haryana, Jammu & Kashmir which had only one tier.
2. Direct elections to the Block Panchayats and District Panchayats disrupted the linkages of the Village Panchayat with the Panchayat Samiti and of the Panchayat Samiti with the Zilla Parishad. Moreover, the members complain that they have no powers and functions as such. The joint committee had suggested direct Zilla election only at the Village Panchayat level.
3. MLAs and MPs as members in the PRIs will undermine the role of the local representatives who are elected at the PRI level.
4. The Gram Sabha has been assigned a constitutional status but the decisions of the Gram Sabha are not binding on the Village Panchayat or Block and District Panchayats while issuing sanctions for development works.
5. In case of difference of opinion regarding the elections between the State Election Commission and the State Government, it should have been provided that the opinion of the Commission will prevail.
6. XI Schedule indicating 29 powers was added but decentralization of powers was left to the sweet will of the states. The PPIs are without power where political will is still lacking in the states. The PRI list should have been added like the central list and the state list.
7. The State Finance Commission was to be constituted, but it should have been enjoined upon it to give sufficient share of taxes to the PRIs.

8. The District Planning Committee was to be constituted at the district level for preparing plans for economic development and social justice. But, the provision of funds from the state plan should also have been mandatory. District planning Committees without funds are a nullity and exist only on paper.

All these flaws were considered at the central level to bring further amendments in the Constitution to remove the deficiencies and make the PRIs real institutions of self-government. Of these, the following are likely to be incorporated:

1. Inter linkages between all the three bodies should be maintained.
2. Direct election to the Panchayat Samiti and the Zila Parishad should not be mandatory.
3. The Panchayat must sanction proposals of the Ward Sabha and the Gram Sabha on priority.
4. The states not conducting election every five years should be punished for constitutional failure.
5. At least the transfer of development funds from the Centre could be withheld.
6. Schedule XI may contain a lesser number of powers but it should be a compulsory list.
7. The District Planning Committee should be provided with plan funds to be made really effective in practice.

4.8 Panchayat Raj Institutions in India:

4.8.1 Organizational and Functional Perspective across India's States

When Panchayat raj was launched in India, the basic idea was that people's participation would be forthcoming and village people would be associated at the level of plan formulation through the Gram Sabha, plan execution through the Village Panchayats, monitoring by Block Panchayats and review or guidance by the District Panchayats. It was also envisaged that there would be a certain amount of democracy which would give to the people a sense of involvement and participation since so far democracy was only by way of voting for the assembly and parliamentary candidates and administration was mostly carried out by bureaucrats.

In a democracy, decentralization of political and economic power is essential, because a few centres of power cannot realize or fulfil the needs of the vast multitudes of people. If India is to develop, the power and responsibilities must be shared by all. So far, programmes were designed by a few people at the top and were implemented by officials without the involvement of people at the grass roots level.

In such a context, the panchayat raj system, in almost all the states, was introduced with enthusiasm and interest. By providing power to the people, the bureaucracy would come under local popular control. The process of socio-economic development would be accelerated. The PRIs would fulfil the long-felt need of providing rural infrastructure for rural development of the backward areas. But, Panchayat raj faced many ups and downs, even having been through legislation, because of the lack of political will, quality of political leadership, government control exercised over these bodies and the way the government looked at these institutions. Political bosses were keen to capture power in the PRIs but never showed any interest in successful working of these institutions or

economic development of the rural areas. There was duality of character in the mind of the bosses. Hence, real support to the PRIs remained a dream only.

4.8.2 Panchayat Raj in Various States Prior to 1993

Prior to 1993, PRIs existed in India almost at all the three levels, i.e. village, block and the district. As a result of the Balwant Rai Mehta Report (1957), almost all the states had adopted a 3-tier system but depending on the size and population of the state, some states had deviated and adopted a 2-tier or even a single-tier structure. Similarly, duration of the PRIs was decided as per their wish and convenience, varying from three to five years. Regarding the procedure of election also, it was not uniform. Direct election system obtained generally at panchayat level only. At higher levels, there were indirect elections, except in Karnataka, which started direct election of members at the block and district level also. Due to the concept of 'Panch Parmeshwar' in India, the judicial function was also made a part of the Village Panchayats in the beginning.

S S Singh and Suresh Mishra, in their book *Legislative Framework of panchayat raj in India*, described Panchayat raj at a glance, including their system, mode of election, term of office and judicial powers in a tabular form, which is appended in Appendix I.

In a large country like India, it is really difficult to have a uniform system of panchayat raj. Local circumstances differ from state to state. Even then, certain basic features like the tiers of the structure, system of election, duration of a

PRI, judicial functions and functionaries were mostly uniform with little variations looking to the size of the state or the nature of people residing therein, having different cultural traditions as found in tribal areas or hill districts.

After the 73rd Constitutional Amendment, it became mandatory for all states, except those having a population of 20 1 lakhs, to adopt a 3-tier structure, reserve one-third seats of members and chairpersons at all levels for women, SCs and STs in proportion to the population of the area, hold election every five years through the State Election Commission and amend all state Acts in accordance with the 1993 amendment within one year latest by 23 December 1994.

Three-tier Structure Prior to 1993 also, generally, it was a 3-tier structure, except: Assam, Haryana, Manipur, Orissa, Sikkim where there were; only two tiers. Assam, Haryana and Orissa did not have a provision for the District Panchayat at all. They had panchayat Raj only at the village and block levels.

If we look at the panchayat raj Acts of small states like Goa, Kerala, Tripura and Jammu & Kashmir, they had panchayats only at the village level. Block and district levels did not have any PRI.

Sikkim was an exception to this. There was a panchayat at the village level as well as the district level but they did not think it necessary to have any PRI at the block or intermediate level.

All these states provided almost a similar set-up, irrespective of the names. At the village level, it has been normally Gram Panchayat or Gram Panchayat. Block has also been known as the Mandal Praja Parishad, Mohkuma Parishad, Taluk Panchayat, Panchayat Samithi, Block Panchayat Board, Janpad Panchayat, Panchayat Union Council Kshetra Samiti, as the people of the area could follow. At the district level it was generally called the Zila Parishad or Zila Panchayat. It is known as the District Development Council in Tamil Nadu. Tribal States like Meghalaya, Nagaland and Mizoram have the Traditional Councils of village elders.

To a very large extent, the geographical size and the administrative need of the state had been instrumental in deciding the structure of panchayat raj. Smaller states had a single tier, whereas larger states had a 3-tier system, keeping in view their requirements.

4.8.3 Term of Office

Now, there is a uniform term of five years. However, it was three years in Arunachal Pradesh and Punjab, and four years in Assam, Goa, Jammu & Kashmir, Maharashtra and West Bengal.

4.8.4 Judicial Bodies

Provision of judicial powers existed in almost all the states, except Goa, Manipur and Tamil Nadu. The judicial body was called the 'Nyaya Panchya' in Andhra Pradesh, Gujarat, Karnataka, Maharashtra, Rajasthan, Tripura, Uttar Pradesh and West Bengal. It was called 'Panchayat Adalat' in Assam, Haryana, Jammu & Kashmir and Punjab, 'Gram Kutchery' in Bihar and 'Conciliation Board' in Madhya Pradesh. Sikkim was the exception where one elected member of the panchayat was to act as the secretary and was empowered to settle the disputes. Judicial functions were withdrawn in some states later on where the working was not up to the mark or when Judicial Munsif Courts were sanctioned at the block level, as done in Rajasthan.

At present, it is a defunct institution in all the states, though it existed in the earlier Acts.

4.8.5 No Confidence Motion

Normally, the Sarpanch of a Gram Panchayat is directly elected by the electorate and it should be only the voters who are competent to remove him in case of no confidence. In most of the State Acts, there is a provision that the Panchas by a two-third majority can pass a vote of no confidence and remove the Sarpanch. Such no confidence can be brought once in five years only in Andhra Pradesh and that too not in the first two years from the date of election. No such period is prescribed in the laws of Assam, Bihar, Gujarat, Himachal Pradesh, Karnataka,

Maharashtra and West Bengal. In the case of Punjab, Madhya Pradesh, Orissa, Rajasthan and Uttar Pradesh, no confidence motion can come only after two years but in Kerala, it can be passed after six months only.

Only the Haryana and Madhya Pradesh Acts have now provided that a two-third majority in a Gram Sabha can pass a no confidence motion against a Sarpanch of a Gram Panchayat. In Rajasthan, since January 2000, the Ward Sabha can get a ward member and the Gram Sabha can get a Sarpanch suspended and that too after verification of a two-third majority by the Collector.

4.8.6 Committee System

It is almost in all the states that working committees/standing committees were formed for the execution of different functions of PRIs. Though the number of such committees varied from state to state, but normally it was between 3 and 7. Average membership was 3 to 5 members. The committees were constituted generally at the block and district levels. But now, in Rajasthan, Assam, Bihar, Gujarat, Kerala and Madhya Pradesh, these are also formed at the Village Panchayat level. The committees are generally formed for the following purposes:

1. Planning, finance and budget.
2. Agriculture and allied schemes like animal husbandry, irrigation etc.
3. Education, health and sanitation.
4. Welfare of the weaker sections or social justice including women and child welfare and social welfare.

5. Amenities/public works and communications.

6. General administration, policy guidelines, administration and establishment.

In some committees, a woman, an SC and an ST member are also to be included, especially in social justice/ social welfare committee.

In Kerala, since the panchayats cover a large population, provision has also been made for formation of ward committees by the Gram Panchayats, though it is voluntary, not compulsory.

4.8.7 Powers and Functions

Karnataka, Gujarat, Maharashtra, Madhya Pradesh and West Bengal had given certain additional functions to the panchayats in matters connected with development functions. The powers relate to education, social forestry, agriculture, maintenance and repair of roads, street lighting, etc. Generally, the peripheral functions were given to the panchayats. During the first phase, 1959 to 1965, most of the functions like agriculture, animal husbandry, cooperatives, women and child welfare, rural employment, poverty alleviation, primary education, village industries, handlooms, minor irrigation tanks, local development works had been entrusted to the PRIs along with the staff and the budget. But, gradually, they were withdrawn one by one. Departmental kingdoms were created. The last step was taken in 1978 when the District Rural Development Agencies (DRDAs) were created in every district for sanctioning all rural development works from the Central Government budget. The Zilla Panchayats remained only a titular institution. The DRDAs, under the chairmanship of the District Collector, sanctioned and monitored all rural employment-generation and poverty-alleviation schemes, though the Block

Panchayats and Gram Panchayats continued to implement the programmes at the lower levels.

After the 1993 constitutional amendment, various states have delegated powers out of the 29 functions listed in Schedule XI of the Constitution of India. The Rajasthan government has appointed an Administrative Reforms Commission under the Chairmanship of the ex-Chief Minister, Shiv Charan Mathur. The Commission examined the position regarding the powers and functions in the states of Andhra Pradesh, Maharashtra, West Bengal, Karnataka and Gujarat and submitted its report in the year 2001. The position was also reviewed in the panchayat raj Ministers' Conference held in New Delhi on 11th July, 2001. The position was found as under regarding transfer of funds, functions and functionaries as on 11th July, 2001, as per the Ministry of Rural Development, Government of India:

State Funds Functions Functionaries

Andhra Pradesh	5	13	2
Arunachal Pradesh			
Assam, Bihar			
Chhatisgarh	10	23	9
Goa			
Gujarat			
Haryana		16	
Himachal Pradesh	15	15	15
Jharkhand			

Karnataka	29	29	29
Kerala	15	29	15
Madhya Pradesh	10	23	9
Maharashtra	18	18	18
Manipur		22	4
Orissa	5	25	3
Punjab		7	
Rajasthan		16	
Sikkim	29	29	29
Tamil Nadu		29	
Tripura		12	
Uttanchal	12	13	9
Uttar Pradesh	12	13	9
West Bengal	12	29	12

Thus, it is evident that though the functions have been transferred by many States, funds have been transferred in Karnataka, Sikkim, Maharashtra, Kerala, Himachal Pradesh, West Bengal and Madhya Pradesh only, whereas functionaries are transferred in Karnataka, Sikkim, Maharashtra, Kerala, Himachal Pradesh and West Bengal only. Karnataka and Sikkim top the list.

In Andhra Pradesh, funds and staff in respect of agriculture, animal husbandry, women welfare and child development sectors have been transferred. Regarding the remaining sectors, out of 29 subjects, planning, execution and review have

been entrusted to the Zila Panchayats. Fourteen subjects have been entrusted to the Mandal Panchayats. Twelve obligatory and 27 optional functions, apart from civic functions like drainage, streetlights, etc., have been given to the Village Panchayats along with the required paraphernalia of staff and tax-levying powers and share in the state revenue. Out of the three tiers of the panchayats, panchayats at the district level only are strong and the other two at the block and village levels are treated as subordinate to the District Panchayats and, thus, they are not independent.

In Maharashtra, a very strong and powerful system of PRIs was established from the very beginning and the district was accepted as a unit of devolution of powers and the Panchayat Samitis as the executive arms of the Zila Parishad functioning through a strong system of as many as 10 standing committees involving almost all the members of the Zila Parishad. An IAS officer has been appointed as the Chief Executive and very large paraphernalia of staff and almost all district-level officers of rural development sectors have been placed under them. PRIs in this state have a wide range of administrative, financial and tax-levying powers directly given under the Act. For work assigned by the government, they also levy agency charges. As many as 129 activities, including development activities of 113 subjects of almost all the Rural Development Departments, were assigned to the Zila Parishads even before the passing of the 73rd Constitutional Amendment. Panchayat Samitis were also assigned with 75 subjects/activities of 12 sectors. They have kept the MLAs, MPs and District Collectors out of the entire set up of the PRIs. Out of 29 subjects, three subjects have been transferred fully and 11 subjects partly to the panchayats. It has been observed that functions assigned to the Gram Panchayats are local functions relevant to the daily needs of the villagers, whereas the Block Panchayats work as the sub-committees of the Zila Parishads. The District Panchayat, being the

apex body, performs functions of coordination, control and supervision and serves as a link between the state and the PRIs. The Gram Panchayat can approve work only from own resources and Jawahar Gram Samridhi Yojna (JGSY).

In West Bengal, the position is reverse to that of Maharashtra. The Gram Panchayats have been given more powers in comparison with powers given to the Block/District Panchayats. They have 14 obligatory and 21 assigned functions, apart from a large number of discretionary functions. The Gram Panchayats have full powers to approve works. The Panchayat Samitis also perform a large variety of functions related to 18 sectors. The Zila Parishads have a wide range of administrative and financial powers. They are delegated with all the functions of 29 sectors under Schedule XI with 17 other items and 24 departmental schemes for implementation. The PRIs in West Bengal are very strong bodies which function as real institutions of self-governance. However, there is need for strengthening the administrative structure to cope with the increase in powers and functions of the Gram Panchayats.

In Karnataka, the DRDA work has been merged into the Zila Parishad. An IAS officer, senior to the Collector, has been appointed as the Chief Secretary (now CEO) of the Zila Parishad, assisted by a large paraphernalia of senior officers and all the district level officers of as many as 28 departments functioning under him, as the entire rural development administration is with the Zila Parishad. The Zila Panchayat sector is very strong, covering as many as 257 important activities of 20 departments. Under the new Act, there has been further enhancement. Seventy activities of 31 sectors have been assigned to the panchayats, 56 activities of 28 sectors to the Tehsil Panchayats and 60 activities of 29 sectors

have been given to the Zila Parishads under the mandatory provisions of law. The Village Panchayats have a few schemes, mainly JGSY, and work under the control of the Block Panchayats.

In Kerala, the State Government has transferred all the subjects along with the staff to the PRIs. The Gram Panchayats are very strong and can approve schemes of any amount, subject to the availability of funds.

Tripura has transferred 12 departments to the PRIs and has given powers, authority and responsibilities to the PRIs to enable them to function as institutions of self-government and to implement schemes for economic development and social justice. However, the Gram Panchayats have no control over the village-level functionaries.

In Gujarat, the PRIs were strong from the very beginning, having all the functions, staff and resources relating to rural development. Fifteen, out of 29 subjects of Schedule XI, are with the PRIs. A large number of statutory functions in respect of land revenue, Loan Act, Cooperative Act, etc., are delegated to them. All the powers of the District Registrar of the, Cooperative Societies are also delegated to the Zila Parishad.

Presently, 150 plan schemes are with the Zila Parishad. The District Panchayat enjoys wide executive powers and a high degree of autonomy in planning.

In Rajasthan, 16 functions out of 29 have been transferred but actual working is yet to take shape after awareness, training and reconciliation of respective departmental staff with the new set-up, especially in education, health, soil conservation, agriculture, horticulture, animal husbandry, irrigation, fisheries, etc.

Assam could not hold elections for a long time and now the Government has decided to hold them by the end of the year in December 2001. Devolution of powers will be possible only after new panchayats are constituted.

Bihar is yet to devolve functional and financial powers to the PRIs. In Haryana, the panchayats are not empowered because the administrative and financial control is still vested in the respective departments and only planning, monitoring and supervisory powers have been given to the PRIs. Himachal Pradesh has, of course, devolved powers, functions and responsibilities relating to 23 departments to the PRIs. The Gram Panchayats have been given powers to check attendance and prepare reports of misconduct of the village-level employees of schools, dispensaries, etc.

In Madhya Pradesh, though the functions of 23 departments are transferred, staff and budget continue to be with line departments. In Orissa, the position is confusing. Rules for devolution have been framed but they are yet to be implemented. In Punjab, powers vest in the bureaucracy. The District and Block Panchayats have limited functions. The Gram Panchayat can supervise the work of the village level functionaries and report to the concerned department. Sikkim has devolved powers, but orders are yet to be issued. In Tamil Nadu, 26 out of 29 subjects are to be transferred but orders are in the process of being issued.

So far, orders have been issued in respect of some subjects. In Uttar Pradesh, though 13 line departments are transferred, the administrative control rests with the respective departments. The Panchayats have functional control without any administrative authority.

The Conference of the Ministers of Panchayat raj in the State Governments held on 11th July, 2001 decided that:

- (1) The states will devolve functions upon the PRIs in respect of the subjects listed in the XI Schedule and issue detailed executive instructions devolving specific and substantial executive powers upon each tier of the Panchayats by 31st March, 2002, i.e., the 10th anniversary of the passing of the Constitutional (73rd Amendment) Act, 1992.
- (2) A task force comprising senior officers of the Ministry of Rural Development and State Governments will be set up at the earliest to operationalize administrative decentralization of funds, functions and functionaries with regard to the subjects specified in the Constitution, so that functional and financial devolution is completed by 31st March, 2002.
- (3) Incentives should be extended to the Panchayats by the state governments by way of grants-in-aid for their better performance as regards raising their own resources.
- (4) Panchayats may be given untied funds to enable them to select development work according to their needs.

One of the common anomalies found in the devolution of powers and functions is that there is always a gap between the powers given and powers exercised and between functions as enlisted in the schedules and as they are carried out. This

is more noticeable at the Gram Panchayat level. In most of the State Panchayat Acts, the Gram Panchayats have been entrusted with about 30-35 functions, but in practice they are hardly carried out. In pursuance of the decisions taken at the Panchayat Ministers' Conference, the states have constituted task forces to, ensure actual implementation of orders in the field by various departments in respect of the cabinet decisions regarding decentralization of powers to different PRIs. For example, in Rajasthan, such a task force was constituted on 3rd July, 2001 to ensure the strengthening of the PRIs and increase people's participation. The task force found that there were 29 cabinet decisions regarding transfer of powers and functions to the PRIs which were yet to be implemented in actual field by various departments. Such a situation will be found in actual practice in almost all the states. The Central Government has now started ensuring it by releasing funds only after ensuring their approval by the PRIs. For example, funds under the Prime Minister's road construction scheme for connecting villages of 1,000 population and above with pakka road were to be released only after the approval of the proposals by the respective Block and District Panchayat.

However, one positive feature with regard to devolution has been that the state governments have initiated efforts to demarcate functions between the Panchayats by adding or deleting certain activities, programmes and schemes to schedules so as to stream line the allocation of functions. But, the state governments have retained many regulatory, supervisory and controlling powers, which make for a centralized process under a professed system of decentralized governance. In most of the State Acts, it is found that the recruitment and transfer of personnel is still in the hands of the State Government. As a result, line departments are still independent of the Panchayats, although they come under Panchayat's administration. Only in 1983 Karnataka Act, the chairman of

the Zila Panchayat had discretionary powers to write confidential reports of senior district level officers, including the Chief Secretary of the Zila Panchayat.

Rural employment-generation and poverty-alleviation programmes are being carried out by PRIs in almost all the states. Provision of basic services and amenities, building rural infrastructure, primary education, hand pump maintenance, rural sanitation, etc., are being entrusted to the PRIs. They coordinate rural development activities and function basically as an agency of the government for implementation of development programmes.

The experience of Madhya Pradesh has also shown the general tendency to appear generous on paper by listing a series of subjects but be extremely tight-fisted in practice. Sections 49-61 are not in conformity with the spirit of the constitutional amendment. For example, Section 53 states that preparation of plans and implementation of schemes for economic development and social justice, including those in relation to the XI Schedule, may be entrusted to the Panchayats by the State Government through a general or special order. But, at the same time, as per Section 53(2), the State Government has retained the powers not only to add to the functions but also to withdraw the entrusted functions and duties, when it decides. This makes everything relating to the functions of the Panchayats subject to the executive discretion from time to time. Further, the functions and duties of the Gram Panchayat are relevant only so far as the funds allow. Only in the case of the Zila Panchayat the duties are subject to the Act and rules. The Zila Panchayat shall control and supervise the administration of the District Rural Development Agency, which will implement the State Government's schemes under its direction and control. Thus, the Zila

Parishad/District Rural Development Agency will work as per guidelines of the State Government.

4.8.8 Functioning of Panchayats

The overall functioning of the Panchayats across different states has revealed both positive and negative trends. Panchayats, by and large, have been able to maintain the periodicity while calling their general body and standing committee meetings. However, this is somewhat better at the Zila Panchayat and Taluk Panchayat levels, rather than at the Gram Panchayat level. Lack of awareness, knowledge and experience have become obstacles to their effective functioning. The elected representatives faced various kinds of opposition, obstruction and functional difficulty such as gender, caste and family bias. Villagers generally approached the representatives of their own caste.

Another factor observed in the functioning of the Panchayat is that though provisions for decisions by majority exist in the Acts, it has been observed that influential group in the village dominates the decision-making process. Due to reservations also, tensions and frictions have been reported.

Kerala is an exception in the functioning of the Panchayats. Discussions in the Panchayat meetings are very lively and help generate the opinion of all the members of the Panchayat. In general, people's will for development is reflected in the discussions of the Panchayat members. Majority opinion is the rule in decision-making in the Panchayats. Party politics does play a major role and

hence, decision-making is not always free from bias. Party politics dominates because elections are also held on party basis.

In Kerala, the Panchayat meetings can also be attended by the public. There is transparency in the proceedings of the Panchayats. The public is allowed to observe all the proceedings, discussions and decision-making of the Panchayats.

However, the President of the Panchayat can avoid the presence of the public by recording reasons in writing. Chapter XXV-A introduced by amendment in 1999. 'Right to know' seeks to increase transparency in the functioning of the PRIs. The right to information includes the right to take extracts and obtain certified copies of documents, or any material or information contained in a document relating to the administrative, developmental or regulatory functions of a Panchayat or any other document or record relating to the affairs of the Panchayat. Kerala, Rajasthan and Andhra Pradesh governments have incorporated the radical provision of right to information in their rules. Provision of social audit also exists in these states. Notice boards outside the Panchayat offices indicate year-wise works undertaken during the last 10 years under various programmes/ schemes and the amount spent. Details of village-wise, scheme-wise and year-wise works with expenditure incurred are available in the computers of the DRDAs in Rajasthan and detailed lists are available in every Block Panchayat also.

In Andhra Pradesh, the Gram Panchayats are empowered to execute works by awarding contracts, whereas in other states, there is ban on contracts, according to the rules. A Gram Panchayat in the state can sanction works upto Rs. 1 lakh in case of minor Gram Panchayat and upto Rs. 2 lakhs in major Panchayats.

However, in the case of Janam Bhoomi Programme, the State Government is awarding contracts directly without the consent of the Gram Panchayats. The Andhra Pradesh Act is not specific about the supervisory role of the higher tier of Panchayats over the lower tiers. Community assets, including water sources, lands, forests and other properties, are maintained by the Panchayats, though with lack of adequate staff and resources of their own, they are not able to manage them effectively. Unauthorized occupation of community land is common.

In the working of the Panchayats, functional difficulty arising on account of considerations such as gender, caste and family has been observed. Villagers generally approach the representatives of their own caste. Wherever Panchayat meetings are held, attendance of women representatives has been found to be meagre. Even when they participate, they hardly participate in the decision-making. They put their signature or thumb impression, take sitting fees money and depart. Discussions and decisions are also not free from party interventions. The village unity, cohesion, community spirit and the village life are in most cases missing owing to political party interventions in Village Panchayat elections. Instances may be few, but they do affect the harmonious and cordial relations of the people at the village level. In Orissa, however, caste/ communal and other social tensions are reported to be almost non-existent, not only due to the simplicity of the people but also due to varied socio-economic as well as cultural factors.

4.8.9 Evaluation of Working of Panchayats

In Rajasthan, the first 5-year term of the PRIs has been completed and the elections for the second term were held in January 2000. During the first 5-year term, a section of people rejected the PRIs, particularly the dalit and women leaders, branding Panchayats as "pati panchayats" (husband Panchayats), "headless Panchayats" and the like. Another section of the people felt that providing power at the grass roots level brought corruption to the village level. 'Unnati', an organization for development of education, conducted an evaluation study of the working of the PRIs at all the three levels through interviews and discussions with the elected PRI representatives, government officials, local NGOs and the public. The study was conducted in nine districts of Barmer, Bikaner, Jodhpur, Karauli, Kota, Ajmer, Jhunjhunu, Sikar and Udaipur in Rajasthan. Some of the findings of the study, which may be applicable to different states, will highlight the emerging trend in this regard.

Sixty percent of the elected representatives were in the age group 21-40. This is a healthy trend as it ensures the participation of the young in the local governance system.

Level of education: Literacy rates were very low, particularly among the women representatives. Twenty-five percent males and 74 percent females were illiterate. Rest had generally acquired education up to the primary level only.

Support during elections: Forty-eight percent representatives had received support from their family members. Thirty-two percent received support from the local groups during the elections. Fifteen percent received support from political parties. Some received support from NGOs.

Previous experience in governance: Nearly 88 percent of the elected representatives were first-timers. Among females, 97 percent were elected for the first time and only 3 percent had previous experience. Among males, 82 percent were first timers and 18 percent had some experience of governance.

Level of awareness: Women and men alike were largely unaware about the new Panchayat Act, functions and powers, role of members in the Panchayat and the Gram Sabha and Panchayat finances. Ignorance of rules and regulations was used as a weapon against the women Sarpanchas. Illiterate Sarpanchas had to depend on the Gram Sevak, who is responsible for giving information about general working and technical matters. Even the male Panchayat members were not familiar with financial matters.

Hurdles to women: A woman Sarpanch in the reserved category had to face opposition from other communities who had held power for long. They faced no confidence motions also from the Upa-Sarpanchas of other castes.

Women leadership: One-third reservation of seats for women is a silent revolution. They will assume leadership in due course, though their husbands or sons were more powerful during this period. Impact not identifiable in the short term but experience has made them bold to undertake public works. It will have beneficial implications in the long run. Participation of women in governance is still not acceptable to the community.

Field interactions revealed that women's leadership has not completely failed, as predicted prior to the elections. There are women Sarpanchas and Pramukhs

who have emerged as strong representatives. They can serve as role models. There were, of course, factors like their political or other family background such as education, which influenced the process of strengthening women's leadership. Those associated with the Mahila Mandals were more confident, articulate and aware of their role. They commanded higher degree of respect and faced less difficulties in running the Panchayats. Women who received positive support from family members, government officials, other grass roots organizations were able to do commendable work. They did seek assistance in the beginning. Excessive interference from the male family-members in the matters of the women Panchayat members has acted as a major disabling force.

There are many women who have not only remained powerless but have become dummies for other powerful forces. The proportion of such leaders is alarmingly high. The opportunity created by the policy makers to bring about gender equity in governance has not been completely translated into reality.

4.8.9 Gram Sabha

1. Low attendance: Very often, the required quorum is not complete. It suited the Sarpanch also because no quorum was needed in adjourned meeting. That is why such a provision has been deleted since January 2000. Moreover, people do not take interest because the Gram Sabha has no funds or sanctioning power. They consider it a waste of time.

2. Long distances: The Gram Sabha is held at the Panchayat headquarters. Villages are situated at long distances, hence people do not come. Since January

2000, an amendment has been made to hold sabha in each ward. It may resolve the problem.

3. Low participation of women: Attendance of women was hardly 1/11 to 1/20 of the total attendance. They were five to seven in absolute number. Those present hardly spoke and remained only passive observers.

4.8.10 Panchayat Meetings

Almost every Gram Panchayat faced the problem of incomplete quorum. There were incidents where the Gram Panchayat meetings were being held and decisions taken without the quorum. The Sarpanch or Panchayat Secretary would get the signature of the Ward Panchas at their homes. A few male members generally dominated the meeting. Social customs like 'purdah' limited women's participation. The participation of the female Panchas was higher when the Panchayats were headed by strong women Sarpanchas.

The phenomenon of the husbands handling the decision making and financial matters was common when the woman was illiterate.

The agenda, generally, included development works. Health, education or social justice remained grossly neglected. Repair and maintenance was overlooked.

However, in Jhunjhunu and Sikar districts, meetings were regularly held and the quorum was also complete.

4.8.11 Planning Process

The nature of participation in preparation of annual action plan was passive, accepting what was offered to them rather than proposing the plan. It was mostly list of the demands of the Panchayat. Planning from below was practically guided by a top-down philosophy. The process of bureaucratization was found, which needs to be reversed. Gram Sevak at the Panchayat level and BDO at the Panchayat Samiti level generally dominate the meetings. The major reason for this was the lack of skill and competence to prepare plans.

4.8.12 Vigilance Committees

Vigilance Committees are only on paper. They never became functional. Hence, they were abolished since January 2000 at the Panchayat level.

4.8.13 Finance Mobilization

The Centre and state receipts exceed those from the Panchayat's own resources and income. For example, the Barmer Zila Parishad received 73 percent from the

state and 18 percent from the Centre, whereas it could mobilize 8 percent from its own sources. Likewise, the Balotra Panchayat Samiti received 90 percent from the state, 7 percent from the Centre and could hardly raise 3 percent from its own sources. In the same fashion, the Bithuja Panchayat Samiti received 54 percent from the Centre, 38 percent from the state and only 8 percent from its own sources. Many Panchayats hesitated to impose taxes and also lacked clarity on tax collection procedure. About 50 percent of the Panchayats did not mobilise any income, even from fees or other sources.

The proposals of the Gram Sabha were often not sanctioned. Although the DRDA is not a part of the three-tier system, it is the nodal sanctioning and disbursement agency for the central as well as the state funds. Since the funds are disbursed through a channel, each link in the chain has become a breeding point for corruption. The representatives alleged that they often had to dole out commissions to get the developmental activities done. This charge has been made against both the officials and elected representatives who have the combined authority of sanctioning and releasing the funds. They also criticized the condition of 60:40 ratio on labour and material because expenditure on material was, generally, on the higher side. The prevailing rates of labour, masons, etc., were much higher than what had been approved. Hence, the muster rolls were tampered with to show payments in false names.

Utilization of sanctioned funds was found to be low. Sixty percent of the allotment was not spent, and then the second installment was not sanctioned. It was mainly in the case of welfare funds received by Zila Parishads.

At the Gram Panchayat level, the main source of income was central grant, particularly Jawahar Rozgar Yojana, Employment Assurance Scheme and relief works. Most of these funds are utilized in construction activities.

Ignorance of budget preparation was admitted by the Sarpanchas, especially the women Sarpanchas. The villagers also had never requested the accounts to be discussed in the Gram Sabha. The Panchas and the public were not aware about the right to access of information. At present, there is no serious effort to create a transparent system that is accountable to the people.

Political parties have not looked upon reservation as a tool of empowerment for the women or SCs/STs. The parties have not gone beyond rendering lip service to the issue. The political parties do not give the women members due recognition nor has there been any post-election effort towards strengthening the new leadership. The title of 'Sarpanch Pati' is popular in the women-headed Panchayats. This phenomenon is lending social legitimacy to husbands taking over the powers and functions after the women have been voted to power. Mute social acceptance of such dummy candidates is causing grave damage to the cause of women's participation and leadership.

4.8.14 Perception among Opinion Makers

1. A majority of the government officials considered the PRIs as implementing agencies. PRIs do not have the full freedom to take decisions to carry out any activity in their areas.

2. Reservation for the SCs/STs and women after the 73rd Constitutional Amendment has increased awareness amongst and participation of people in the development process. The weaker sections of the society have come in the mainstream.

3. The government is not making serious efforts to translate decentralization into reality. In some places; the development process has been obstructed due to the reservation policy.

4. The government is more inclined to make declarations rather than act. Decentralization cannot be effective unless the Panchayats are given both financial resources and the power to take decisions.

5. Regarding a separate Act for the tribals, Panchayat representatives felt that a common Act cannot help in addressing the needs of the specific sections of the society that have been left out of the mainstream, even after India attained independence. Hence, attempts should be made to include them in the mainstream by making special provisions for them in a separate Act, which would enable them to manage their own locally available resources and work towards their own development.

6. There was a high degree of hope on the enactment of the amendment, followed by an equally high degree of enthusiasm in the rural circles. But, as time passed, the bitter and dismal picture of this institution was revealed, with the latest stories reflecting the sorry state of affairs.

4.8.15 A Critique

The Karnataka Governor, Khurshid Alam Khan, in his address to the joint session of Karnataka Legislative Assembly, remarked on 27th October, 1999: "Democracy has to be re-informed by devolving powers, resources and responsibilities to decentralized bodies. We do not want people to travel long distances and come to the Vidhan Sabha for solving their problems, which can be done at the local level institutions. The PRIs at the village, taluk and district levels should be empowered to take decisions on matters that directly affect people's lives. Thus, our aim is to strengthen the local administration and governance by the people for their own benefit. Local decentralized governance will have the advantage of involving citizens of every creed and class in this common venture and will promote greater harmony among different communities."

Panchayat raj, as a development mechanism, primarily rests on power mechanism. Power to people for true democracy and development is the real objective, which needs be fulfilled through devolution of powers and finances to the PRIs. Only then, people of all classes can participate in democracy in an effective manner. Rural people will get the opportunity to plan and administer their own affairs.

The Union Finance Minister, Yashwant Sinha, also stressed recently the need to increase decentralization by maximizing the functions of the PRIs. He said: "There is no alternative to devolving powers and functions and finance to the Panchayats if we are serious about the development of India."

As such, all such laudable observations have yet to be translated into practice in letter and spirit, if we really intend to make the PRIs real institutions of self-government and bring democracy to the grass roots in rural areas.

Chapter V

Analysis &
Interpretation
of the
Data

CHAPTER V

ANALYSIS AND INTERPRETATION OF DATA

5. Introduction

Research that uses pre-experimental designs to gather data from people in their natural settings about the distribution of variable and relationships among variables is called Social Survey Method.

In this Research project survey questionnaires were planned before the data collection. The systematic data collected from each respondent allowed the exploration of relationships among variable that are measured.

The Researcher is a member of the Indian Police Service and had been in the service in Madhya Pradesh for several years. He himself had moved across the length and breadth for the state and personally interviewed almost all the respondents in the study.

The following 18 districts were selected for the study keeping in view the geographical spread and diversities of culture available in the state.

1. Morena
2. Bhind
3. Gwalior
4. Guna
5. Chhatarpur
6. Satna
7. Sagar
8. Hoshangabad
9. Jhabua
10. Dhar
11. Indore
12. Ujjain
13. Mandsaur
14. Shajapur
15. Rajgagh
16. Bhopal
17. Vidisha
18. Raisen

Stratified random sampling techniques have been engaged in which the following have been personally interviewed with structured questionnaires.

1. General public from each of the villages in the districts selected
2. Police personnel in all ranks
3. Other officials from all other non police departments

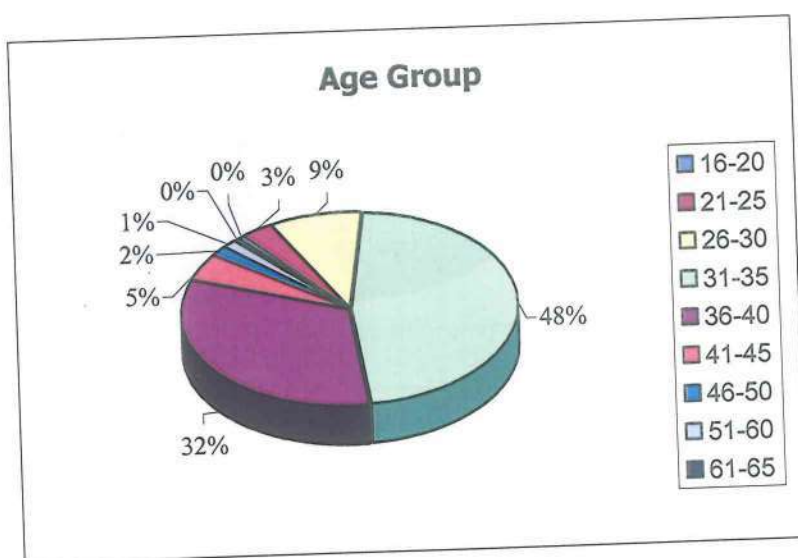
The following is the analysis and interpretation data collected during the research.

5.1 Responses on Public Perception

Perception of Public on Raksha Samiti Scheme in Madhya Pradesh a questionnaire was administered on a sample of members of public.

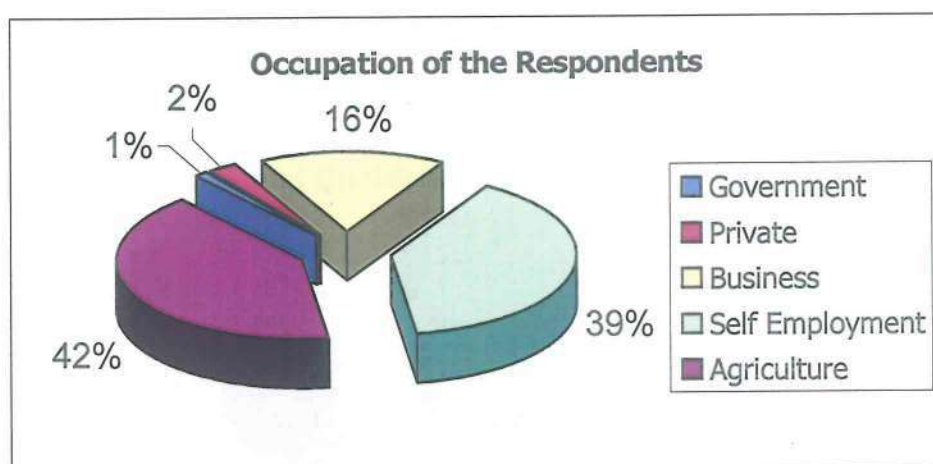
Age Group

Age Group	No. of Males/Females
16-20	2
21-25	13
26-30	37
31-35	197
36-40	135
41-45	19
46-50	7
51-60	6
61-65	2



Occupation of the Respondents

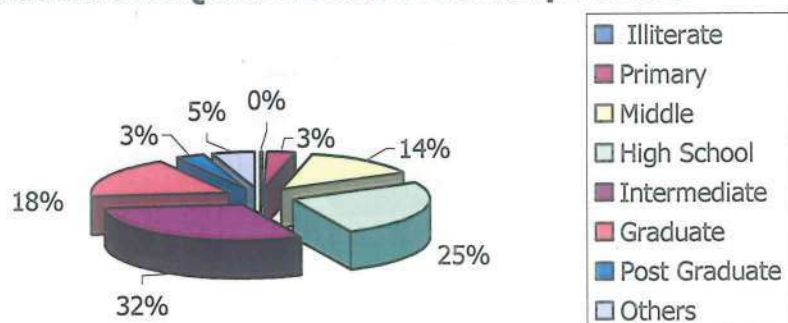
Income status	No. of Members Responded
Government	5
Private	10
Business	65
Self Employment	158
Agriculture	166



Educational Qualifications of the Respondents

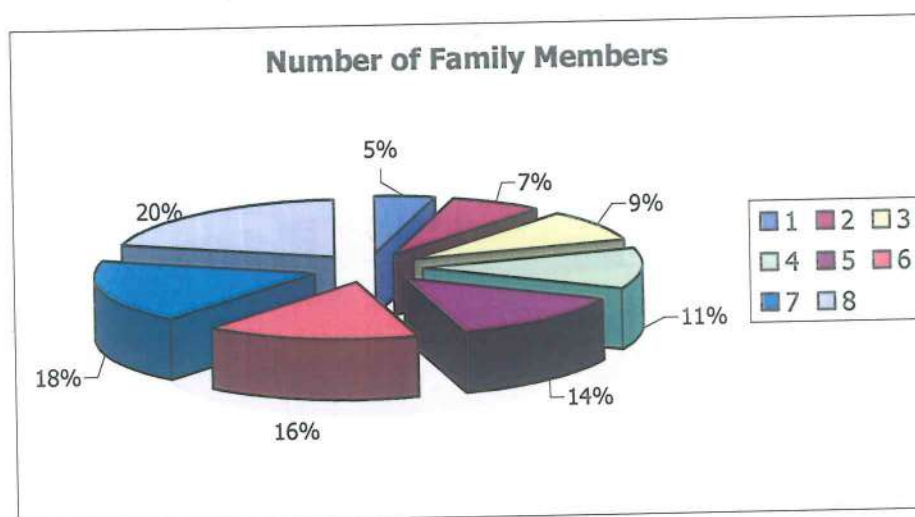
Education Status	No. of Male/Female Responded
Illiterate	1
Primary	14
Middle	56
High School	103
Intermediate	124
Graduate	73
Post Graduate	14
Others	20

Educational Qualifications of the Respondents



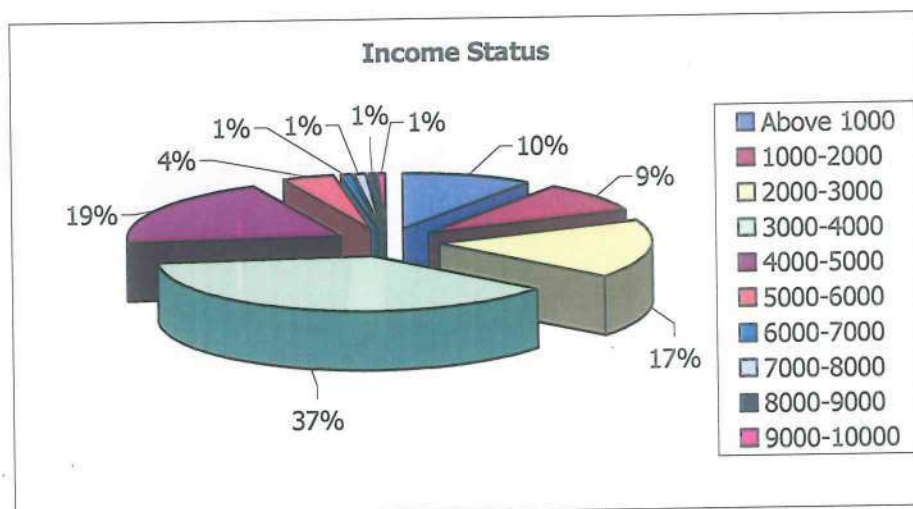
Number of Family Members

No. of family members	Responses
2	6
3	27
4	60
5	155
6	113
7	17
8	1
9	8



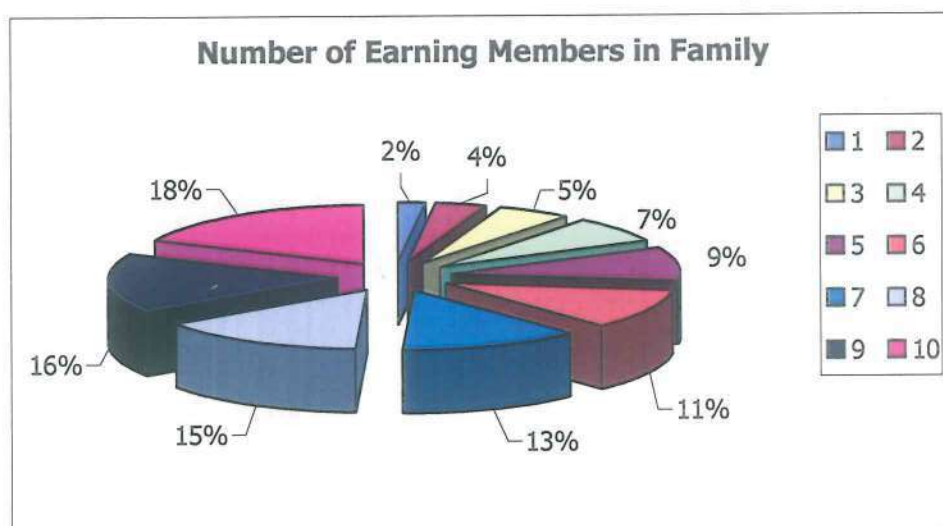
Income Status

Income Status	No. of Male/Female Responded
Above 1000	40
1000-2000	35
2000-3000	67
3000-4000	151
4000-5000	77
5000-6000	15
6000-7000	3
7000-8000	4
8000-9000	2
9000-10000	2



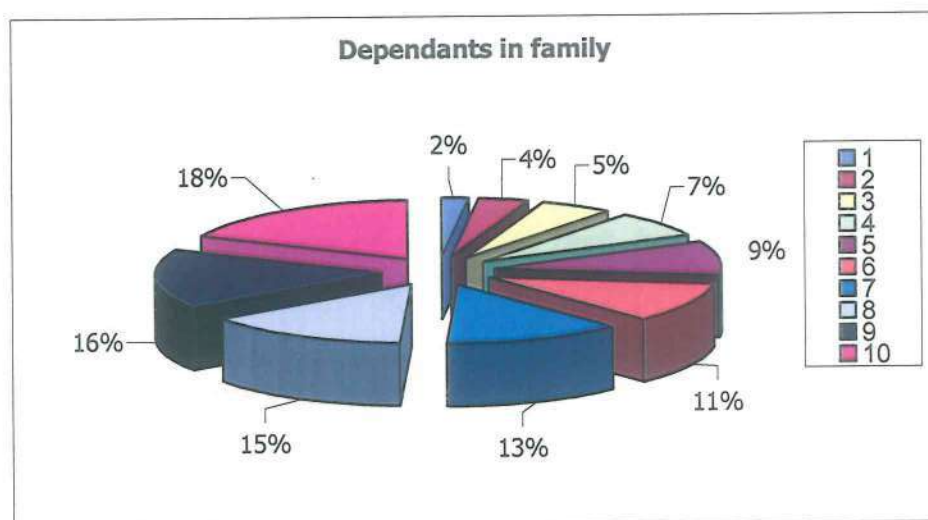
Number of Earning Members in Family

No. of Earning Members in Family	Responses
1	1
2	23
3	36
4	42
5	157
6	103
7	18
8	3
9	1
10	3



Dependants in family

No. of Dependents	Responses
1	27
2	12
3	39
4	113
5	71
6	16
7	3
8	1
9	1
10	1



A few questions were asked to ascertain the knowledge of the members of public regarding police and Raksha Samitis. The findings:

- ***75.7 percent Members of Public communicated that they had been to Police Stations for same reasons or the other.***
- ***79.5 percent Members of Public communicated that they were aware of the functions of the Police Station and the duties of police personnel.***
- ***86 percent members of public, in fact, have observed/seen police officers visiting the villages.***
- ***84.1 percent were aware of the Raksha Samitis existing/present in their respective villages.***

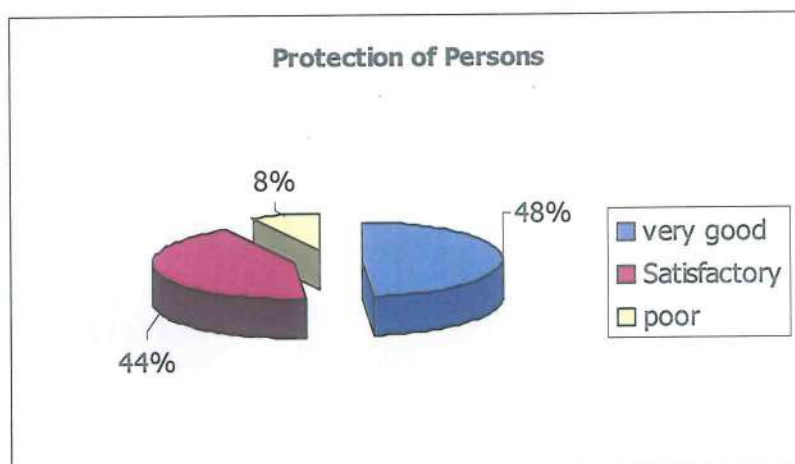
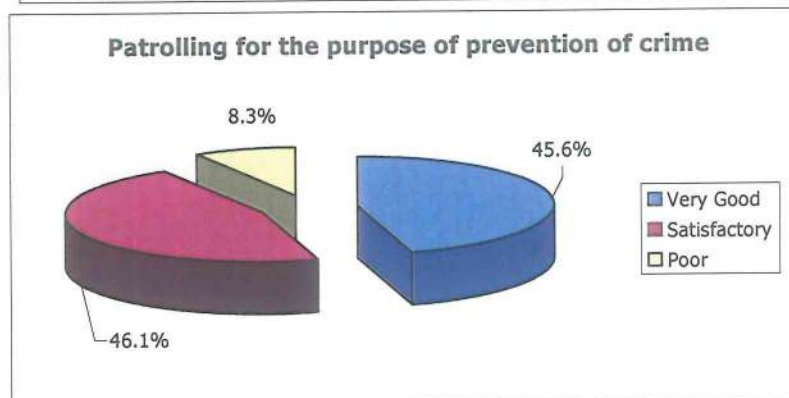
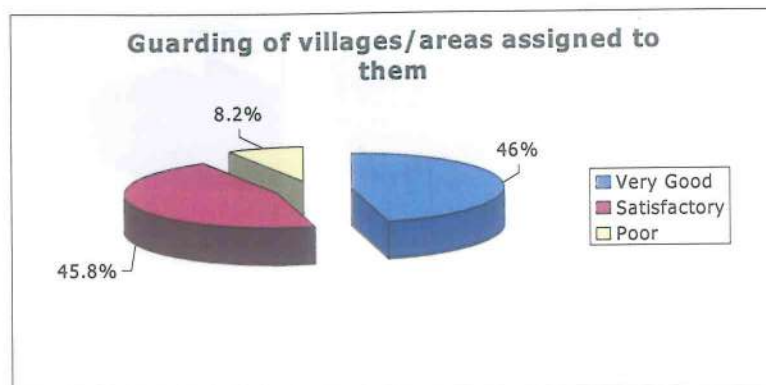
Research Question 1

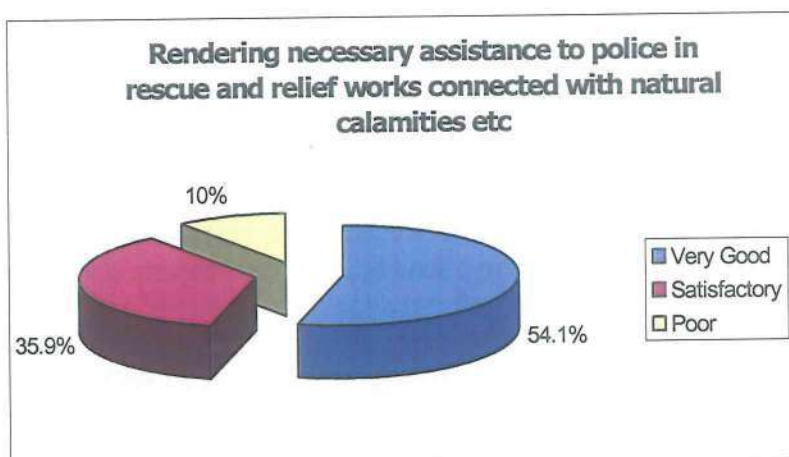
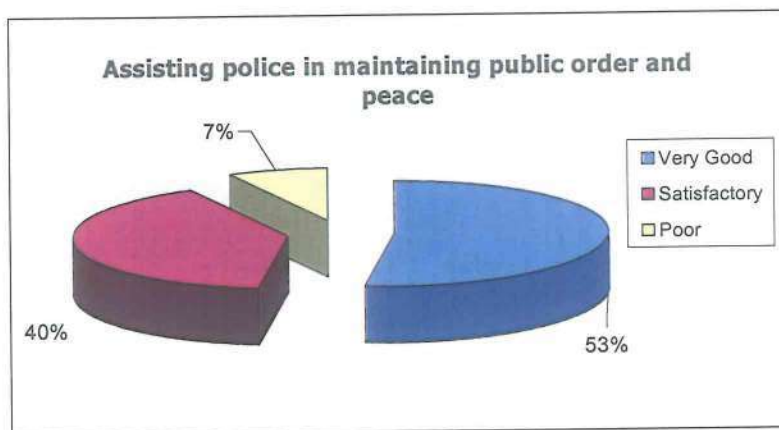
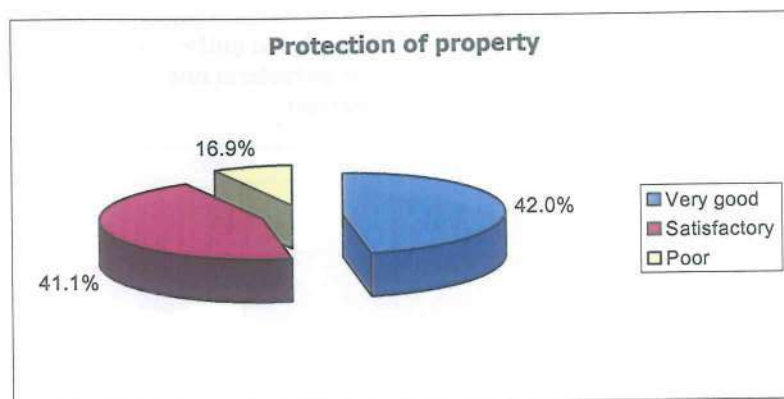
How will you rate the performance of 'Raksha Samiti' in your village in the following aspects?

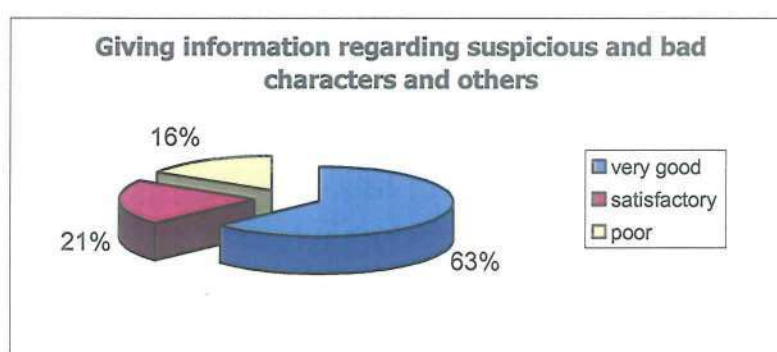
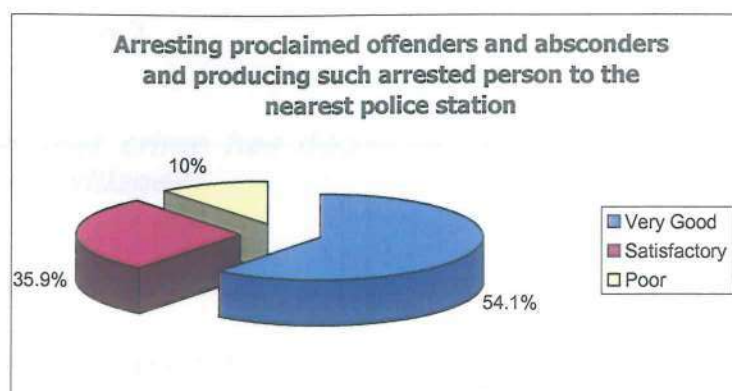
Table 1**PERFORMANCE OF RAKSHA SAMITI**

	Statement	Very Good	Satisfactory	Poor	X ² Df=2	Comments
a	Guarding of villages/areas assigned to them.	180 (46%)	179 (45.8%)	32 (8.2%)	111.2 (S)	Very Good
b	Patrolling for the purpose of prevention of crime.	176 (45.6%)	178 (46.1%)	32 (8.3%)	108.9 (S)	Satisfactory
c	Protection of persons.	189 (46.4%)	170 (46.6%)	30 (7.0%)	282.0 (S)	Very Good
d	Protection of property.	179 (42.0%)	171 (41.1%)	29 (16.9%)	273.9 (S)	Very Good
e	Assisting police in maintaining Public order and peace.	197 (46.6%)	153 (46.7%)	28 (6.7%)	122.0 (S)	Very Good
f	Rendering necessary assistance to police in rescue and relief works connected with natural calamities etc.	205 (54.1%)	136 (35.9%)	38 (10%)	111.4 (S)	Very Good
g	Arresting proclaimed offenders and absconders and producing such arrested person to the nearest police station	228 (60.5%)	108 (28.6%)	41 (10.9%)	142.8 (S)	Very Good
h	Giving information regarding suspicious and bad characters and others.	233 (63%)	77 (20.8%)	60 (16.2%)	147.4 (S)	Very Good

* Tabled value of X² for df=2 at .05 level of significance is 5.99.







Inference

It can be inferred from the table that the Members of Public graded the following performance outcomes of Raksha Samiti as very good in the following order:

- ***Giving information regarding suspicious and bad characters and others.***
- ***Arresting proclaimed offenders and absconders and producing such arrested person to the nearest police station.***
- ***Rendering necessary assistance to police in rescue and relief works connected with natural calamities etc.***
- ***Assisting police in maintaining Public order and peace.***
- ***Protection of persons.***
- ***Patrolling for the purpose of prevention of crime.***
- ***Guarding of villages/areas assigned to them.***
- ***Protection of property***

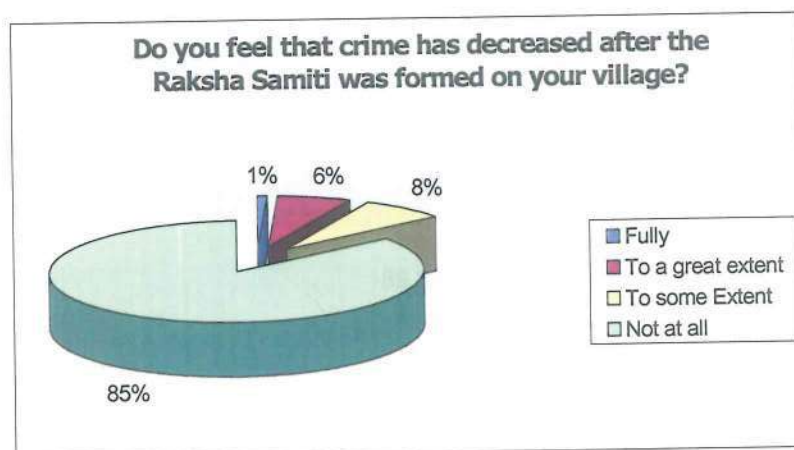
Research Question 2

Do you feel that crime has decreased after the Raksha Samiti was formed in your village?

Table 2

DECREASE IN CRIME AND THE ROLE OF RAKSHA SAMITI

Fully	To a great extent	To some extent	Not at all	χ^2 Df=3 .05 level	Comments
3 (0.8%)	23 (6.4%)	28 (7.6%)	313 (85.2%)	715.2 (S)	Not at all

Inference:

It can be inferred that the crime did not decrease after the Raksha Samiti was formed in the villages as perceived by the Members of Public.

Calculated value of χ^2 (=715.2) for df=3 was found to be more than the tabled value of χ^2 (= 7.82) for df=3 at 0.05 level of significance.

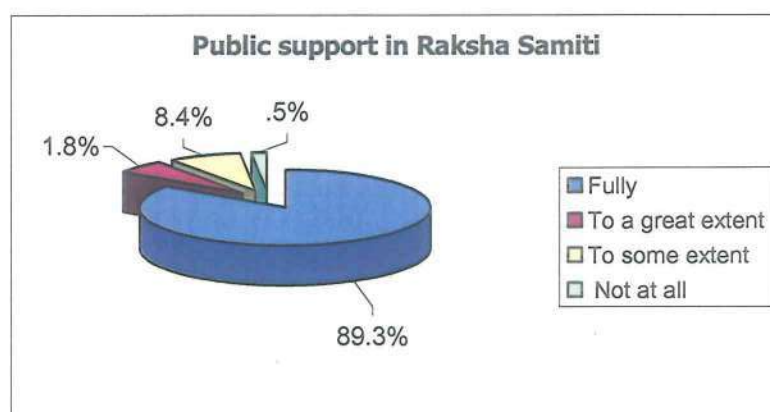
Research Question 3

To what extent public supports Raksha Samiti in your village?

Table 3

PUBLIC SUPPORT FOR RAKSHA SAMITI

Fully	To a great extent	To some extent	Not at all	χ^2 Df=3 .05 level	Comments
330 (89.3%)	22 (1.8%)	31 (8.4%)	7 (.5%)	818.2 (S)	Fully

Inference:

It can be inferred that the public supports for Raksha Samiti was found in the villages as perceived by the Members of Public.

Calculated value of χ^2 (818.2) for df=3 was found to be more than the tabled value of χ^2 (= 7.82) for df=3 at 0.05 level of significance.

Research Question 4

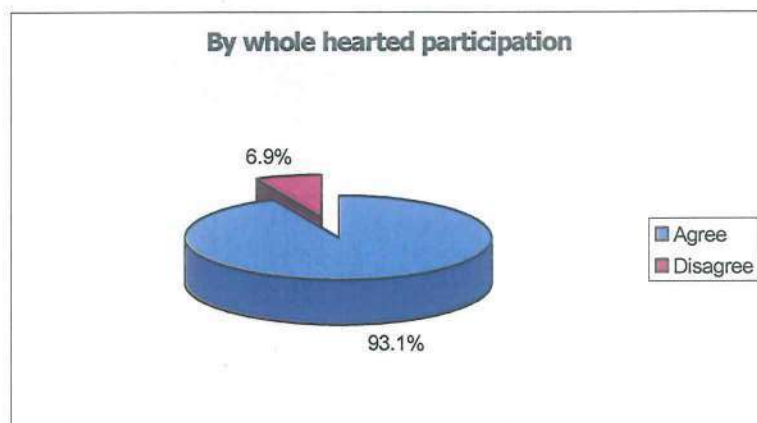
How can public supports 'Raksha Samiti' better?

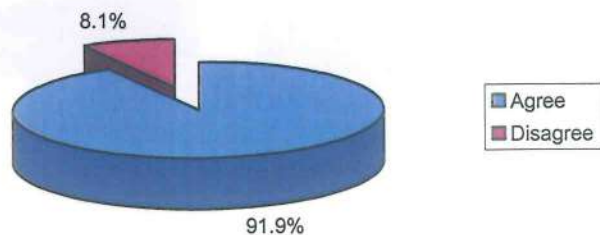
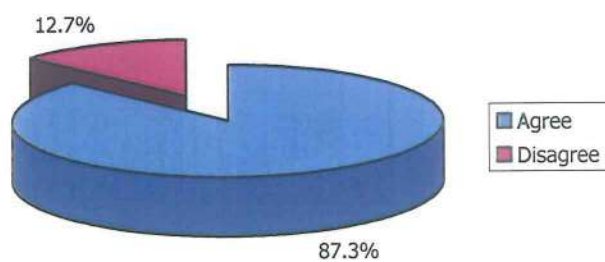
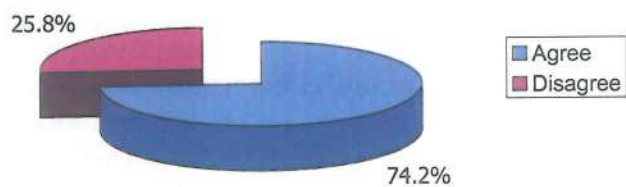
Table 4

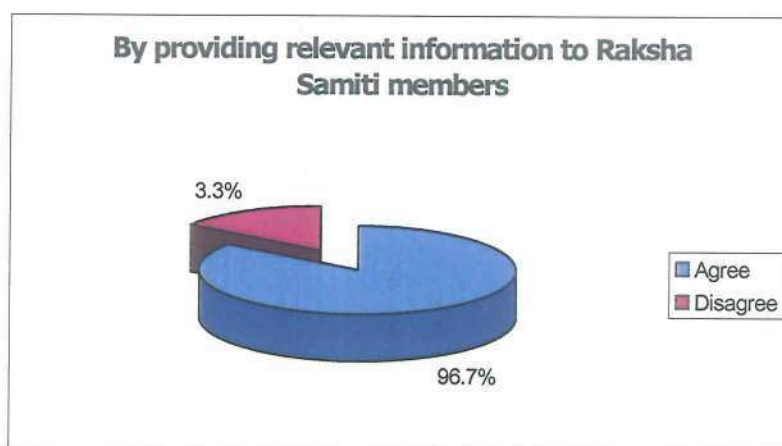
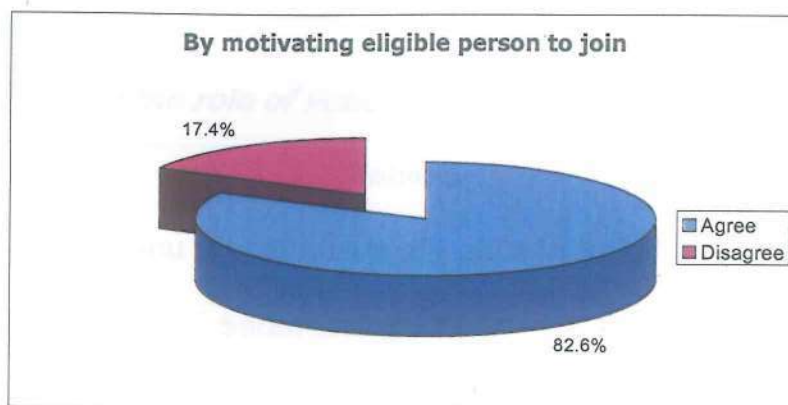
INCREASE IN PUBLIC SUPPORT IN RAKSHA SAMITI

	Measures	Agree	Disagree	χ^2 (df=1)	Comments if any
a	By whole hearted participation	335 (93.1%)	25 (6.9%)	576.8 (S)	Agree
b	By giving respect to the members of Samiti	331 (91.9%)	29 (8.1%)	556.5 (S)	Agree
c	By giving full cooperation	315 (87.3%)	46 (12.7%)	18.6 (S)	Agree
d	By offering selfless service	204 (74.2%)	71 (25.8%)	228.8 (S)	Agree
e	By motivating eligible person to join	222 (82.6%)	47 (17.4%)	299.7 (S)	Agree
f	By providing relevant information to Raksha Samiti members.	200 (96.7%)	36 (3.3%)	125.0 (S)	Agree

* Tabled value of χ^2 for df=1 is 3.84 at .05 level of significance.



By giving respect to the members of Samiti**By giving full cooperation****By offering selfless service**



Inference:

In order of priority, the following measures, if taken, will enhance public support for making Raksha Samitis successful:

- **Providing relevant information to Raksha Samiti members**
- **Whole hearted participation**
- **Giving respect to the members of Samiti**
- **Giving full cooperation**
- **Motivating eligible persons to join**
- **Offering selfless service**

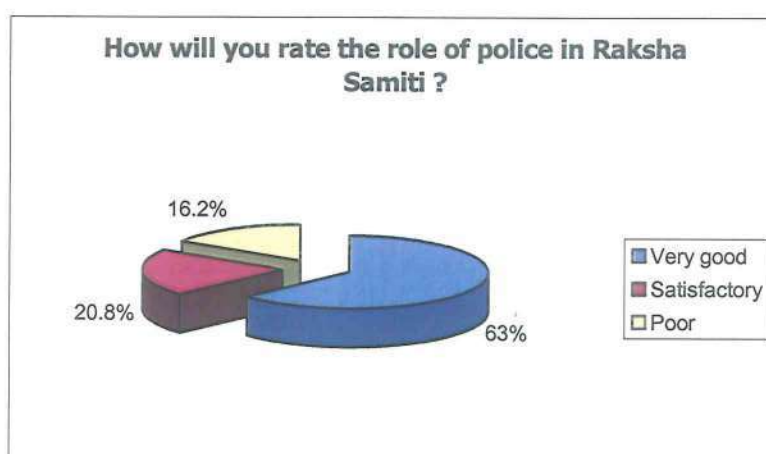
Research Question 5

How will you rate the role of Police in Raksha Samitis ?

Table 5

How will you rate the role of Police in Raksha Samiti ?

Very Good	Satisfactory	Poor	X^2 df=2 .05 level	Comments
<u>233</u> (63%)	77 (20.8%)	60 (16.2%)	72.3 (S)	<u>Very Good</u>

Inference:

The public perceived that the Role of Police in Raksha Samitis was very good. Statistically, it is also confirmed because the calculated value of X^2 (=72.3) for df=2 was found to be more than the tabled value of X^2 (=5.99) for df=2 at 0.05 level of significance.

Research Question 6

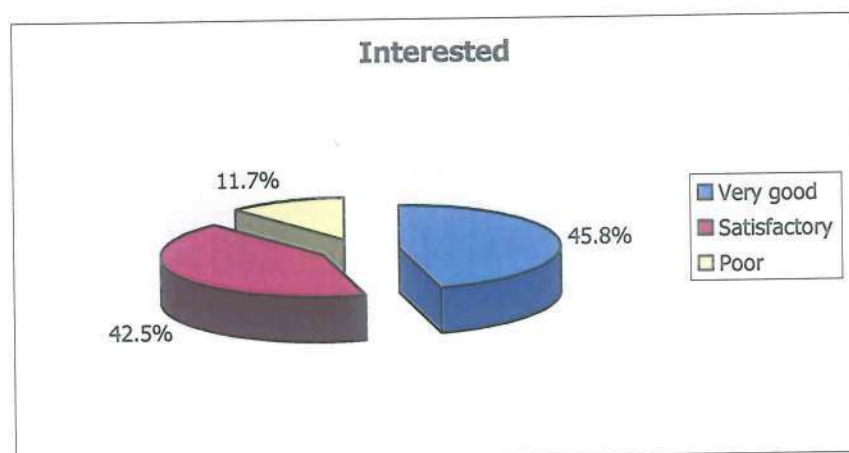
What are your comments on the police participation in the scheme ?

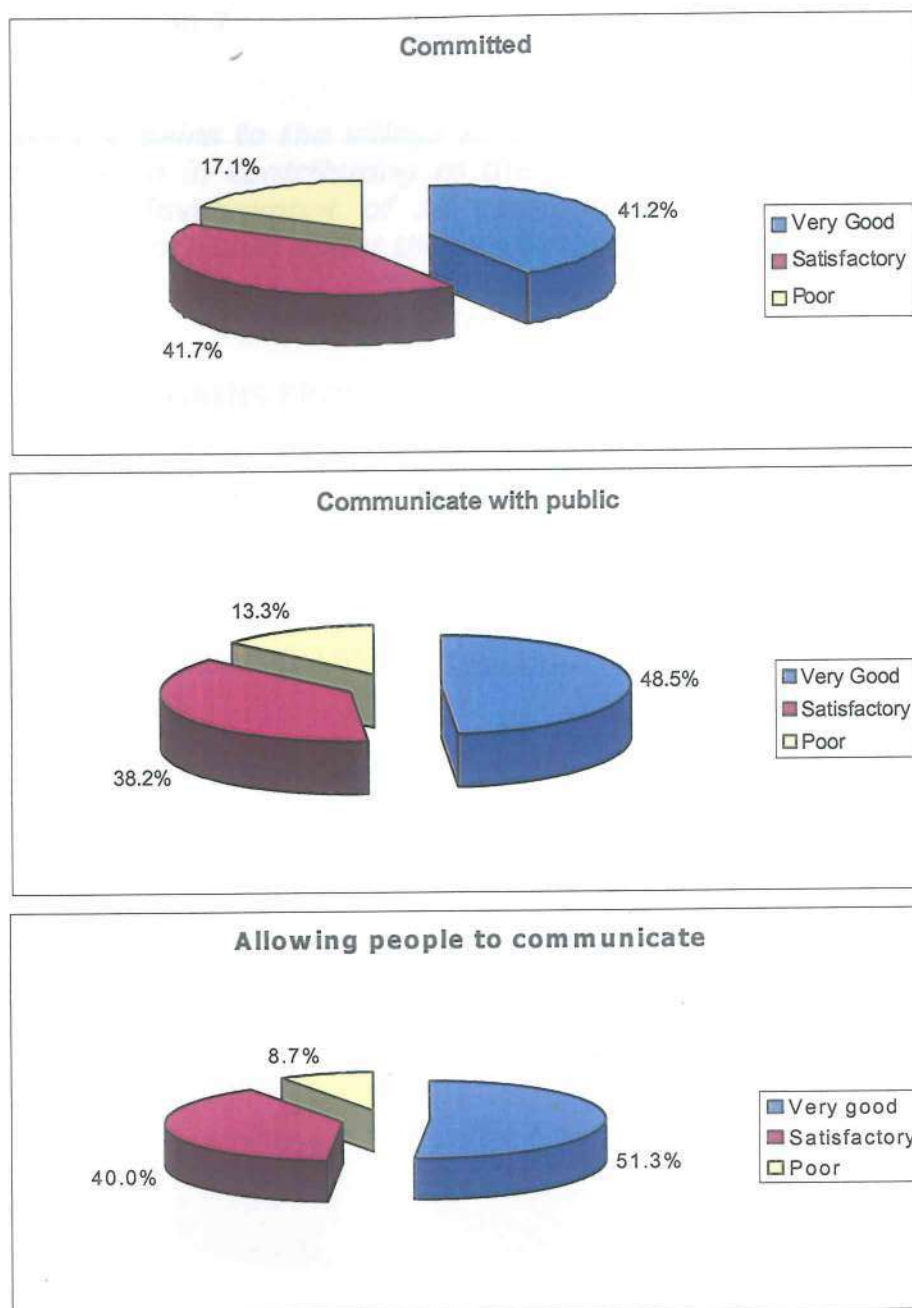
Table 6

POLICE PARTICIPATION IN RAKSHA SAMITI SCHEME

		Very Good	Satisfactory	Poor	χ^2 df=2 .05 level	Comments if any
A	Interested	145 (45.8%)	134 (42.5%)	37 (11.7%)	67.0 (S)	<u>Very Good</u>
B	Committed	80 (41.2%)	81 (41.7%)	33 (17.1%)	23.3 (S)	<u>Satisfactory</u>
C	Communicative with public	98 (48.5%)	77 (38.2%)	27 (13.3%)	117.4 (S)	<u>Very Good</u>
D	Allowing people to communicate.	159 (51.3%)	124 (40.0%)	27 (8.7%)	345.2 (S)	<u>Very Good</u>

Tabled value of χ^2 for df=2 is 5.99 at .05 level significance.



**Inference:**

Public rated the police participation in Raksha Samiti Scheme as very good because they found police interested and communicative to public they also allowed people to communicate with them freely. However, the commitment on the part of police was perceived by public to be only satisfactory.

Research Question 7

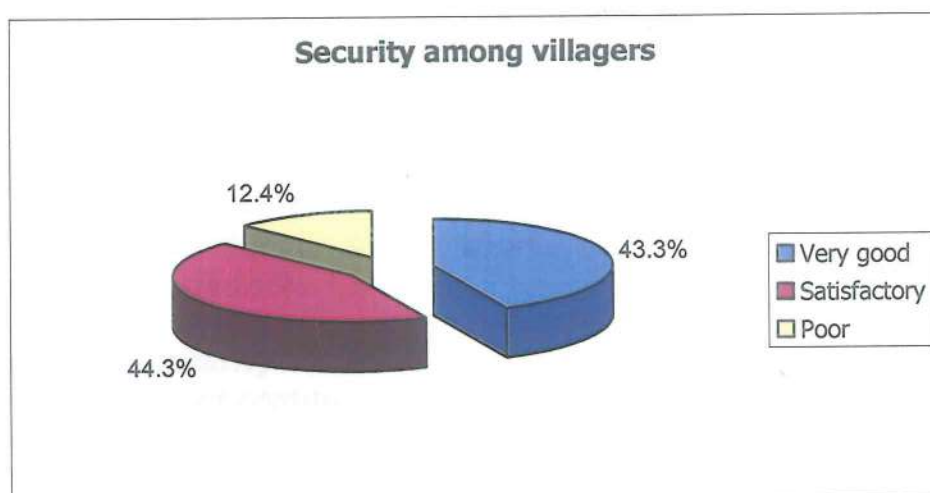
What are the gains to the village as a whole from the scheme as per your perception in contributing to the feeling of (a) Security among villagers (b) Involvement of all community members (c) General understanding of public about the functioning of the police.

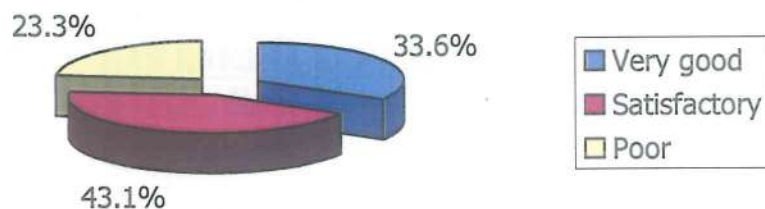
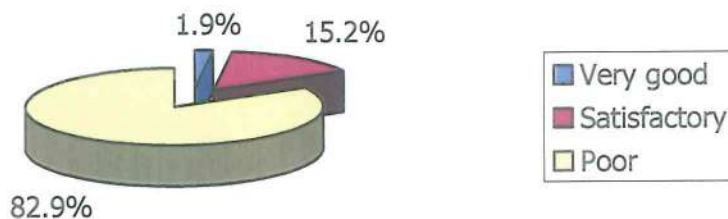
Table 7

GAINS FROM RAKSHA SAMITI SCHEME

	Statements	Very Good	Satisfactory	Poor	χ^2 df=2	Comments
A	Security among villagers	136 (43.3%)	<u>139</u> <u>(44.3%)</u>	39 (12.4%)	167.5 <u>(S)</u>	<u>Satisfactory</u>
B	Involvement of all community leaders	104 (33.6%)	<u>133</u> <u>(43.1%)</u>	72 (23.3%)	188.5 <u>(S)</u>	Satisfactory
C	General understanding	3 (1.9%)	25 (15.2%)	<u>136</u> <u>(82.9%)</u>	217.5 <u>(S)</u>	<u>Poor</u>

* Tabled value of χ^2 for df=2 is 5.99 at .05 level of significance.



Involvement of all community leaders**General understanding of public about the functioning of the police****Inference:**

Villagers found the Raksha Samiti Scheme helping them in the following domains, albeit satisfactorily:

- **Feeling of security**
- **Involvement of community leaders in the scheme**

However, it was found that the village Raksha Samiti Scheme could not develop the understanding of public about the functioning of the police.

Statistically calculated values of X^2 for $df=2$ were found to be more than tabled value of X^2 for $df=2$ at .05 level of significance in all the three domains listed in Table 8.

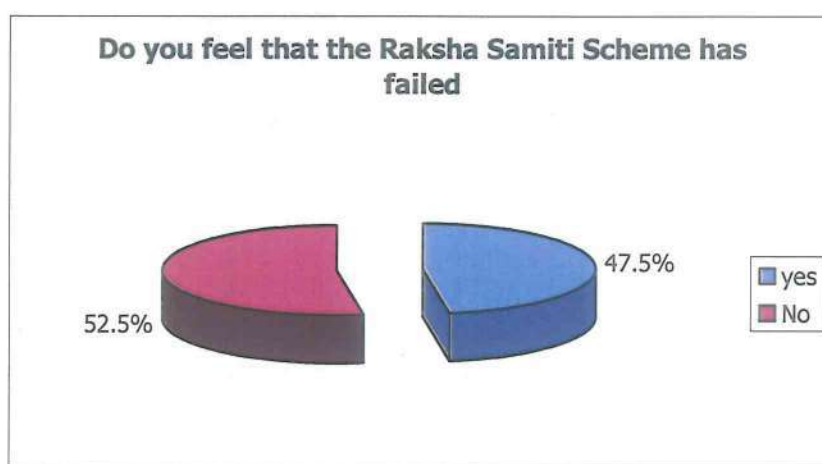
Research Question 8

Do you feel that the Raksha Samiti Scheme has failed?

Table 8A

HAS RAKSHA SAMITI FAILED

<u>Yes</u>	<u>No</u>	<u>X²</u> Df=1 .05 level
136 (47.5%)	<u>150</u> (<u>52.5%</u>)	25.1 (S)

Table 8 B
BUT IT MAY FAIL DUE TO

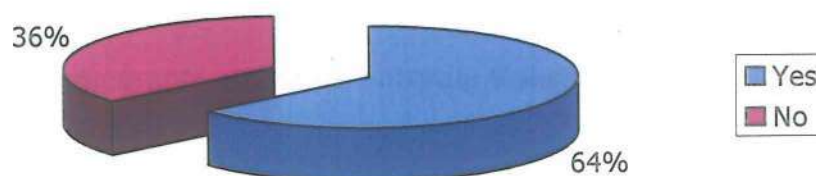
<u>Causes</u>	<u>Yes</u>	<u>No</u>	<u>X²</u> df=1 .05 level	<u>Comments</u>
Lack of clear code of conduct for Raksha Samiti Members	<u>133</u> (<u>49.3%</u>)	137 (50.7%)	258.1 (S)	<u>Yes</u>
Members misusing their powers.	<u>172</u> (<u>64%</u>)	97 (36%)	163.2 (S)	<u>Yes</u>
Members not being paid for their services.	<u>165</u> (<u>62.1%</u>)	101 (37.9%)	15.4 (S)	<u>Yes</u>
Predominance of caste politics	<u>181</u> (<u>67.7%</u>)	86 (32.3%)	33.8 (S)	<u>Yes</u>

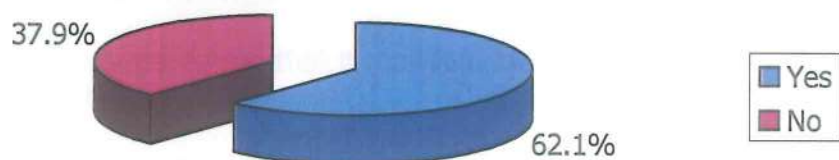
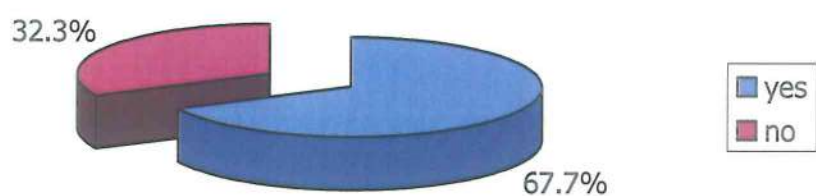
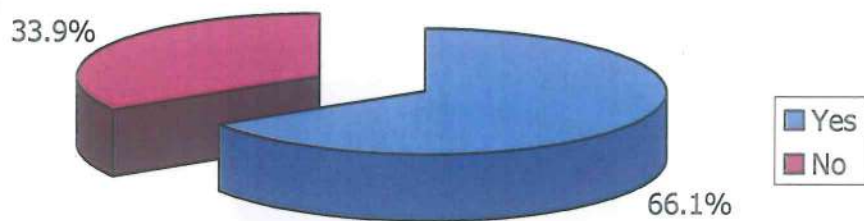
Undesirable elements entering Raksha Samitis.	177 (66.1%)	91 (33.9%)	27.5 (S)	Yes
Police personnel inclined to share their powers and privileges.	212 (82.1%)	46 (17.9%)	106.8 (S)	Yes

Because of lack of conduct for Raksha Samiti Members



Members misusing their powers



Members are not paid for their services**Predominance of caste politics****Undesirable elements entering Raksha Samitis**

Inference:

The public felt that the Raksha Samiti Scheme has not failed in Madhya Pradesh because calculated value for X^2 for $df=1 (=25.1)$ is found to be more than the tabled value of $X^2 = (3.84)$ for $df=1$ at level of significance at 0.05 level.

But the public, clearly perceived that it may fail due to the following reasons, in the order as listed below:

- **Lack of clear code of conduct for Raksha Samiti members**
- **Members misusing their powers**
- **The members not being paid for their services**
- **Predominance of caste politics**
- **Undesirable elements entering Raksha Samitis**
- **Police not inclined to share their powers and privileges**

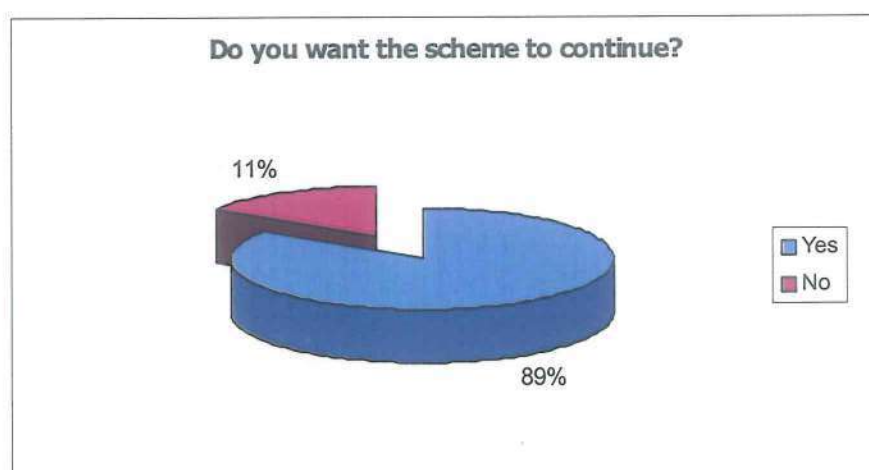
Research Question 9

Do you want the scheme to continue?

Table 9

CONTINUATION OF RAKSHA SAMITI SCHEME

	Yes	No	X^2 Df=1 .05 level	Comments
Number of Respondents	191 (89.3%)	35 (10.7%)	107.6 (S)	Yes

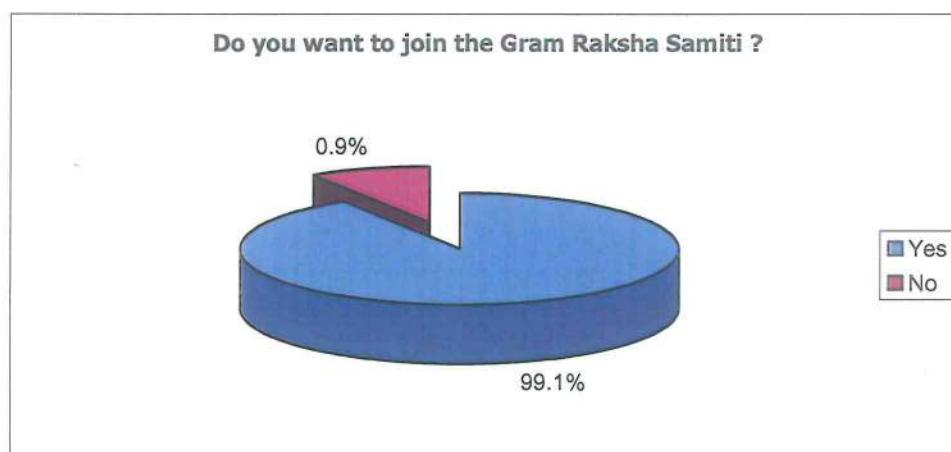


Inference: An overwhelming 89 percent respondent wanted the scheme to be continued.

Research Question 10***Do you want to join the Gram Raksha Samiti?***

Table 10
PARTICIPATION OF PEOPLE IN RAKSHA SAMITI SCHEME

Yes	No	X^2 df=1 .05 level	Comments
103 (99.1%)	10 (0.9%)	76.5 (S)	Yes

**Inference:**

It is heartening to note that 99% respondents wanted to join the Gram Raksha Samiti scheme in Madhya Pradesh.

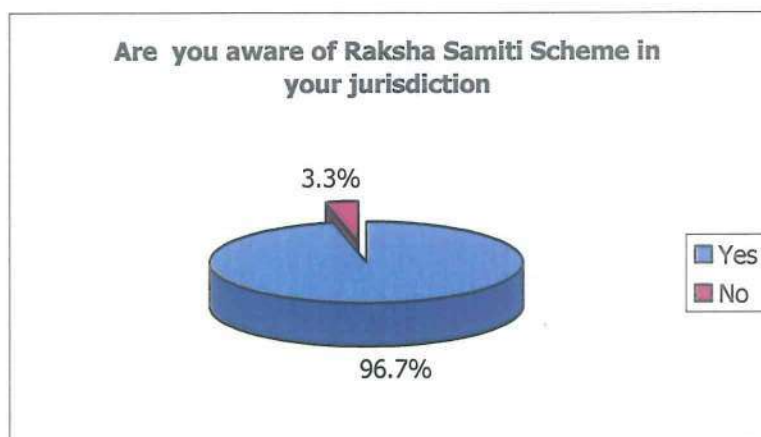
5.2 RESPONSE OF SIS/ HCs/ CONSTABLES ON RAKHSA SAMITI SCHEME

Research Question 1

Are you aware of Raksha Samiti Scheme in your jurisdiction?

Table 1
AWARENESS OF RAKSHA SAMITI SCHEME

Yes	No
88 (96.7%)	3 (3.3%)



Inferences:

It is evident that 96.7% of subordinates were aware of the scheme by responding to the research question affirmatively whereas only 3.3% of them responded in the negative.

Research Question 2

What is your opinion about the performance of the Raksha Samitis in the following areas?

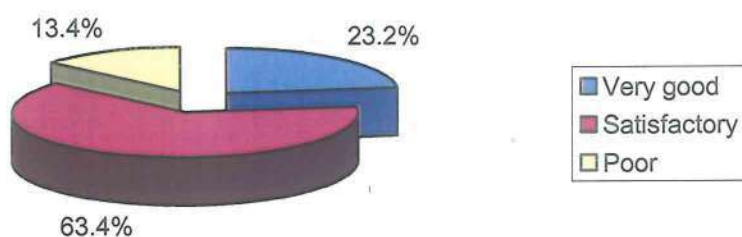
Table 2
PERFORMANCE OF RAKSHA SAMITIS

	Statement	Very Good	Satisfactory	Poor	X ² df=2 .05 level	Comments if any
a	Guarding of villages/areas assigned to them.	24 (23.2%)	66 (63.4%)	14 (13.4%)	43.9 (S)	<u>Satisfactory</u>
b	Patrolling for the purpose of prevention of crime.	33 (31.2%)	59 (55.6%)	14 (13.2%)	28.9 (S)	<u>Satisfactory</u>
c	Protection of persons.	33 (31.2%)	58 (56.7%)	13 (12.1%)	29.3 (S)	<u>Satisfactory</u>
d	Protection of property.	39 (37.2%)	50 (47.6%)	16 (15.2%)	17.2 (S)	<u>Satisfactory</u>
e	Assisting police in maintaining Public order and peace.	36 (33.9%)	58 (54.7%)	12 (12.4%)	29.9 (S)	<u>Satisfactory</u>
f	Rendering necessary assistance to police in rescue and relief works connected with natural calamities etc.	37 (35.9%)	59 (55.6%)	10 (9.6%)	34.0 (S)	Satisfactory
g	Arresting proclaimed offenders and absconders and producing such arrested person to the nearest police station	40 (37.7%)	47 (44.4%)	19 (17.9%)	12.0 (S)	Satisfactory

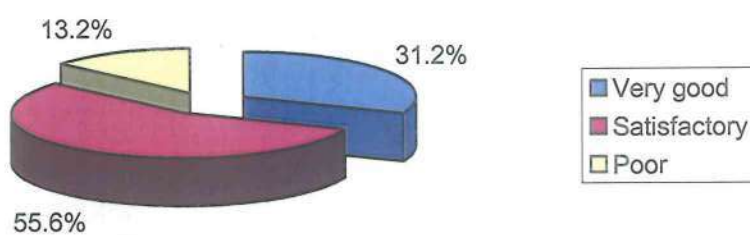
h	Giving information regarding suspicious and bad characters and others.	43 (41.3%)	46 (44.3%)	15 (14.4%)	16.8 (S)	Satisfactory
i	Helping Investigations	36 (34.6%)	59 (56.7%)	9 (8.7%)	80.1 (S)	Satisfactory

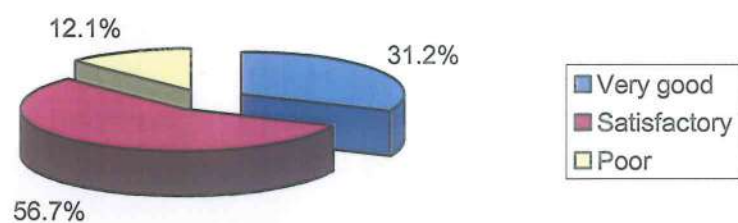
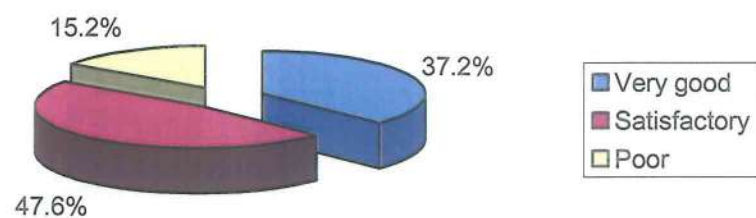
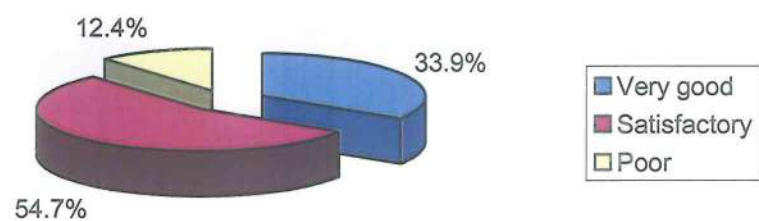
*Tabled value of χ^2 for $df=2$ at .05 level is 5.99

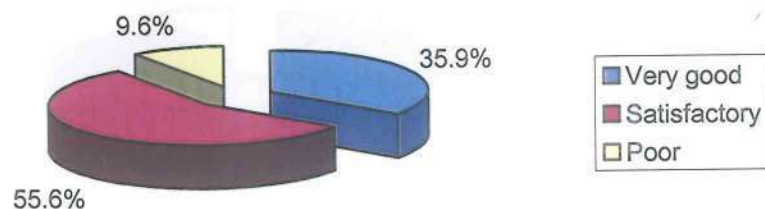
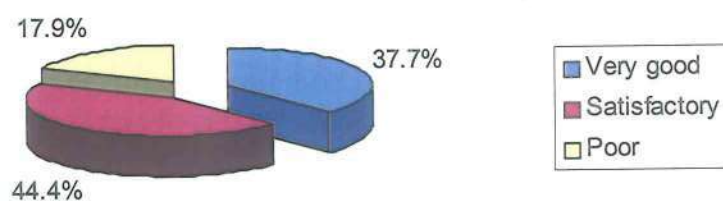
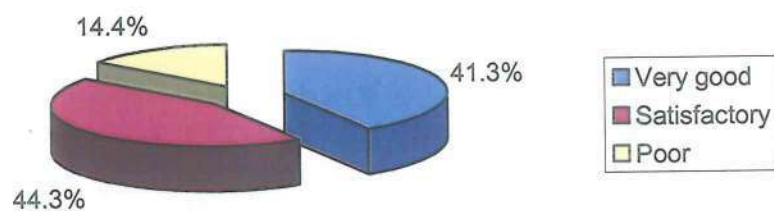
Guarding of villages/areas assigned to them

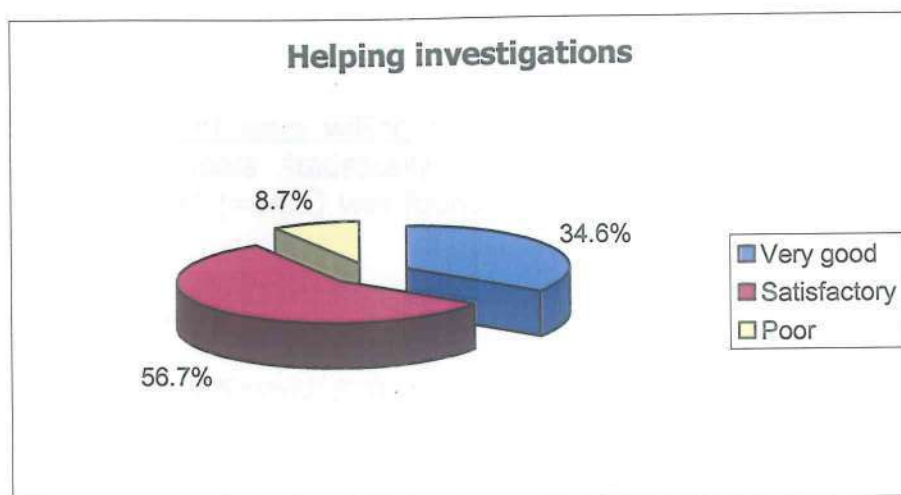


Patrolling for the purpose of prevention of crime



Protection of persons**Protection of Property****Assisting police in maintaining public order and peace**

Rendering necessary assistance to police in rescue and relief work as connected with natural calamities etc.**Arresting proclaimed offenders and absconders and producing such arrested person to the nearest police station.****Giving information regarding suspicious and bad characters and others**

**Inferences:**

The subordinate ranks in police found the following functions of Raksha Samiti as 'Satisfactory' only.

- *Guarding of villages/areas assigned to them*
- *Patrolling for the purpose of prevention of crime*
- *Protection of persons*
- *Protection of property*
- *Assisting police in maintaining public order and peace*

Research Question 3

Are you willing to share your powers and privileges along with the Raksha Samiti Members?

Table 3
SHARING OF POWERS AND PRIVILEGES WITH RAKSHA SAMITI MEMBERS

Yes	No	X^2 df=1 .05 level
70 (68.6%)	32 (31.4%)	14.1 (S)

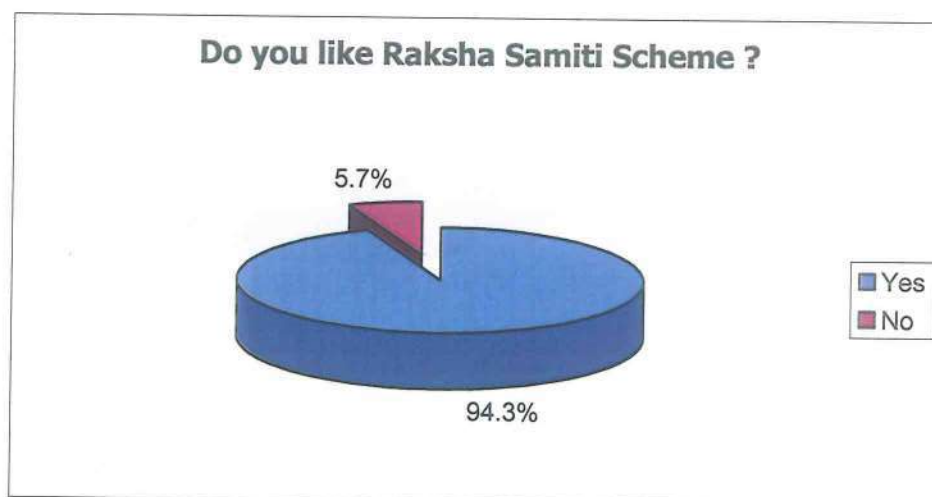
Inferences:

The Subordinates staff were willing to share the powers and privileges with Raksha Samiti Members statistically it was also established because the calculated value of X^2 ($=14.1$) was found to be more than the tabled value of X^2 ($=3.84$) for $df=1$.

Research Question 4***Do you like 'Raksha Samiti' Scheme?***

Table 4
DO YOU LIKE RAKSHA SAMITI SCHEME

Yes	No	X^2 df=1 .05 level
98 (94.3%)	6 (5.7%)	14.1 (S)

Inferences:

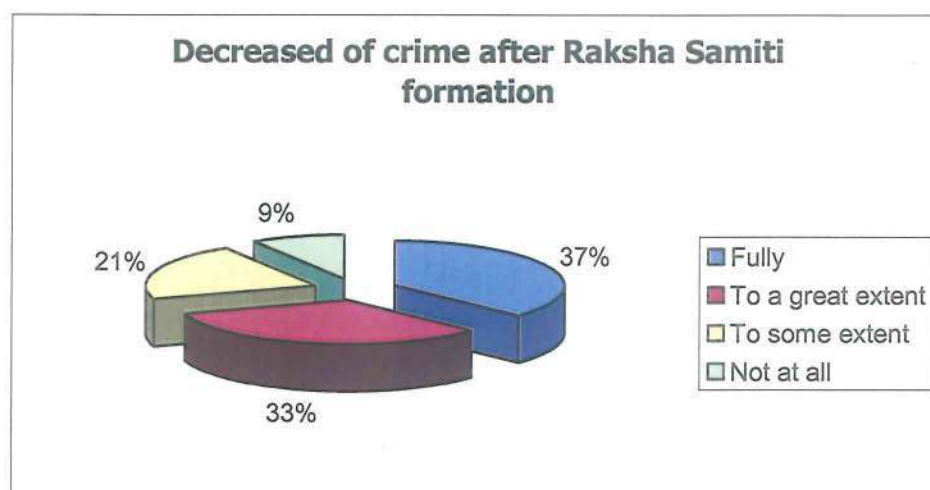
It is evident that 94.3% Subordinate staff liked the Raksha Samiti Scheme by responding to the research question affirmatively. Statistically, it has also been established because the calculated value of X^2 ($=14.1$) was found to be more than the tabled value of X^2 ($=3.84$) for $df=1$ at .05 level of significance.

Research Question 5

To what extent the crime has decreased after the Raksha Samiti was formed in your jurisdiction?

Table 5
DECREASE OF CRIME AFTER RAKSHA SAMITI FORMATION

Fully	To a Great Extent	To some extent	Not at all	χ^2 df=3 .05 level
37 (37%)	33 (33%)	21 (21%)	9 (9%)	19.7 (S)

**Inferences:**

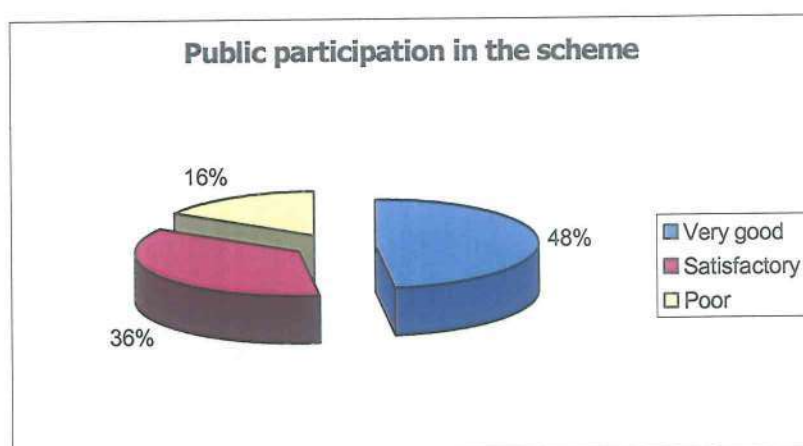
It is evident that 37% Subordinate staff mentioned that crime had decreased after the formation of Raksha Samiti Scheme by responding to the research question affirmatively. Statistically, it has also been established because the calculated value of χ^2 (=19.7%) was found to be more than the tabled value of ($\chi^2 = 3.84$) for df=1 at .05 level of significance.

Research Question 6

How is the Public Participation in the Scheme?

Table 6
PUBLIC PARTICIPATION IN THE SCHEME

Very Good	Satisfactory	Poor	X^2 df=2 .05 level
48 (48%)	36 (36%)	16 (16%)	15.8

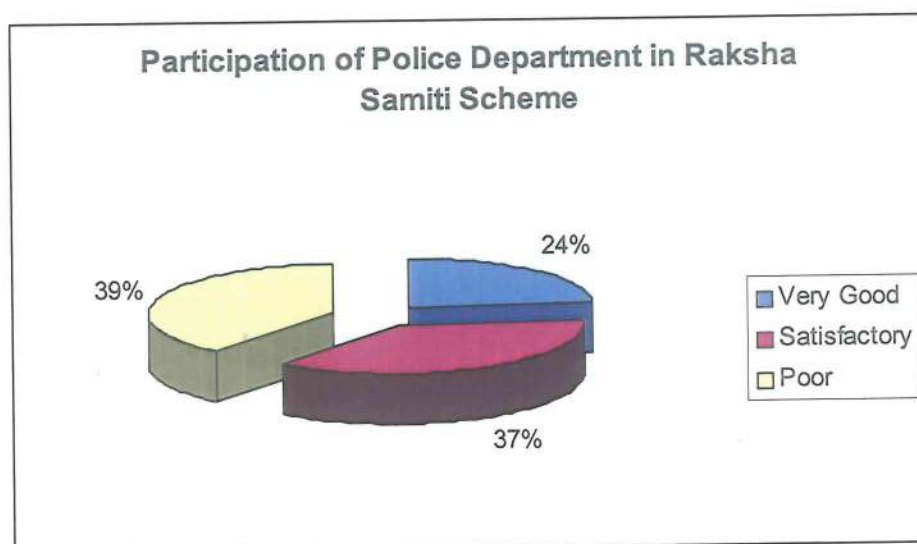
Inference:

From the Table 6, it is evident that 48% of the respondents stated that public participation was very good in the scheme. Their response is significant at 0.05 level of significance for (df=1) because the calculated value of $X^2 (=15.8)$ was found to be greater than the tabled value of $X^2 (=5.99)$ for df=2.

Research Question 7***How is the participation of the police department in the scheme?***

Table 7
PARTICIPATION OF POLICE DEPARTMENT IN RAKSHA SAMITI SCHEME

Very Good	Satisfactory	Poor	χ^2 df=2 .05 level
24 (24%)	<u>38</u> <u>(37%)</u>	40 (39%)	4.4

**Inference:**

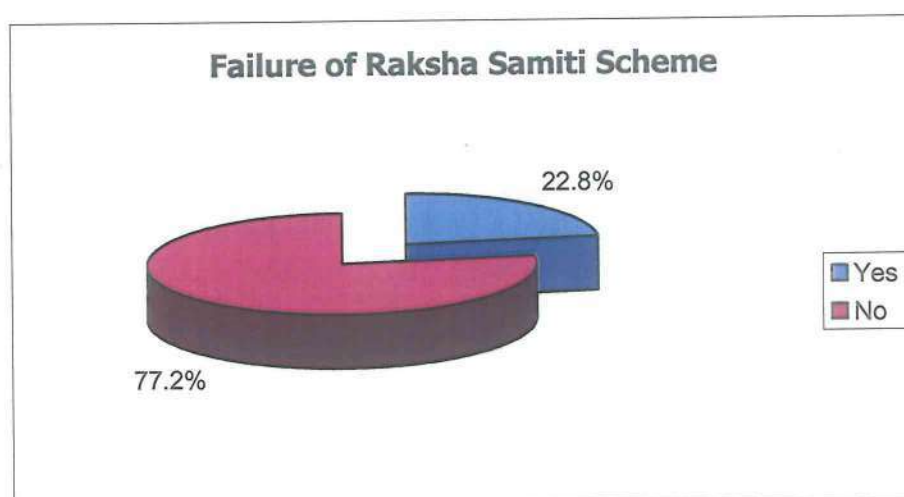
From the Table 7, it is evident that only 34.5% found the participation of police Department satisfactory in the Raksha Samiti Scheme. Statistically, it was found that no concrete opinion was there regarding responding the participation of police department in the scheme. The calculated value of $\chi^2 (=4.4)$ was found to be less than the tabled value of $\chi^2 = 5.99$ for $df=2$.

Research Question 8

Do you feel that the Raksha Samiti Scheme has failed?

Table 8
FAILURE OF RAKSHA SAMITI SCHEME

Yes	No	X^2 df=1 .05 level
24 (22.8%)	<u>81</u> <u>(77.2%)</u>	30.9 (S)



Inference:

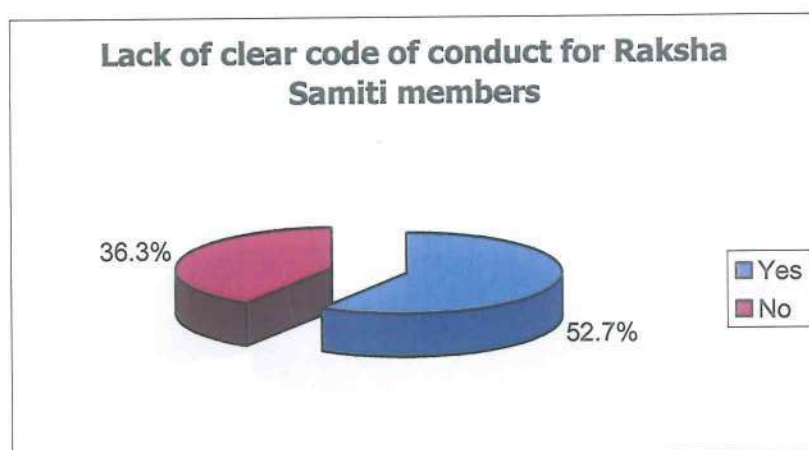
77.2% subordinate rank officials in police were of the opinion that Raksha Samiti scheme did not fail in Madhya Pradesh because the calculated value of $X^2 = (30.9)$ is found to be greater than the tabled of $X^2 (=3.84)$ at 0.05 level of significance.

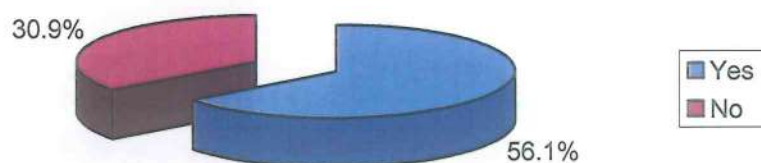
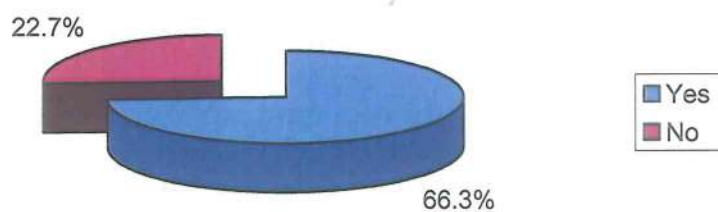
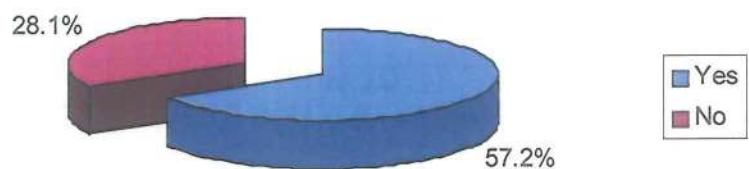
Research Question 9

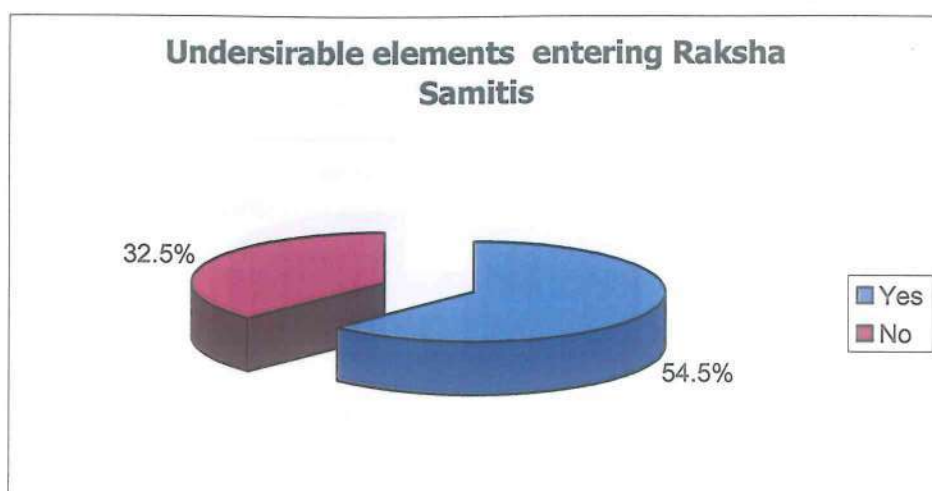
Possible reasons of failure?

Table 9
POSSIBLE CAUSES OF FAILURE OF RAKSHA SAMITI SCHEME

Causes	Yes	No	X ² df=1 .05 level
Because of lack of code of conduct for Raksha Samiti Members	<u>58</u> (52.7%)	40 (36.3%)	3.3 (NS)
Members have been misusing their powers.	<u>62</u> (56.1%)	34 (30.9%)	8.1 (S)
Because the members are not paid for their services.	<u>73</u> (66.3%)	25 (22.7%)	23.5 (S)
Because of the predominance of caste politics	<u>63</u> (57.2%)	31 (28.1%)	10.8 (S)
Because undesirable elements have entered Raksha Samitis.	<u>60</u> (54.5%)	36 (32.5%)	6.0 (S)



Members misusing their powers**Members are not paid for their services****Predominance of caste politics**

**Inference:**

The respondents were of the view that the following are the possible reasons for failure of Raksha Samiti Scheme in Madhya Pradesh:

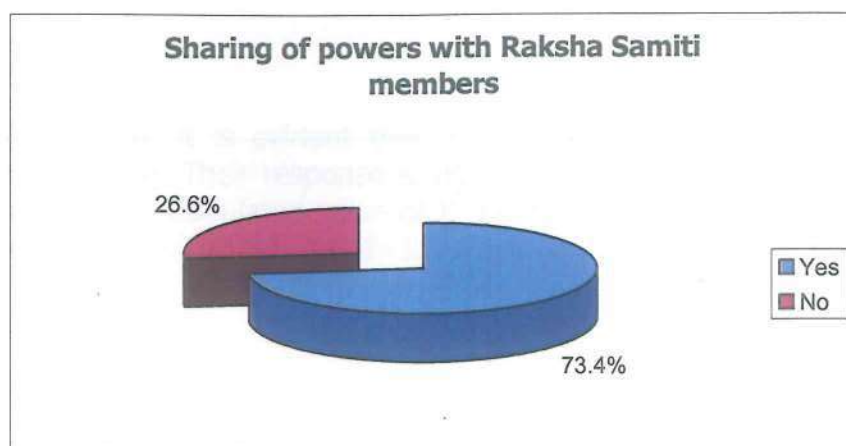
- ***Members being not paid for their service***
- ***Lack of clear code of conduct for Raksha Samiti Members***
- ***Members misusing their powers***
- ***Predominance of caste politics***
- ***Undesirable elements entering Raksha Samiti***

Research Question 10

Do you like to share your (Police) powers and privileges with Raksha Samiti Members?

Table 10
SHARING OF POWERS WITH RAKSHA SAMITI MEMBERS

Yes	No	X ²
72 (73.4%)	26 (26.6%)	21.5 (S)



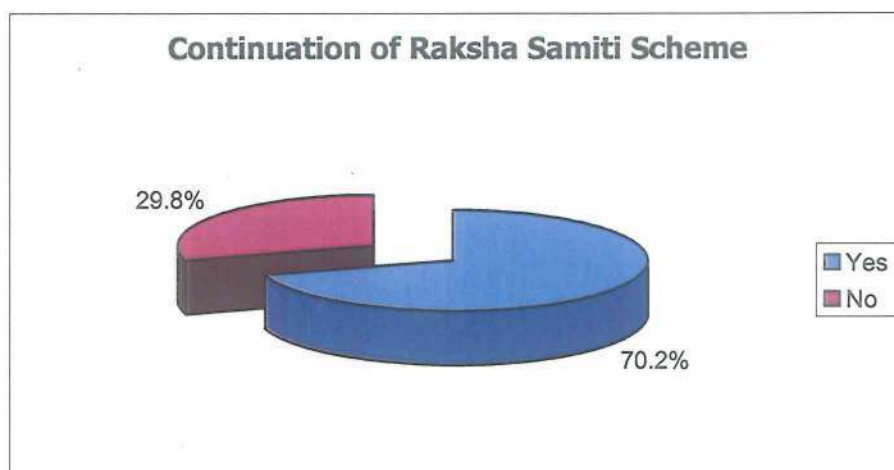
From the Table 10, it is evident that 73.4% of the respondents stated that they would like to share their powers and privileges with Raksha Samiti members. Their response were found to be significant at 0.05 level of significance for (df=1) because the calculated value of $X^2(=21.5)$ was found to be greater than the tabled value of $X^2=3.84$ for df=1.

Research Question 11

Do you want the scheme to continue?

Table 11
CONTINUATION OF RAKSHA SAMITI SCHEME

Yes	No	X^2
66	28	15.3
(70.2%)	(29.8%)	(S)



Inference:

From the Table 6, it is evident that 70.2% of the respondents wanted the scheme to continue. Their response is significant at 0.05 level of significance for (df=1) because the calculated value of X^2 (=15.3) was found to be greater than the tabled value of X^2 (=3.84) for df=1.

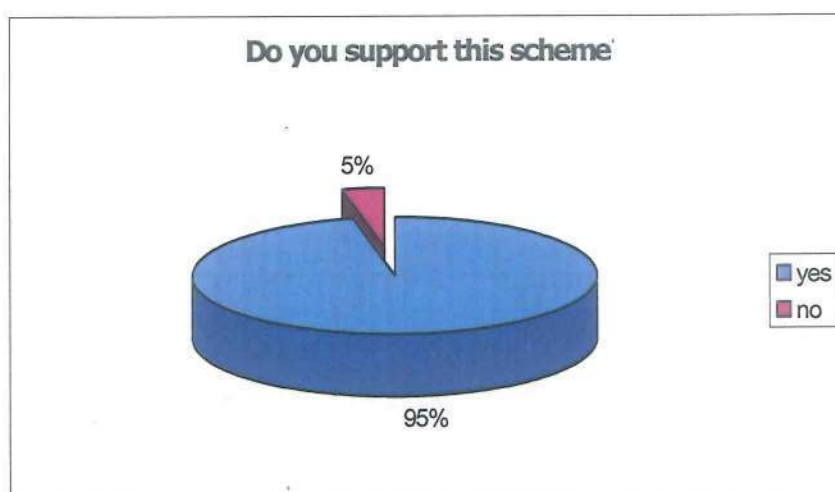
5.3 RESPONSES OF POLICE OFFICERS ON RAKSHA SAMITHI SCHEME

Research Question 1

Do you support Raksha Samiti Scheme?

Table 1
SUPPORT TO RAKSHA SAMITI SCHEME

Yes	No	X^2 df=1 .05 level
38 (95%)	2 (5%)	79.4 (S)



Inferences:

It is evident that 95% Police Officers supported the scheme by responding to the research question affirmatively. Statistically, it has also been established because the calculated value of $X^2 (=79.4)$ was found to be more than the tabled value ($X^2=3.84$) for df=1 at .05 level of significance.

Research Question 2

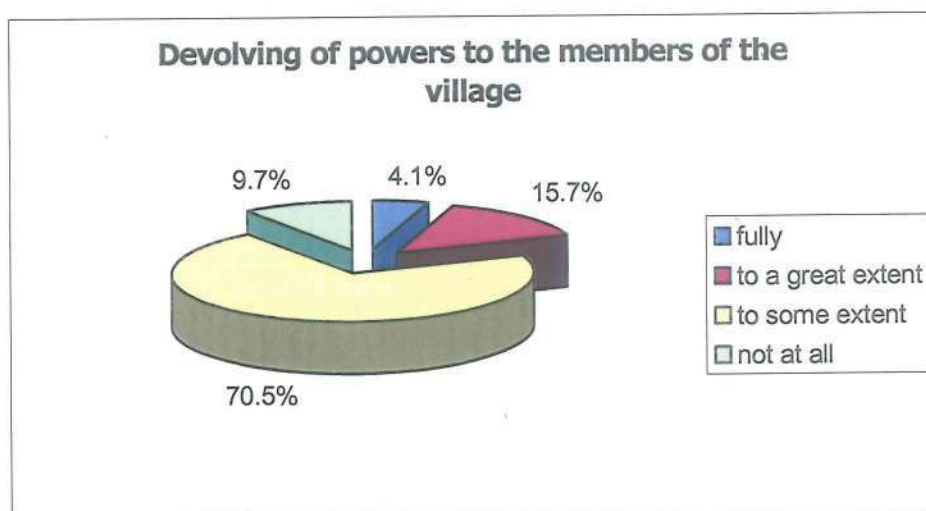
To what extent Raksha Samiti Scheme has achieved the following objectives?

Table 2
OBJECTIVES OF RAKSHA SAMITHI

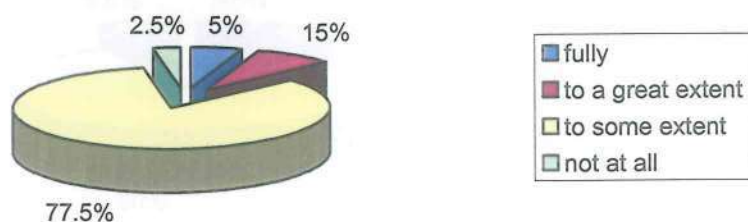
	Statements	Fully	To a great extent	To some extent	Not at all	X ² df=3 .05 level	Inference
A	Devolving of powers to the villages	2 (4.1%)	6 (15.7%)	<u>29</u> <u>(70.5%)</u>	4 (9.7%)	46.5	<u>To some extent</u>
B	Help to the police in guarding villages/areas assigned to them.	2 (5%)	6 (15%)	<u>31</u> <u>(77.5%)</u>	1 (2.5%)	57.2	<u>To some extent</u>
c	Patrolling for the purpose of prevention of crime	5 (12%)	9 (22.9%)	<u>25</u> <u>(60.9%)</u>	2 (4.2%)	30.7	<u>To some extent</u>
D	Protection of persons.	2 (5.8%)	3 (7.3%)	<u>27</u> <u>(65.8%)</u>	9 (21.1%)	39.2	<u>To some extent</u>
e	Protection of property.	2 (5.8%)	3 (7.6%)	<u>32</u> <u>(80%)</u>	3 (6.6%)	64.6	<u>To some extent</u>
f	Assisting police in maintaining public order and peace.	6 (15.4%)	14 (35.8%)	<u>19</u> <u>(48.8%)</u>	-	6.6 (NS)	<u>To some extent</u>
g	Rendering necessary assistance to police in rescue and relief works connected with natural calamities, etc.	6 (14.6%)	<u>17</u> <u>(41.6%)</u>	14 (34.1%)	4 (9.7%)	11.4	<u>To great extent</u>

h	Arresting proclaimed offenders and absconders and producing such arrested persons to the nearest police station.	-	4 (9.9%)	<u>25</u> <u>(62.7%)</u>	12 (29.2%)	16.4	<u>To some extent</u>
i	Giving information regarding suspicious and bad characters.	1 (2.4%)	12 (29.2%)	<u>25</u> <u>(62.9%)</u>	3 (7.3%)	35.0	<u>To some extent</u>
j	Any other task assigned to them.	3 (7.5%)	8 (20%)	<u>27</u> <u>(67.5%)</u>	2 (5%)	40.6	<u>To some extent</u>

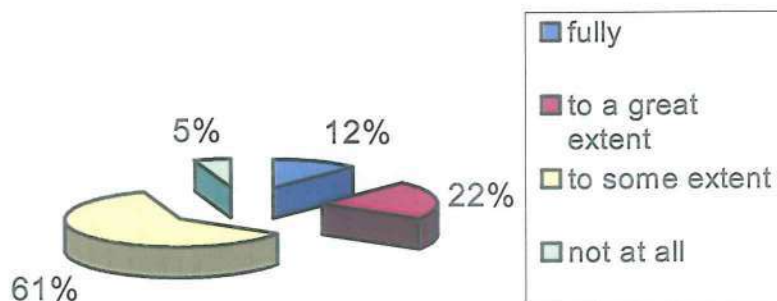
- The tabled value of χ^2 for $df=3$ at .05 level is 7.82



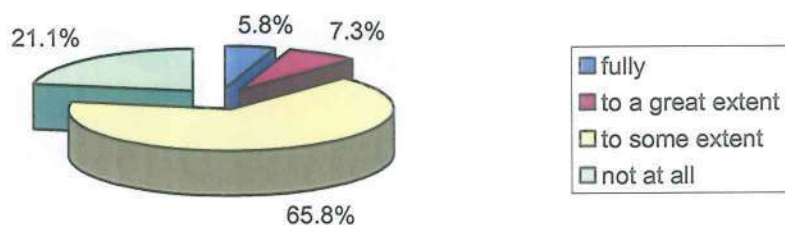
Help to the police in guarding villages/aread assigned to them

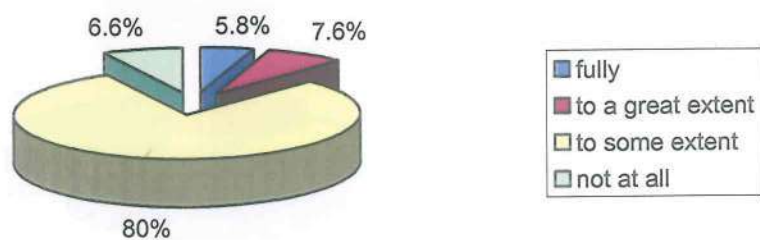
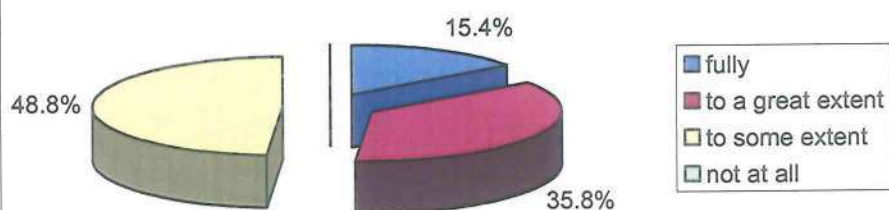
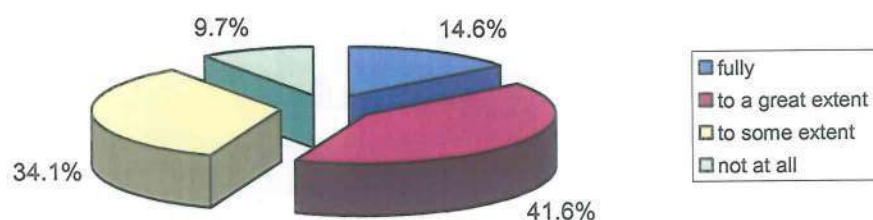


Patrolling for the purpose of prevention of crime

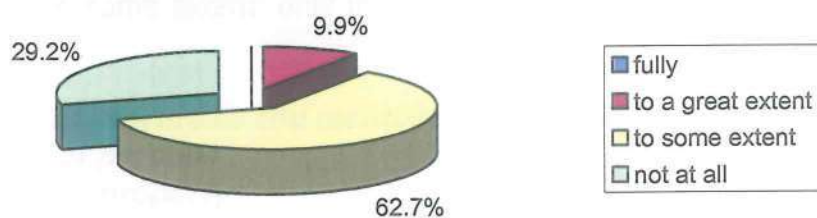


Protection of persons

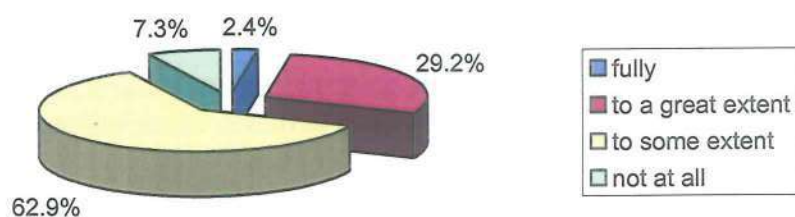


Protection of Property**Assisting police in maintaining public order and peace****Rendering necessary assistance to police and rescue and relief works connected with natural calamities, etc.**

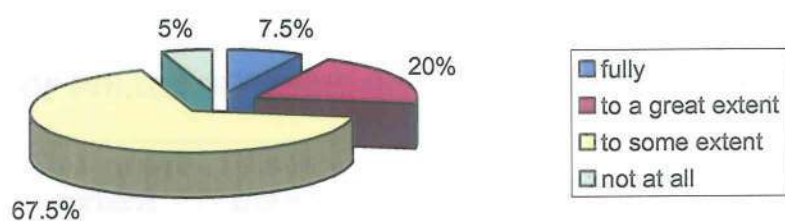
**Arresting proclaimed offenders and absconders
and producing such arrested persons to the
nearest police station**



**Giving information regarding suspicious and bad
characters**



Any other task assigned to them



Inferences :

It can be inferred that the following objectives of Raksha Samiti Scheme have been achieved 'to some extent' only in Madhya Pradesh as perceived by the police officers.

- **Devolving of powers to the members of village**
- **Protection of persons**
- **Protection of property**
- **Patrolling for the purpose of prevention of crime**
- **Assisting police in maintaining public order and peace**
- **Arresting proclaimed offenders and absconders and producing such arrested persons to the nearest police station**
- **Giving information regarding suspicious and bad characters**

The Police officers are of the opinion that the following objective of Raksha Samiti was achieved 'to a great extent' in Madhya Pradesh :

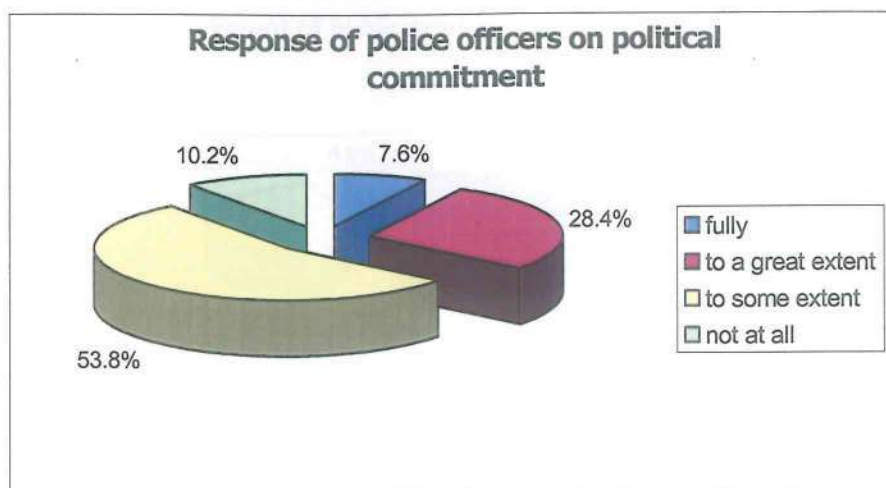
- **Rendering necessary assistance to police in rescue and relief works connected with natural calamities etc.**

Research Question 3

To what extent are you satisfied with the political commitment at various levels to make this scheme successful ?

Table 3**RESPONSE OF POLICE OFFICERS ON POLITICAL COMMITMENT**

Fully	To a great extent	To some extent	Not at all	X ² Df=3 .05 level	Inference
3 (7.6%)	11 (28.4%)	<u>21</u> (53.8%)	4 (10.2%)	21.2	To some extent

**Inference :**

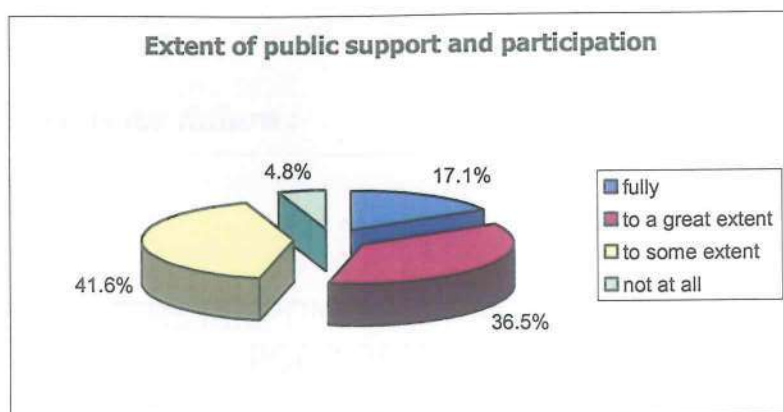
The Police Officers were found to be satisfied to a great extent with the political commitment at various levels in Madhya Pradesh to make the scheme successful.

Research Question 4

To what extent public support and participation is there in making the scheme successful ?

Table 4**EXTENT OF PUBLIC SUPPORT AND PARTICIPATION**

Fully	To a great extent	To some extent	Not at all	X ²	Inference
7 (17.1%)	15 (36.5%)	<u>17</u> <u>(41.6%)</u>	2 (4.8%)	14.3	<u>To some extent</u>



Inferences:

The Police Officers were of the opinion that the public support and participation in making Rakshak Samithi Scheme successful was there in Madhya Pradesh to some extent only.

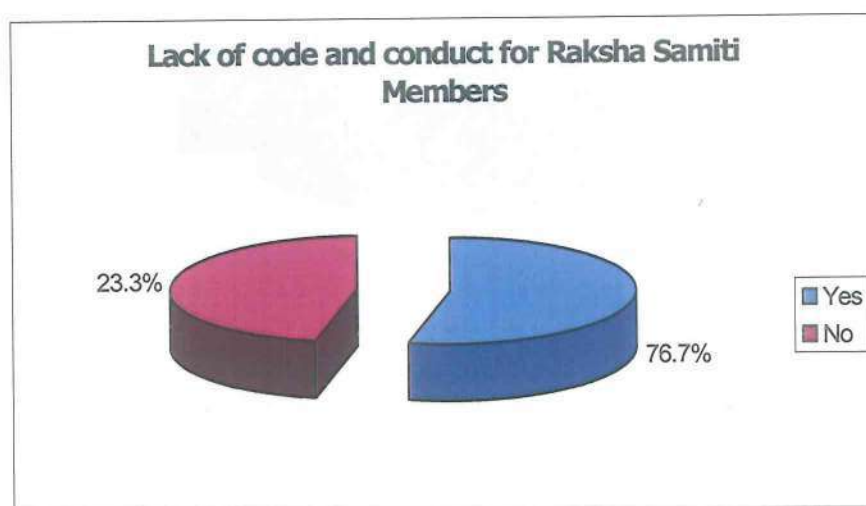
Research Question 5

Possible reasons for failure :

Table 5

POLICE OFFICERS RESPONSE ON RAKSHA SAMITI SCHEME AS
POOR PERFORMER

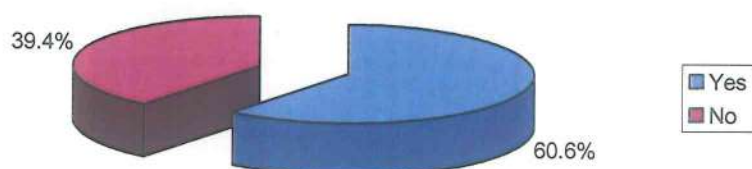
Comments	Yes	No	χ^2	Inference
Lack of clear code of conduct for Raksha Samiti Members	<u>32</u> <u>(76.7%)</u>	10 (23.3%)	3.3 <u>(N.S)</u>	<u>Yes</u>
Members misusing their powers	<u>22</u> <u>(53.6%)</u>	19 (46.4%)	8.1 <u>(S)</u>	<u>Yes</u>
Members not paid being for their service	<u>23</u> <u>(60.6%)</u>	15 (39.4%)	23.5 <u>(S)</u>	<u>Yes</u>
Predominance of caste politics	<u>28</u> <u>(71.7%)</u>	11 (28.3%)	10.9 <u>(S)</u>	<u>Yes</u>
Undesirable elements entering Raksha Samiti	<u>30</u> <u>(71.7%)</u>	12 (28.3%)	21.6 <u>(S)</u>	<u>Yes</u>
Police personnel not inclined to share their power and privileges	<u>30</u> <u>(71.7%)</u>	12 (28.3%)	21.6 <u>(S)</u>	<u>Yes</u>



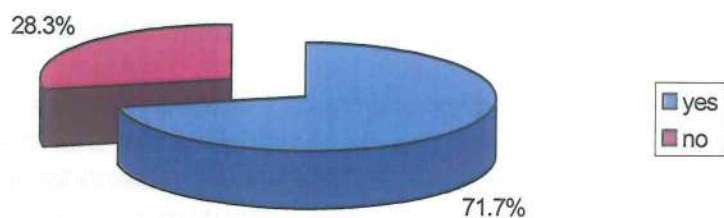
Members misusing their powers

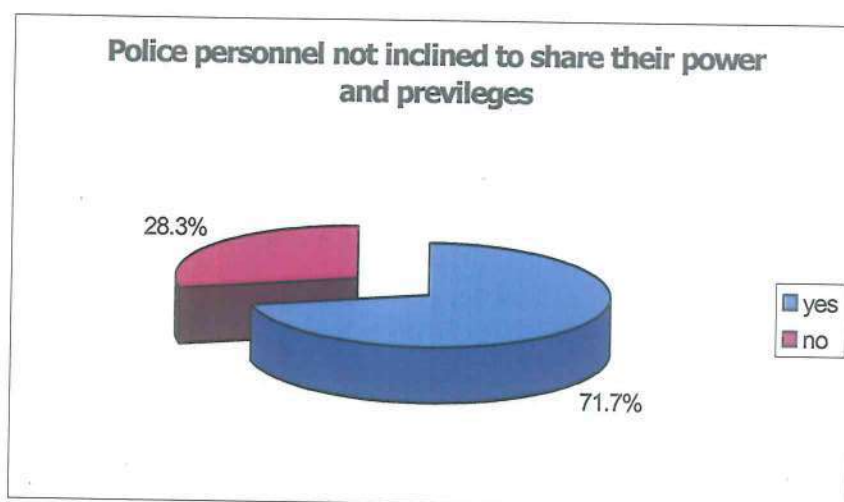
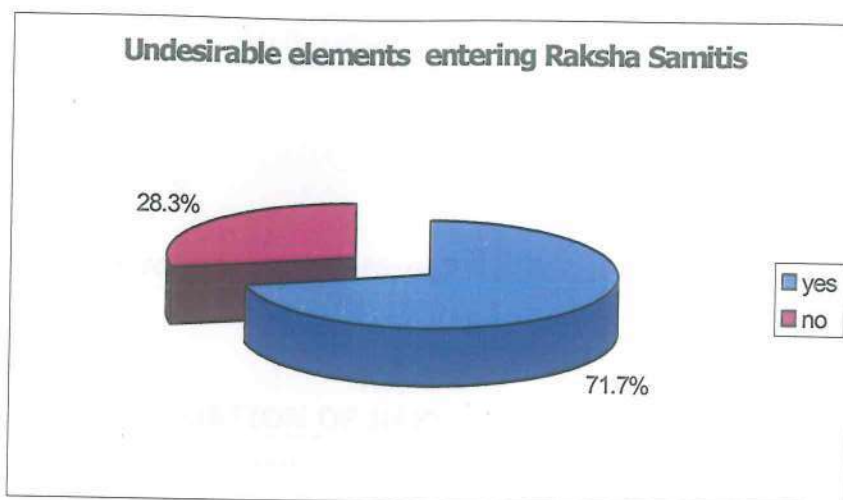


Members not being paid for their services



Predominance of caste politics





Inferences:

The respondents were of the view that the following could be main reasons for poor performance of Raksha Samiti Scheme in Madhya Pradesh:

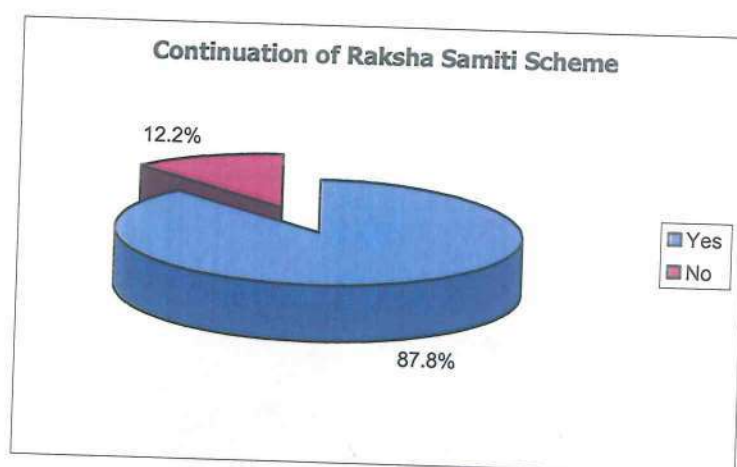
- ***Police does not like to share their power and privileges***
- ***The members are not paid for their service***
- ***Lack of code of conduct for Raksha Samiti Members***
- ***Members have been misusing their powers***
- ***Predominance of caste politics***
- ***Undesirable elements have entered Raksha Samiti***

Research Question 6

Do you want the scheme to continue?

Table 6
CONTINUATION OF RAKSHA SAMITI SCHEME

Yes	No	X^2 df=1 .05 level	Inference
36 (87.8%)	5 (12.2%)	15.4 (S)	Yes, we want the scheme to continue

Inferences:

From the Table 5, it is evident that 87.8% of the respondents wanted the scheme to continue and their response is significant at 0.05 level of significance for $df=1$ because the calculated value of $X^2 (=15.4)$ was found to be greater than the tabled value of $X^2=3.84$ for $df=1$.

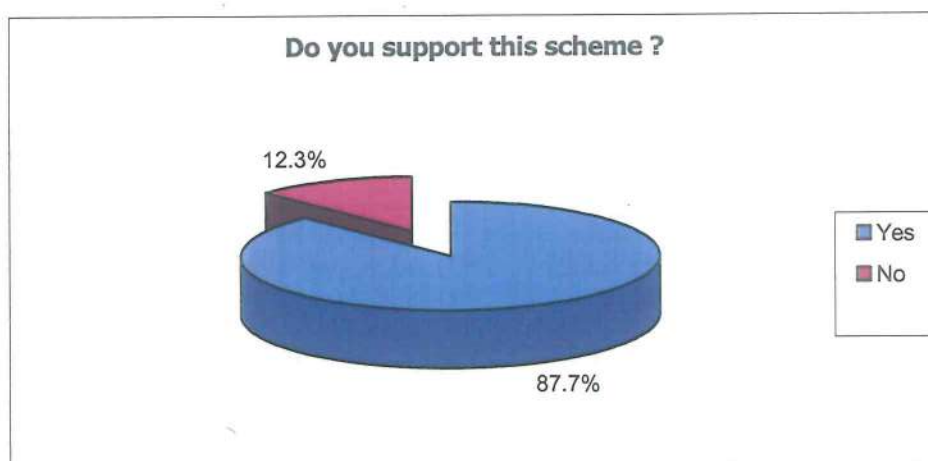
5.4 RESPONSE OF GOVERNMENT OFFICIALS ON RAKSHA SAMITHI SCHEME

Research Question 1

Do you support Raksha Samiti Scheme?

Table 1

Do you support this scheme?			
Yes	No	χ^2 df=1 .05 level	Comments
114 (87.7%)	16 (12.3%)	73.9 (S)	Yes



Inference:

It is evident that 87.7% Government Officials supported the scheme by responding to the research question affirmatively.

'Yes' response is significant at 0.05 level of significance because the calculated value of χ^2 (=73.9) for df=1 was found to be greater than the tabled value of χ^2 (=3.84) for df=1.

Research Question 2

To what extent Raksha Samiti Scheme has achieved the following objectives?

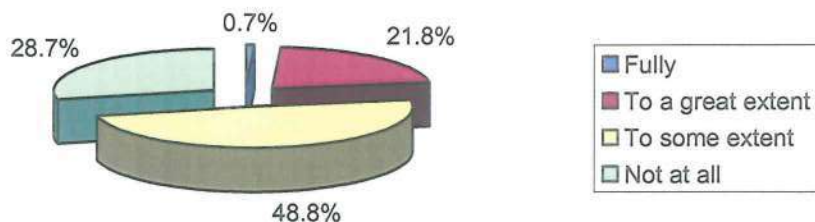
Table 2

OBJECTIVES OF RAKSHA SAMITHI

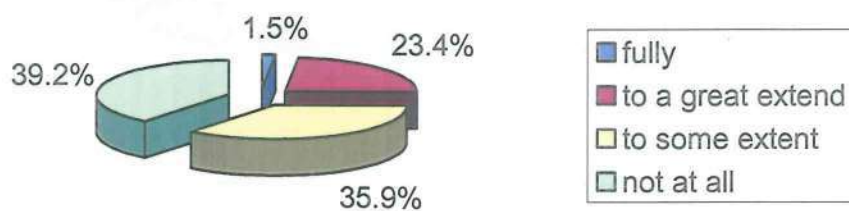
SI No	Statements	Fully	To a great extent	To some extent	Not at all	X ² Df=3 .05 level	Inference
a	Devolving of powers to the members of the village	1 (0.7%)	28 (21.8%)	63 (48.8%)	37 (28.7%)	60.9 (S)	<u>To some extent</u>
b	Help to the police in guarding villages/areas assigned to them.	2 (1.5%)	30 (23.4%)	46 (35.9%)	50 (39.2%)	44.5 (S)	Not at all
c	Patrolling for the purpose of prevention of crime	1 (0.7%)	30 (23.4%)	59 (46.3%)	38 (29.6%)	54.0 (S)	<u>To some extent</u>
d	Protection of persons.	2 (1.5%)	25 (19.4%)	61 (48.1%)	40 (31.0%)	57.9 (S)	<u>To some extent</u>
e	Protection of property.	1 (0.7%)	31 (23.8%)	60 (46.2%)	38 (29.3%)	54.8 (S)	<u>To some extent</u>
f	Assisting police in maintaining public order and peace.	2 (1.5%)	33 (25.5%)	52 (40.5%)	42 (32.5%)	43.4 (S)	<u>To some extent</u>
g	Rendering necessary assistance to police in rescue and relief works connected with natural calamities etc.	1 (0.7%)	34 (26.3%)	52 (40.5%)	42 (32.5%)	45.4 (S)	<u>To some extent</u>

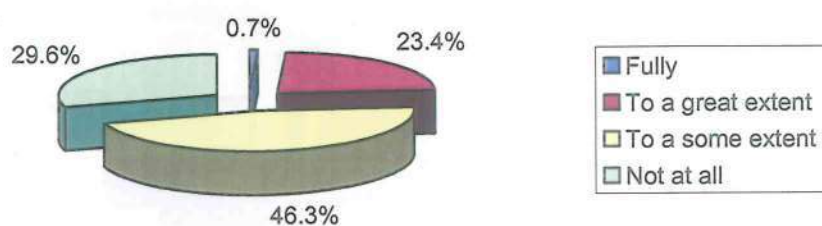
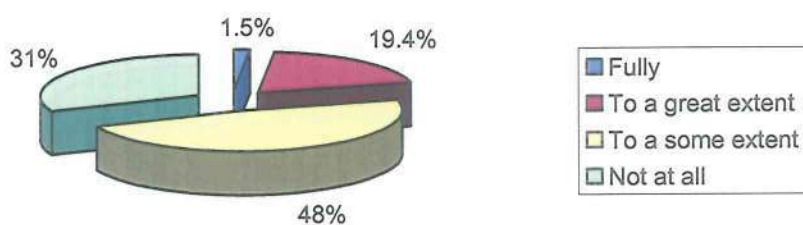
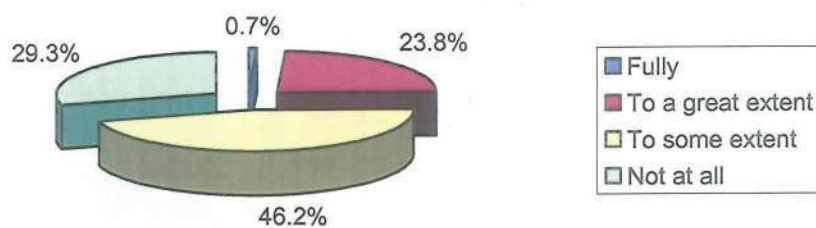
h	Arresting proclaimed offenders and absconders and producing such arrested persons to the nearest police station.	3 (2.3%)	31 (24.2%)	50 (38.7%)	45 (34.8%)	41.4 (S)	<u>To some extent</u>
i	Giving information regarding suspicious and bad characters.	14 (12.8%)	39 (35.7%)	35 (32.3%)	21 (19.2%)	15.1 (S)	<u>To a great extent</u>
j	Any other task assigned to them.	2 (2.5%)	29 (36.2%)	44 (55.1%)	5 (6.2%)	60.3 (S)	<u>To some extent</u>

Devolving of powers to the members of the village

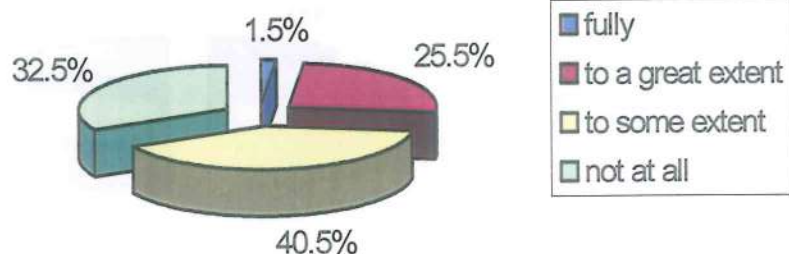


Help to the police in guarding villages/areas assigned to them

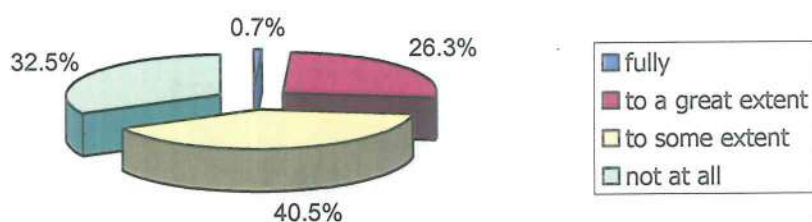


Patrolling for the purpose of prevention of crime**Protection of persons****Protection of property**

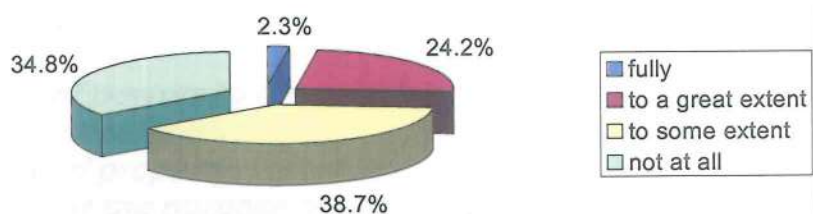
Assisting police in maintaining public order and peace

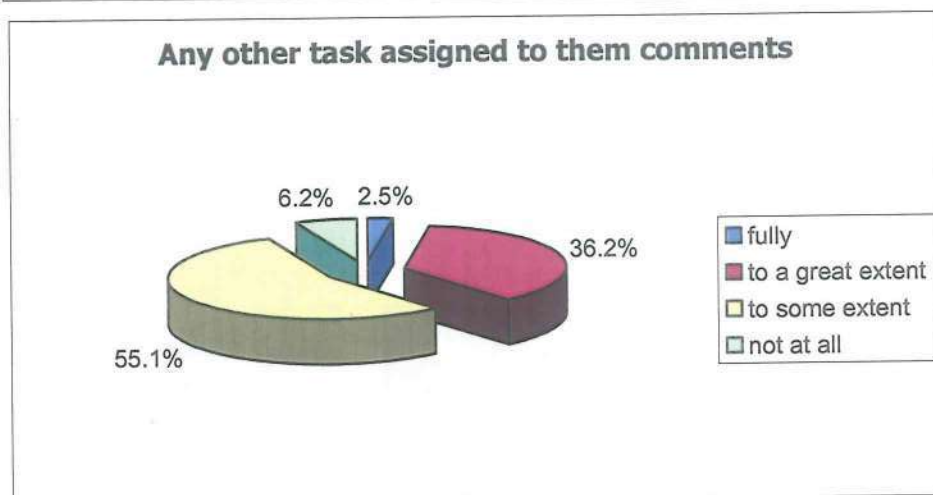
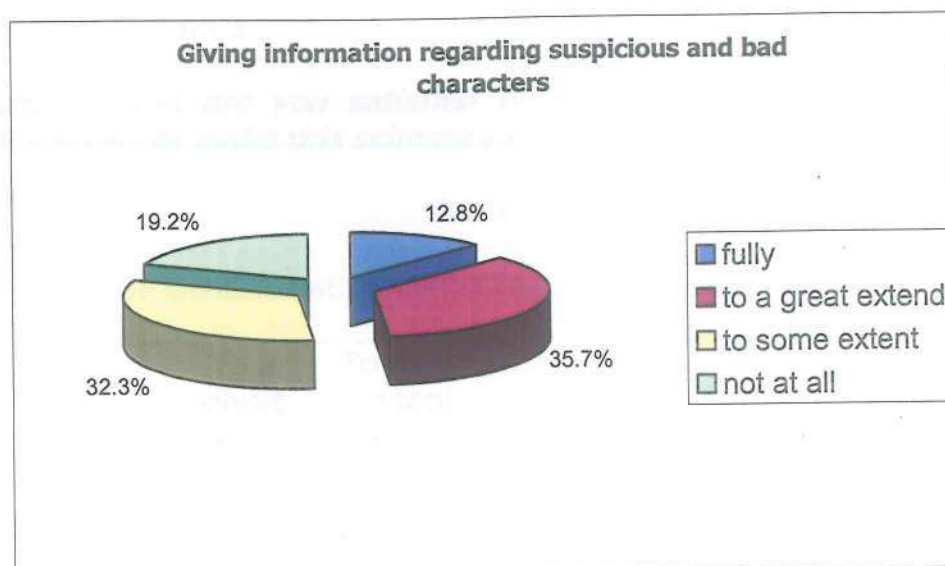


Rendering necessary assistance to police in rescue and relief works connected with natural calamities, etc



Arresting proclaimed offenders and absconders and producing such arrested persons to the nearest police station





Inferences:

The respondents perceived that following objectives have been achieved 'to some extent' only.

- ***Devolving of powers to the members of village.***
- ***Protection of persons.***
- ***Protection of property.***
- ***Patrolling for the purpose of prevention of crime.***
- ***Assisting police in maintaining public order and peace.***
- ***Rendering necessary assistance to police in rescue and relief works connected with natural calamities etc.***
- ***Arresting proclaimed offenders and absconders and producing such arrested persons to the nearest police station.***

Research Question 3

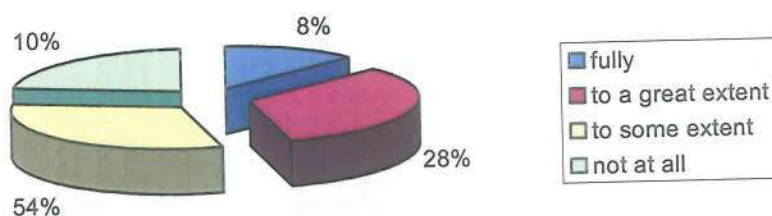
To what extent are you satisfied with the political commitment at various levels to make this scheme successful?

Table 3

RESPONSE OF GOVERNMENT OFFICIALS ON POLITICAL COMMITMENT

Fully	To a great extent	To some extent	Not at all	X^2 df=3 .05 level	Inference
10 (13.2%)	25 (32.8%)	24 (31.5%)	17 (22.5%)	7.6 (NS)	

To what extent are you satisfied with the political commitment at various levels to make this scheme successful?

Inferences:

Since the calculated value of X^2 (=7.6) for df=3 was found to be lower than the tabled value of X^2 (=7.82) at .05 level of significance, the response was mixed regarding political commitment at various levels to make Raksha Samithi Scheme successful. No conclusion could be drawn.

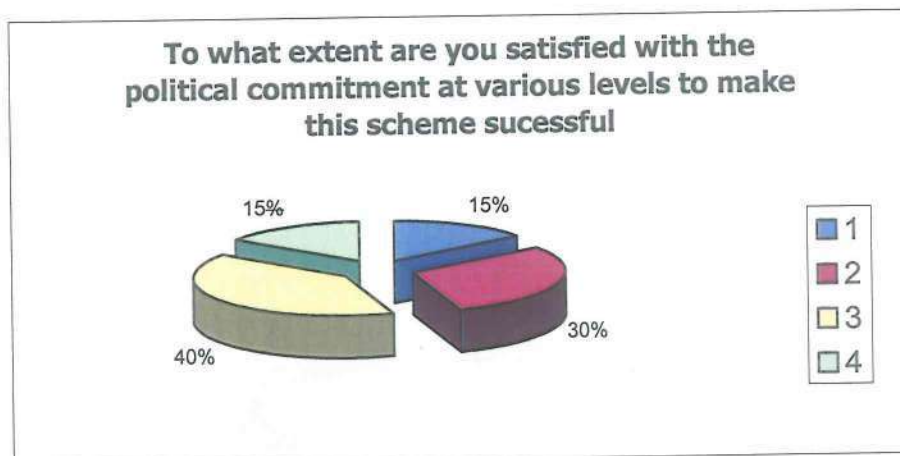
Research Question 4

To what extent public support and participation is there in making the scheme successful?

Table 4

EXTENT OF PUBLIC SUPPORT AND PARTICIPATION IN RAKSHA SAMITI SCHEME

Fully	To a great extent	To some extent	Not at all	X ² Df=3 .05 level	Inference
-	15 (34.9%)	<u>19</u> <u>(44.2%)</u>	9 (20.9%)	5.5 (NS)	To some extent

**Inference:**

Since the calculated value of X^2 (=5.5) for $df=3$ was found to be lower than the tabled value of X^2 (=7.82) at .05 level of significance, the response was mixed regarding extent of public support and participation in Raksha Samiti Scheme in MP. No conclusion could be drawn.

Research Question 5

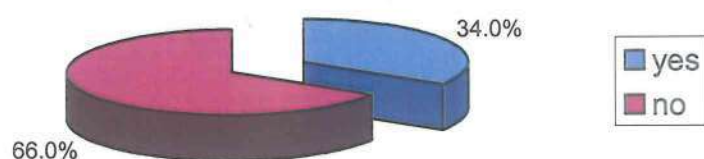
Do you think that it is yet another arm of the burgeoning administrative setup, which will in the long run, does not serve any effective purpose?

Table 5

RESPONSE OF GOVERNMENT OFFICIALS ON BURGEONING ADMINISTRATIVE SETUP

Yes	No	X^2 Df=1 .05 level	Inference
34 (34.0%)	66 (66.0%)	10.2	No

Do you think that it is yet another arm of the burgeoning administrative setup, which will in the long run, does not serve any effective purpose

Inference:

The Government officials were of the opinion that Raksha Samithi Scheme in Madhya Pradesh was not another arm of the burgeoning administrative setup, which will in the long run, does not serve any effective purpose.

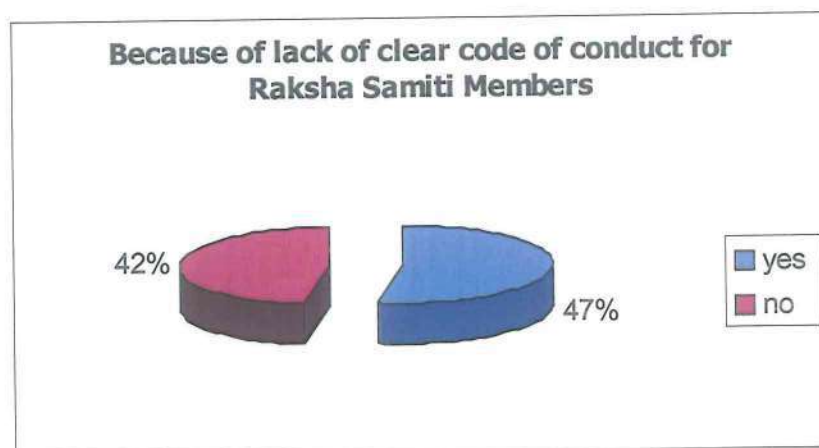
Research Question 6

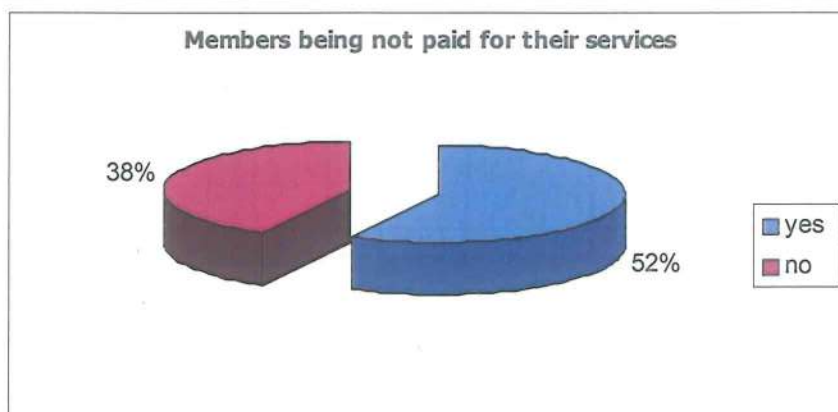
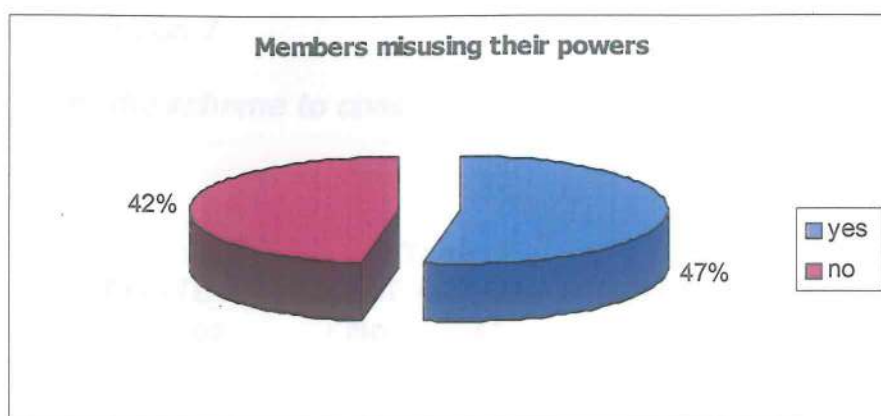
Possible reasons for failure :

Table 6
POSSIBLE REASONS FOR FAILURE OF RAKSHA SAMITI SCHEME

Statement	Yes	No	X ² df=1 .05 level	Inference
Because of lack of code of conduct for Raksha Samiti Members.	51 (52.0%)	47 (48.0%)	.1	Yes
Members have been misusing their powers.	47 (52.8%)	42 (47.2%)	.2	Yes
Because the members are not paid for their services	52 (58.2%)	38 (41.8%)	2.4	Yes
Because of predominance of caste politics.	45 (50.5%)	44 (49.5%)	.01	Yes
Because undesirable elements have entered Raksha Samitis	43 (47.7%)	47 (52.3%)	.17	No
Police does not like to share their power and privileges.	53 (58.8%)	37 (41.2%)	2.8	Yes

The respondents were not too sure about the possible reasons for failure of the Raksha Samiti Scheme. The opinion is divided.

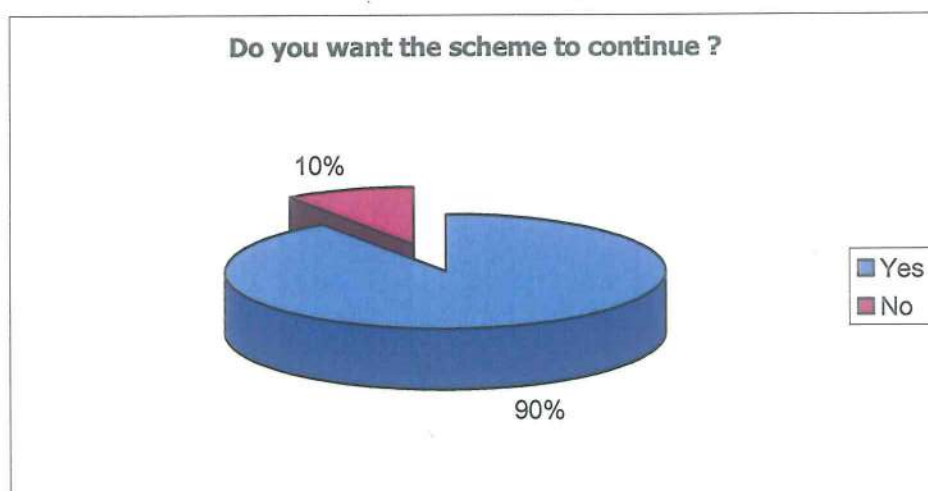




Research Question 7***Do you want the scheme to continue?***

Table 7
CONTINUATION OF RAKSHA SAMITI SCHEME

Yes	No	X^2 Df=1 .05 level	Inference
<u>86</u> <u>(90.5%)</u>	9 (9.5%)	62.4	Yes

**Inference:**

From the Table 7, it is evident that 90.5% of the respondents wanted the scheme to continue and their response is significant at 0.05 level of significance for (df=1) because the calculated value of X^2 (=62.4) was found to be greater than the tabled value of X^2 (=3.84) for df=1.

Chapter VI

MENT AND 1

Assessment &
Impact of
Gram Raksha
Samithis

CHAPTER VI

ASSESSMENT AND IMPACT OF GRAM RAKSHA SAMITIS

6.1 Gestalt Theory of Perception

Sensation refers to the process of receiving information, whereas to perceive means to interpret and also to understand. **Perceiving**, in fact, is believing. **Perception** is infinitely more complex and reliable than the mere collection of physical facts from the environment. Von Helmholtz (1980) stated that perception also contains experiences that are not in the stimulus but yet very powerful in influencing the issues that a man confronts. There is an unconscious inference' we make from what we perceive. The 'unconscious inferences' are of three types.

The irresistible inferences are beyond one's consciousness and are the outcome of unconscious processes. When we make the second type called the learning inferences, we have previous cultural experiences that automatically tend to come into play. The third type, inductive inferences are mental representations of stimuli which are not exact copy but analogically representative.

Perceiving is actually believing, as already mentioned. Perception is an active process which means that we do not have minds that simply lie in repose waiting for the next message to arrive. Our senses are continually exploring the

environment and we are ready to interpret whatever information we may receive in terms of what we already know or expect to be happening around us. Perception is independent of conscious will and is often creative and influenced by the context.

This researcher had used the method of perception as an assessment tool because of the above valid reasons. If a person perceives a thing or a concept or a phenomenon, it is done at the level of human mind in a wholesome form. This means that humans seem to be programmed to identify objects by individual component properties that are not concocted from a detailed description of each of its parts but the object as a whole per se. Objects or issues have, what are called, 'emergent properties'. It means that when one hears an orchestra the effect it has is an overall sound and not simply a collection of different instruments (Gestalt theory of perception). This research was based on that theory that perception is the most important phenomenon and it could be used more efficiently as an evaluation technique in assessing any programme/scheme (Gram Raksha Samiti Scheme, in this instance) for understanding the concept of rural policing in context of its implementation.

6.2 Perception of the four segments

This study is divided into four parts based on the perception of the following different segments in the society:

1. Perception of the general public
2. Perception of the police officers in the ranks of Inspectors/Sub Inspectors/Head Constables and Constables
3. Perception of the police officers from the rank of Deputy Superintendents of Police and above upto DGP
4. Perception of other important government officials

This classification has been made because it was found that these segments in the society are the main components for perceiving the impact of Gram Raksha Samitis as a concept of rural policing.

The researcher had personally visited the vast rural landscape and had interviewed all the above segments. The following 18 districts have been covered:

**1.Morena 2.Bhind 3.Gwalior 4.Guna 5.Chhatarpur 6.Satna 7.Sagar
8.Hoshangabad 9.Jhabua 10.Dhar 11.Indore 12.Ujjain 13.Mandsaur
14.Shajapur 15.Rajgarh 16.Bhopal 17.Vidisha 18.Raisen**

Apart from the above-mentioned districts, another 8 districts have also been covered making the survey almost representative of the various regions in Madhya Pradesh.

The actual work done in the Gram Raksha Samiti Scheme at the ground level is assessed on the basis of perceptions of the above four segments in the society.

6.3 The Public

The main stakeholders in the Gram Raksha Scheme are the villagers at large. They are acquiring new powers in self-governance with the re-establishment of Gram Sabhas.

The concept of Gram Sabha, though as old as the human civilization itself, has been long put on the back burner. The revival of Gram Sabhas once again through the Panchayat Raj system is a welcome aspect as it augurs well for all concerned. The rural scenario now perceives a new messiah in this kind of dispensation where each adult member in the village can partake in its overall development. In a sense, the villager is '**empowered**' once again.

All through the years, rural policing had been that 'in a cluster of villages there would be one police station', which seeks to cater them all. The police station area was such large that it ignored many villages and could cater to only to limited number of so-called important places. It was physically impossible to run it on efficient lines. The personnel available were not adequate in any case to look after all the villages. Because of this reason it was a selected few, supposedly influential, who virtually '**policed**' the villages. This was the bane of the Indian Policing in the rural areas as more often than not the justice meted out was biased, unequal and quintessentially one-sided. The general public at large was totally kept out of these processes.

Now, this seems to have changed in the villages of Madhya Pradesh. With the Gram Raksha Samitis established, more or less, in all the villages the public in general feel '**empowered**'.

They now think that Gram Raksha Samiti members who reside in their own villages, who are familiar and known to them can guard their villages very well. 46 per cent of the villagers feel that Raksha Samitis performance is very good

while nearly the same per cent (45.8) feel the performance is satisfactory, making it whopping 91.8 per cent. Only 8.2 per cent said that the performance is poor.

The other parameters also indicate that the Raksha Samitis have been well appreciated. Patrolling for the purpose of prevention of crime has been rated by **45.6 per cent** villagers as **very good** while **46.1 per cent** of them rated it as satisfactory.

In the aspect of protection of individual persons, **46.4 per cent** of the public had rated the performance as **very good** while another **46.6 per cent** rated it as **satisfactory**. In respect of protection of property 42 per cent felt that the performance is **very good**, while another **41.1 per cent** felt it to be **satisfactory**.

Historically, police in India has been identified as the strong and insensitive arm of the government in power. Most of the times, police has been recognized as insane and brutal to the common man and no one would get associated with these outfit until unless one is forced by dire circumstances.

With this kind of a bleak background, it is reassuring to learn that a **good 46.6 per cent** of the public felt that Gram Raksha Samiti members are, in fact, effectively assisting police in maintenance of public peace and order. This shows the human face that Gram Raksha Samitis have opened up for the police in general. This is the most positive aspect that had emerged from this survey.

Another most convincing reason for the continuation and extension of this Gram Raksha Scheme could be that a good **54.1 per cent** of public felt that they are rendering necessary assistance to police and public in the rescue and relief works connected with natural calamities.

This research had opened up that the perception of public regarding the members of Raksha Samitis has been quite encouraging in respect of their help to police in arresting proclaimed offenders and absconders and producing them to the nearest police stations (**60.5 per cent**). In giving information regarding suspicious and bad characters to the police, **63 per cent** public felt that their work was **very good**.

With all the above positive aspects about the Raksha Samiti Scheme, is there any doubt that **89.3 per cent** of the public supported the scheme with open arms?!

The researcher had posed other relevant questions regarding how public can increase the support given to the Raksha Samiti Scheme. As many as **93.1 per cent** have given the opinion that increase in the support can be given by the whole hearted participation. **91.9 per cent** felt that the members of the Raksha Samiti should be given a proper place in the society and also respect that is due to them. **87.3 per cent** of the public felt that by giving full and utmost cooperation, the support base could be increased, while **74.2 per cent** felt that the members and also the public should offer selfless service. **82.6 per cent** felt that motivation of only eligible persons to join the Raksha Samitis can do them good. **96.7 per cent** felt that the Raksha Samiti members should be provided with all relevant information about how to go for their assigned duties properly.

In a scenario where police is not rated too well to go with the public oriented services, **63 per cent** felt that the role of police in running the Raksha Samitis is very good, while **20.8 per cent** expressed their satisfaction. They also felt that **45.8 per cent** of police people were interested, **41.7 per cent** committed and **48.5 per cent** communicative with public. It is heartening to learn that **51.3 per cent** of the public felt that police were allowing people to communicate with them now in the changed times.

So as far as the security feeling amongst the villagers is concerned, **43.3 per cent** felt that the Gram Raksha Samitis have made them feel very good and **44.3 per cent** expressed that they were satisfied.

As far as the involvement of all leaders in the activities of the Gram Raksha Samitis is concerned, **33.3 per cent** felt very good, while **43.1 per cent** felt satisfactory.

To a negative question 'have Raksha Samitis failed', the response was an emphatic 'no' by a good **52.5 per cent** of the public. But they have the apprehension that it may fail due to many reasons. **49.3 per cent** say that it may fail because of the lack of code of conduct for the members. **64 per cent** feel that it may fail because the members can misuse their powers. **62.1 per cent** people felt that it might come down because the members cannot sustain themselves for too long, if they are not paid for their rendering of services to the Samitis. The predominance of caste politics in the villages could be the cause of its downfall, **67.7 per cent** of them apprehended. Another burgeoning problem

that could lead to the failing of this scheme could be the entrance of undesirable elements (**66.1 per cent**).

The researcher had found that with the introduction of this scheme, the members of the Raksha Samiti were given more prominence in the police stations than the other constabulary themselves. It was felt that, under these circumstances, the lower staff in the police hierarchy might be feeling a little bit uncomfortable in sharing their powers with the Gram Raksha Samiti members. As to the matter of asked about this question of the public perception, a good **82.1 per cent** of them felt that this Raksha Samiti Scheme might fail because the police does not like to share their powers and privileges with others.

However, **89.3 per cent** public felt that the scheme should be continued while **99.1 per cent** of them would join the scheme if taken in.

From the survey conducted on the public, the downside has been that the public felt that even at this stage the general understanding of the public about the functioning of the police is very poor. This was the opinion of **82.9 per cent** people.

Another disappointing factor had been that a good **85.2 per cent** of them had perceived that there has been no decrease of crime even after the introduction of Raksha Samiti Scheme.

6.4 Inspectors/Sub-Inspectors/Head Constables and Constables

This group forms the basic police at the cutting edge. A common man or a villager usually accosts them only in their normal transactions. It is a heartening thing to learn that as many as **79.5 per cent** of the public are aware of the functions of police station and police officers of the ranks of Inspectors/Sub-Inspectors/Head Constables and Constables. **86 per cent** of the public said that some police officer of those ranks had visited their village once in a while.

A separate questionnaire was made to elicit the views of the police officers in this category. In their own perception, **63.4 per cent** of them had felt that Gram Raksha Samitis have performed satisfactorily in guarding villages or areas assigned to them. **55.6 per cent** policemen felt that the members of Gram Raksha Samitis were performing satisfactorily in patrolling for the purpose of prevention of crime. **56.7 per cent** held the view that they were useful in protection of persons, while **47.6 per cent** felt that they were satisfactorily functioning in protecting the property.

When asked about the usefulness of Raksha Samiti members in assisting police, in the maintenance of public order and peace, **54.7 per cent** felt that their job was satisfactory. While rendering necessary assistance to the police in rescue and relief works connected with natural calamities, **55.6 per cent** felt that the work of the Raksha Samiti members was satisfactory.

In their own domain of rendering help in arresting proclaimed offenders and absconders as also producing such persons to nearest police stations, **44.4 per cent** of them felt that their work was satisfactory. Another **44.3 per cent** felt that they were helpful in giving information regarding suspicious and bad characters. The bright spot in this survey have been that **56.7 per cent** of the policemen felt that the Gram Raksha Samiti members are really helping them in day-to-day investigations.

Sharing of powers and privileges with the Raksha Samiti members had been a tricky question to pose. Did the policeman really liked to even partially share his powers with anyone? The researcher felt that if ever the Raksha Samiti Scheme would run into rough weathers it would be because that the policeman in all his hues and moods would never like to share his powers and privileges, forget about the members of the Raksha Samiti.

But to the biggest surprise **68.6 per cent** of the policemen expressed their sincere willingness to share their powers and privileges equally with the members of the Gram Raksha Samiti. The researcher personally feels that it is a revelation of sorts and it augurs very well for the scheme and police in general.

Another feature had been that **94.3 per cent** policemen felt that they had taken a special liking for this scheme but only **48 per cent** of them felt that the public participation scheme was good.

81 per cent of them have, however, felt that Raksha Samiti Scheme has not failed at all. But **52.7 per cent** of them felt it could fail if a proper code of conduct for the members was not put in place. **56.1 per cent** felt that it could fail, if members misused their powers. A good **66.3 per cent** felt that it could fail because the members were not paid for their services. **57.2 per cent** apprehended that predominance of caste politics in village scenario could be its reason for downfall. **54.4 per cent** felt that undesirable elements should be kept out of this scheme by deliberately weeding them out if they have already entered and not allowing such elements to enter at all in the first place.

However, generally **70.2 per cent** of the policemen wanted that the Raksha Samiti Scheme be continued and extended in future.

6.5 Senior Police Officers

As supervisory officers to the cutting edge level police force, the senior officers play a pivotal role. The researcher had designed and pre-tested the questionnaire for senior police officers.

To the question whether they supported the Raksha Samiti Scheme, a whopping **95 per cent** have wholeheartedly welcomed the idea. This speaks volumes about the importance they attach to the scheme in general and the idea of transference of power to people in particular.

Regarding the performance of the Raksha Samiti Scheme, senior officials have not rated it too well. **70.5 per cent** of them felt that the scheme had achieved the objective of devolution of powers to the members of the village only to some extent. **77.5 per cent** of them felt that the members of the Raksha Samiti helped police in guarding villages or areas assigned to them again to a limited extent.

In other aspects like patrolling for the purpose of prevention of crime, **60.9 per cent** of officers felt that the Raksha Samiti members were successful only to a certain extent. Performance in the areas of protection of persons and property were also rated to be successful only to some extent. In aspects like arresting proclaimed offenders and absconders, giving information regarding suspicious characters and any other tasks assigned to them, the elders have rated them to have been successful only to some extent.

However, **41.6 per cent** of them felt that Gram Raksha Samiti members are useful in rendering necessary assistance to police in rescue and relief operations connected to natural calamities.

In their answers to the open ended questions, they felt that members should be given timely and proper training. This could be the reason why they perceived that their performance in the quasi-police duties have been not upto the mark. However, they felt that with good training and adequate honorarium for the services rendered, there could be an improvement.

For that, they wondered if the police personnel at the cutting edge level were really interested in sharing their powers and privileges. They also felt that lack of proper code of conduct for the members is also a dampener. Some members of the scheme have found to be misusing their newly gotten powers for their self-enrichment. Some undesirable elements also have entered in the Raksha Samiti Scheme because of the complacency in their selection. Predominance of caste politics in villages seems to have been playing mischief in the performance of the members.

53.8 per cent of the senior police officers feel that the political commitment to the scheme is only to some extent and **41.6 per cent** of them perceived that even the public support and participation in the scheme is only to some extent. But **87.8 per cent** of them still feel that this Raksha Samiti Scheme should be continued.

6.6 Government Officials

The researcher wanted to elicit the views of other government officials also because they are also stakeholders of this scheme. It is very, very heartening to note that **87.7 per cent** supported this scheme with a warm heart.

But as in the case of senior police officials, **48.8 per cent** of them felt that the objective of devolution of the powers to the members of the village was achieved only to some extent. **39.2 per cent** of them felt that they were not at all helping the police in guarding the villages and areas assigned to them. **46.3 per cent**

felt that the objective of patrolling for the prevention of crime was achieved only to some extent. The objective of protecting people and their properties was also achieved only to some extent, according to them.

It is perceived that the members were successful only to a limited extent in assisting the police in maintaining public order and peace (**40.5 per cent**). Even in helping the police in arresting proclaimed offenders and absconders, only **38.7 per cent** felt that they were successful only partially. However, **35.7 per cent** of them felt that they were useful in giving information regarding suspicious and bad characters.

44.2 per cent of these officials opined that the extent of public support and participation of Raksha Samiti was to some extent only. But **32.8 per cent** of them felt that political commitment to the scheme was to a great extent.

Another important and different question has been posed to them because they were a third and independent party to assess the scheme properly. They were asked whether this scheme was another arm of the burgeoning administrative set up which in the long run does not serve any effective purpose. The answer to this was an assertive no by **66 per cent** indicating that the scheme was not another gimmick played on the people. This gives tremendous hope score for that this scheme was not taken lightly and it has got immense potential for improving to be the best way of rural policing in India because **90.5 per cent** of them felt that the scheme should continue.

Chapter VII

FINDINGS & RECOMMENDATIONS

☆ Findings & Recommendations

CHAPTER VII

FINDINGS AND RECOMMENDATIONS

7.1 Findings

Madhya Pradesh Government has enacted the Madhya Pradesh Panchayat Raj avam Gram Swaraj Adhiniyam, 1953 (No 1 of 1994) with the assent of the Governor received on 24.01.1994. It has since been amended 11 times. The last one being the Madhya Pradesh Panchayat Raj (Sanshodhan) Adhiniyam, 2001. This is an act to consolidate and amend the law relating to establishment of Panchayats with a view to ensure effective involvement of the Panchayat Raj institutions in the local administration and development activities. It extends to the whole of Madhya Pradesh.

Various attempts and experiments have been made all over the country to realize the concept of Gram Swaraj, the ultimate dream of the Mahatma Gandhi, but none have been exactly fruitful. The most any state could reach was upto the Panchayat level – an elected body which invariably included more than one village. This arrangement of getting through the process of elections to become a member or a Sarpanch of a Panchayat meant that only 'some privileged people', who have means, would partake in the decision-making processes of any village. Though all eligible voters had a right to choose their Panchayat members/Sarpanch, the inclusive nature of 'each villager' having equal opportunity to raise his/her voice was not present.

The uniqueness of the Panchayat Raj avam Gram Swaraj Adhiniyam, 1993 as amended upto 2001 is that it recognizes 'Gram Sabha' as the basic unit of all developmental activities connected with 'each village'. And 'each villager'

who has the right to cast vote has the power to have a say voice in all things concerning his village. That means the earlier element of only some privileged people having access to decision-making processes has been effectively done away with. This auger well for a common villager who all the time felt that he was 'powerless' and had no 'say' in the problems/issues ensnaring his/her village. This can be termed as the Dawn of New Panchayat Raj in Madhya Pradesh.

A Gram Sabha according to this Act means a body consisting of persons registered in the electoral rolls relating to a revenue village or forest village comprised within the area of the Gram Panchayat.

In the Constitution (73rd Amendment) Act 1992 (20.04.1993), Gram Sabha has been defined as a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level.

The definition clearly insists that Gram Sabha shall be the lowest unit. There will be one Gram Sabha for each village as specified by the Governor.

Gram Sabha shall be a body corporate by the name specified and shall have perpetual succession and all other characters of a body corporate. It shall be competent to acquire, hold and dispose of any property, movable or immovable. It shall also be competent to enter into any contract.

There shall be a meeting of Gram Sabha every month convened by its secretary in which not less than one fifth of the total number of members of the Gram Sabha forms a quorum. The members shall consist one third women and also members of SC and ST in the proportion of the population. Quorum shall be necessary for every meeting, which will be presided over by Sarpanch or Upsarpanch. All matters brought before Gram Sabha will be decided as far as

possible unanimously failing which by a general consensus. There are more than 37 clauses of powers and functions attributed to the Gram Sabha. The following are the matters normally taken up by the Gram Sabha.

- (a) To lay down the principles for identification of the schemes and their priority for economic development of the village
- (b) To approve all plans including annual plans, programmes and projects for social and economic development
- (c) To consider annual budget of the Gram Panchayat and make recommendations
- (d) To ascertain and certify the proper utilization by the Gram Panchayat of the funds for plans, programmes and projects
- (e) To identify beneficiaries under the poverty alleviation and other programmes
- (f) To ensure proper utilization and disbursement of funds
- (g) To spread general awareness amongst the people
- (h) Establishment of Raksha Samiti for
 - i. Safety of life and property
 - ii. Prevention of fire and extinguishing fire and safety of property

All these provisions make Gram Sabha the pivotal primary organization for the village. The inclusive nature of making all the eligible voters of the village as Gram Sabha members essentially ensures that every one is made responsible, responsive and also accountable in the developmental processes that concern the particular village.

7.2 Gram Sabha, Gram Raksha Samities and Rural Policing:

Section 7A of the Act (inserted by Madhya Pradesh Act 3 of 2001 w.e.f. 26.01.2001) specifies that Gram Sabha for discharging its functions and duties constitute eight standing committees in which the Gram Raksha Samiti is also included.

The integration of Gram Raksha Samiti into the body of the Gram Sabha is uniquely singular. Panchayat Raj Acts in the country normally include all facets of developmental aspects of the village/panchayats, like roads, water, community constructions, civic amenities, etc., as a separate domain. The integration of policing aspect into Gram Sabha is a distinct departure from the normal.

It is the responsibility and bounden duty of all nature and responsive citizens to be in charge of their aim overall development. Apart from development of physical infrastructure for better living in a village, it is imperative that a sense of security both physical and mental should also be established. The lives of men, women, children and cattle should be secure. Land, water and other natural attributes of the village should also be secure. Who can be better guards than the villagers themselves? The very fact that Madhya Pradesh Government has included the sub-committee of Raksha Samiti in Gram Sabha appears to be an innovative and healthy experiment.

7.3 Gram, Gram Raksha Samities and Village Policing:

Between the Panchayat Raj and Gram Raksha Adhiniyam, 1999 and its amendment to include Gram Raksha Samities in Section 7A as a standing committee of Gram Sabha in 2001, there came a piece of legislation in year 1999 called the Madhya Pradesh Gram tatha Nagar Raksha Samitis Adhiniyam, which received the assent of the Governor on January 4, 2000.

This is an act to provide for the constitution of Gram (Village) and Nagar (Urban) Raksha Samitis for maintenance of peace and order. These are voluntary bodies called Raksha Samitis which the Government may by notification direct any Superintendent of Police to constitute for such areas within jurisdiction, as it may consider necessary. The members of which shall discharge such functions and duties in relation to the defence of the villagers and localities/wards in the towns, the protection of persons, the security of property and the preservation of public order in such areas as may be assigned to them in accordance with the provisions of the Act.

Armed with the enactment, Madhya Pradesh now has as many as 45,000 registered Gram Raksha Samities with 4.5 lakh members and 5,400 Nagar Raksha Samities with 69,000 members as constituted by the Police Department. There is a Gram Raksha Samiti in almost every village now.

The DG and IG of state police is the head of all Raksha Samitis and he exercises general control over them while the administrative charge throughout the state vests in and is exercisable by them. The Superintendent of Police is local head of the each Raksha Samiti in the districts.

The SP constitutes Raksha Samitis consisting of such number of persons as prescribed. Every person between the age of 20 and 45 years and residing in a village/locality who is willing, physically fit and capable shall be eligible for enrolment as a Raksha Samiti member provided that such person has not been convicted in any criminal case. The members of Raksha Samiti perform the following:

- (a) guarding of the village/area assigned to them
- (b) patrolling for the purpose of prevention of crime
- (c) protection of persons and property
- (d) assisting, when necessary the police in maintaining public order and peace
- (e) performing such other duties as may be assigned to them from time to time by the State Government or SP
- (f) to arrest proclaimed offenders and absconders and produce them to the nearest police station without delay
- (g) to give information regarding suspicious and bad characters
- (h) to render necessary assistance to police in rescue and relief works concerned with natural calamities

7.3.1 Privileges of Raksha Samitis members :

- (a) Every member of the Raksha Samiti when called for duty has the same powers, liabilities, privileges and protection as police officer under the Police Act, 1861.
- (b) No prosecution can be instituted against a member of Raksha Samiti in respect of anything done or purported to have been done in exercise of his powers or the discharge of the duties except with the previous sanction of the SP.
- (c) Members of Raksha Samitis acting under this Act shall be deemed to be public servants under the meaning of Section 21 of the IPC, 1860.

Members of Raksha Samiti are not disqualified from being members of local authorities.

This legislation is the culmination of all the concerted efforts of the police department in trying to garner the support of people at large in policing activities. The act also shows the interest of the Government of the day in dovetailing the department of police with the Panchayat Raj Institutions at their lowest denomination of Gram Sabha.

7.4 This Research Study :

The efforts of Madhya Pradesh Police in the Gram Raksha Samiti front as a means of rural policing in the context of grassroot democratic decentralization were to be evaluated. This scheme has been running in almost all the districts of Madhya Pradesh. The aim of this study was to assess the success or otherwise of this scheme in terms of numbers. 18 districts were selected for study

considering the geographical spread and the cultural diversities available across the state. Perception of the people who were categorized into four segments as under has been taken as the measure of success of the scheme and as a conjunct of the issues involved therein.

1. Perception of general public
2. Perception of police officers in the ranks of Inspectors/Sub-Inspectors/Head Constables and Constables
3. Perception of police officers from the ranks of Deputy Superintendent of Police and above upto DGP
4. Perception of other important Government Officials

The project basically concentrated on the aspect of change in rural policing in the context of grassroot democratic decentralization. Which put in plain language means if Gram Sabha is taken as the lowest denomination of grassroot democratic decentralization in the bigger scheme of the institution of Panchayat Raj in Madhya Pradesh, what exactly has been the contribution of Gram Raksha Samitis in changing the perceptions of villagers in the rural landscape towards policing ? Has there been a perceptible change in rural policing patterns ?

7.5 The Public

It is true that introduction of Gram Sabha as the basic unit of governance in Panchayat Raj system has once again put the power back where it belonged – in the hands of general public. The revival of Gram Sabhas is a welcome aspect as it can do a lot of good to the people in general. The importance of this is that each adult member in the village can be a part of its overall development.

Virtually, Madhya Pradesh now has some semblance of police representation in all villages with the advent of Gram Raksha Samitis. The spread of these Samities is so broad based that in almost all the villages there is an outfit of Gram Raksha Samitis though the number of participants/members might be ranging from anywhere between 5 to 20 on an average. The end result of all this is that the villagers in general feel empowered.

There is a feeling now among the villages that they themselves can guard their villages. Incidentally, the villagers also feel that they can be a part of the crime prevention machinery. Earlier, whenever a crime happened, there was a certain feeling of helplessness on the part of them, because they were totally dependent on an organization, which was outside of the village - police. The inclusiveness of the active participation of villagers was absolutely an alien element. With the Gram Raksha Samiti members in place now the police acts as a facilitator in arriving at a solution to any crime that occurs in a village. The active participation of Gram Raksha Samiti members in solving the crime makes the villagers feel that they are no more passive witnesses to the nefarious activities in the village including grave crimes.

The opening up of the Samities right in the villages has also made the villagers look up to the human and humane face of policing. Historically, police was seen as the strong arm of governance where high-handedness and insensitivity were the core characteristics. Now, the villagers perceive that police can be humane and considerate also.

Studies in sociology come up with the theory that the rural people in general are a closed group. They take a long time to open up to the outsiders. In the study it has been revealed that the initial diffidence of the villagers is overcome and police is now an accepted element in their scheme of things. This is a very positive aspect of the Gram Raksha Samiti Scheme. The image of police in

general public is mostly negative and unhealthy because most people carry notions, which are not necessarily from their firsthand experiences. In most cases, people believe the hearsay and exaggerated rumors about the excesses of the police and form a not-too-positive image, which is carried all through their lives. The contact of the villagers on a one-to-one basis with the introduction of the Scheme has been allaying their fears of police and wipe off the previous perceptions.

The behaviour of policemen towards the Raksha Samiti Members had admittedly been very good following which the interaction of the other villagers with the policemen is also increasing. This could result now in flow of good intelligence. This is a very positive development and is very helpful both to the public and the police.

7.6 Inspectors/Sub-Inspectors/Head Constables/Constables

By some quirk circumstances, the officers of police at these configurations have always been rude to the people, especially the rural population. They took the villagers to be too simplistic and unintelligent to involve them in any activity connected with the Government, least the activities of Police. This has changed quite dramatically after the introduction of this Scheme. The frequent interactions with the villagers now had made the above police officers realize and understand that the rural people are more scientifically inclined in their own rustic manner.

The way in which villagers have shown enthusiasm to join as the members of Raksha Samiti had certainly taken them by surprise and awe. Even more, their wholehearted participation was an indicator of the newfound strength in the police ranks. Each Gram Raksha Samiti member is like a new ear, eye and limb to the police officers. These people started acting like their clones in gathering

intelligence, collating information and passing the same, helping the investigations, lending their hand in patrolling the troubled villages as also acting as an extra force in times of fairs, festivals and melas, etc.

This research study has found that the amalgam of the villagers and police officers would be a sure short panacea for all the ills in the society.

The surprise finding of the research was that police officers at this level were willing to share their intrinsic powers with the Gram Raksha Samiti Members. The researcher had initially hypothesized that this Scheme would be a failure, if ever it failed, only on that sole reason that police officers at the cutting edge level would not be too enthused to share their powers and privileges with any one. But this study had proved that it is not the case. If the member of the Raksha Samiti was found to be willing to share the burden, the policemen were also willing to share their powers and privileges. This aspect should be an eye opener to all.

7.7 Senior Police Officers

Though the Senior Police Officers have not parse, rated this scheme too high, the very fact that it had reached all the villages at present should be a heart-warming revelation. If proper code of conduct for both the Police Officers and the members of Gram Raksha Samitis are prescribed the scheme can really do wonders in the upkeep and maintenance of law and order, curbing of crime and intelligence gathering at each village level. The officers at senior levels should be as the clichéd phrase puts it – friends, philosophers and guides. This scheme needs to be furthered by them.

7.8 Other Government Officials

All other Government official machinery had found the Scheme to be of immense utility. The dovetailing of this Scheme with other developmental Schemes would help the Government efforts to alleviate the sufferings of villagers and also improve their lot substantially.

7.9 Recommendations

The recommendations following this research study are enumerated from the viewpoint, in their own words, of (a) Public (b) Inspectors/Sub-Inspectors/Head Constables/Constables (c) Police Officers and (d) Government Officials.

The suggestions and recommendations of the researcher are given at the end.

7.9.1 Public

Public would join the Gram Raksha Samitis, if

1. They are well informed of their legal status, privileges and obligations.
2. They are given some allowances.
3. They are given some rewards/awards (even, cash)
4. In future they would be given priority in Government services.
5. Youth having criminal record are not allowed.

6. They are given priority in the issue of Arms License

7. They are imparted proper training.

7.9.2 Sub Inspectors/Head Constables/Constables

Incentives for public to enthusiastically participate the Raksha Samiti Scheme -

1. The feeling that the public themselves are patrolling their villages.
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2. The public should be informed about their legal status as members.

3. The members should get some monetary benefit for good performance.

4. They should be trained properly.

5. They should be given priority in the issue of Arms License.
--

6. Cash prizes for good performances should be encouraged.
--

The basic incentive for joining the Raksha Samiti is that the public wants to –

1. Show correct path to the bad elements in the society.
--

2. Assist the police in maintenance of law and order
--

3. Have unity in the society at all levels
--

4. Prevent crime and help police in apprehending the criminals.

5. Patrol the villages themselves and be responsible for their own security.
--

6. Physically protect the individuals and community members.
--

7. Train the other Raksha Samiti members properly.
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Suggestions to improve the scheme further -

1. Proper and timely training should be provided.

2. Some allowance/remuneration should be paid.
--

3. Rewards for good performance should be encouraged.

7.9.3 Officers in Police

Incentives for public to participate enthusiastically in the Raksha Samiti Scheme

1. The feeling that public is patrolling the villages themselves.

2. Members of the Raksha Samiti should be informed about their legal status.
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3. Good performance should be rewarded.

4. Members should be given honorarium.
--

5. Members should be given timely and proper training.
--

6. Members should be given preference in the issue of Arms Licenses.
--

7.9.4 Government Officials

Suggestions to improve the scheme further –

1. Proper and appropriate training be provided to the members.
2. Some allowances/remuneration be paid.
3. Incentives are given for good performances.

7.9.5 Suggestions and Recommendations of the Researcher:

That the Gram Raksha Samiti Scheme is an unqualified success at all levels is clearly seen. Perceptions of general public, police officers and other officials have been largely positive. All of them have unanimously wanted the Scheme to continue. Hard statistics apart, the following are the practical points that could be derived from this study.

1. The presence of Gram Raksha Samitis in almost all the villages is establishing vital communication links between the remote villages and the nearest police stations. Earlier, the happenings and events in villages around the police stations went under-reported, misreported or, at times, totally unreported. This was because there was no way a communication channel could be brought about. The staff position in the police stations was always precarious vis-à-vis their vast jurisdictions. But with the formation of Gram Raksha Samitis in the villages now, at least a semblance of communication link on a regular basis has been established. This is a very important practical point that has tremendous positive implications. It is worthy of note that the Raksha Samiti members can be a good medium for getting information from their respective villages. The

Station House Officer and his staff at the Police Station can do well to get intelligence with some element of reliability from villages through the Raksha Samiti Members on a continuous and regular basis. The cost of maintenance of this good intelligence link is very minimal and information of any sort from the hinterland remote villages is always welcome. The Gram Raksha Samiti members when they visit the police stations should be received well there. The staff at the Police Stations should be so sensitized that any Raksha Samiti member from a village at any time of the day or night should feel welcomed. The mechanism at the Police Station should be so galvanized and equipped that any piece of information is made to be perceived worthy of note and the carrier of that intelligence is well received there personally. This very aspect will enthuse the Samiti member to look forward to more future interactions and thus more quality information for police.

The researcher strongly recommends that this very important practical point be exploited to the hilt, remembering that the Police Department's vital communication and intelligence link in the village at present is the Gram Raksha Samiti member.

2. Each village has its quota of active young people who are bursting at seams with energy. If misdirected, this energy could be dissipated in unproductive and, at most of the times, in a counter productive manner bringing shame to the perpetrator and hurt to the victim. The police should identify this energy and channelise it to be used in activities like patrolling the villages in the night and also involving the youth in help-activities connected with natural calamities like earthquake, floods, etc. Primarily, the youth takes pride in doing such works, which are in a way altruistic. Patriotism also ranks high because at that age the uncorrupt mind is full of idealism. If the police can garner the potential, the society in general will be greatly benefited. By some intelligent planning strategies, the local police officers should draw up plans to put the enthusiastic youth in night patrolling and other activities, which not only

generate huge camaraderie amongst them but also help in securing a good sense of security in the villagers.

The researcher recommends that the Gram Raksha Samiti Scheme be made the most primary vehicle to induct local youth for a healthy symbiotic relationship between the police and the public.

3. It is unbelievable but true that though the public fears police the most, it ironically also wants to get associated as much with the some outfit. It could be the sense of awe or some kind of feel-good ambience associated with the police, which inspire everyone to get close and derive that 'exclusive' feeling. This aspect has come out very distinctly in the study. It should be the earnest endeavor of the police to work on this unique human nature. Most of the times, the police is isolated from the public when it comes to investigation of cases. The police could do well to associate intelligent public men and women through the Raksha Samiti Scheme in getting proper help in investigations which could include gathering good intelligence, associating them in keeping a vigil on suspect characters, or even apprehending criminals, if necessary, etc.

The researcher recommends that members in the public who are inclined positively towards police should be actively associated with police investigations through this Scheme.

4. The Gram Raksha Samiti members could be identified for giving Arms Licenses and also be marked for special training. The arms that are lying unused in the malkhanas can be given to Gram Raksha Samiti members by adopting special methods depending upon the utility of such exercise. It has been found in this study that many men in the public are simply enthralled and enthused at the idea of having a gun license at least, if not a gun. A clear training programme in a phased manner may be conducted for all the willing Gram

Raksha Samiti members who should be granted arms licenses on priority basis. These members can be of good use in anti-dacoity areas and places which are prone to theft, house-breaking and, to an extent, terrorism.

The researcher recommends that guns and gun licenses be given to Raksha Samiti members liberally albeit after proper and systematic training imparted to them.

5. It is very well seen that the rural underemployment and unemployment has become the bane of the country. The Gram Raksha Samiti Scheme has, indeed, attracted many unemployed youth in the villages. To get more youth into the scheme it is suggested that members who have joined this scheme and served good for a minimum qualifying period may be given same bonus points to be added to their marks for selection in the State Government jobs. This incentive would attach a lot of value to the scheme. It has the added advantage of utilizing the energy of the youth in a positive and useful direction. Though many have voiced that the Gram Raksha members be paid regular money by way of allowances, etc., it is recommended that no salary or allowances on regular basis be paid as this may become another arm of burgeoning administrative setup, which will in the long run, does not serve any effective purpose.

It is also suggested that members in the scheme should be employed only for a maximum period of 3 years after which a review of the usefulness of the members to the scheme be made. Any member who had outlived his/her utility be demonstratively removed and replaced by another competent person. This will ensure that new blood is always available for manning the Gram Raksha Samiti Scheme as also a hope and chance for all enthusiastic people to partake.

The researcher strongly suggests that some bonus points be added at the time of selection to the State Government jobs for the Gram Raksha Samiti Members on the basis of their performance. Instead of regular allowances only incentives for good work may be provided as per the requirement, which can range from a public appreciation and recognition of the member to even a small token cash prize.

7.10 Further Research

The Researcher restricted this study only to one Community Policing programme namely, the Gram Raksha Samiti Scheme. It is suggested that evaluation and enumerations be done on other Community Policing efforts initiated in Madhya Pradesh for a better and proper understanding of the impact of such schemes in the policing patterns both in the rural scenario and the cities/ towns.



APPENDIX -I

THE MADHYA PRADESH GRAM TATHA NAGAR RAKSHA SAMITI ADHINIYAM, 1999

(Received the assent of the Governor on the 4th January, 2000, assent first published in the "Madhya Pradesh Gazette (Extra-ordinary" dated 13th January, 2000)

An act provide for the constitution of Gram Tatha Nagar Raksha Samitis for the maintenance of peace and order in the State of Madhya Pradesh and their powers and duties.

Be it enacted by the Madhya Pradesh Legislature in the Fiftieth Year of the Republic of India as follows:-

Short title, extent and commencement: 1. (1) This Act may be called the Madhya Pradesh Gram Tatha Nagar Raksha Samiti Adhiniyam, 1999.

(2) It extends to the whole of the State of Madhya Pradesh.

(3) It shall come into force on such date and in such areas, as the State Government may, by notification specify, and different dates may be specified for different areas.

Definition: 2. In this Act, unless the context otherwise requires-

(a) "Government" means the Government of Madhya Pradesh

(b) "Member of a Raksha Samiti" means a person enrolled under Section 8;

(c) "Superintendent" means the Superintendent of Police.

Constitution of Raksha Samiti: 3. The Government may by notification direct any Superintendent to constitute for such areas within jurisdiction, as it may consider necessary, volunteer bodies called Raksha Samitis, the members of which shall discharge such functions and duties in relation to the defence of the villages and localities/wards in the towns, the protection of persons, the security of property and the preservation of public order in such areas as may be assigned to them in accordance with the provisions of this Act and the Rules made thereunder.

Superintendence of the Raksha Samiti to vest in Government: 4. The Superintendence of the Raksha Samiti throughout the State vests in and is exercisable by Government and any control, direction and supervision exercisable by any officer over any member of a Raksha Samiti shall be exercisable subject to such superintendence.

Powers of Director General, Inspector General range Inspector General and Superintendent of Police. : 5 (1) The Director-General and Inspector -General of State Police shall be the head of all the Raksha Samitis in the state and shall exercise general control over them.

(2) The Superintendent shall be the head of the Raksha Samitis in the area for which he is appointed as Superintendent.

(3) The administration of Raksha Samitis in any area shall, subject to the general control and direction of the Inspector General of Police of the concerned range having jurisdiction over the area be vested in the Superintendent.

Superintendent to constitute Raksha Samitis in District: 6. On the Issue of a notification under Section 3, the Superintendent shall constitute Raksha Samitis consisting of such number of persons, as may be prescribed.

District Raksha Samiti Board: 7. Every district shall have a District Raksha Samiti Board consisting of the Minister in-charge of the district as Chairman. The Collector of the District and the Superintendent who shall be the Member-Secretary of the Board. The Board shall hear the complaints against the members of the Raksha Samitis and take appropriate decisions.

Qualification of members of Raksha Samitis: 8. Every person between the age of 20 and 45 years and residing in a village/locality and who, having regard to the nature of duties and functions to be performed under this Act, is willing to be a members, and is physically fit and capable, shall be eligible for enrolment as a member of the Raksha Samiti constituted for the area.

Provided that such persons who have been convicted in a criminal case or who are under trial in a criminal court shall not be eligible to be enrolled as a member of Raksha Samiti.

Enrolment of member of a Raksha Samiti: 9.(1) The Superintendent may enroll in the prescribed form any person who is eligible under Section 8 as a member of the Raksha Samiti.

Provided that in such enrolments due representation may be given to Scheduled Castes, Scheduled Tribes, Women and Minorities.

(2) The Superintendent shall issue a certificate of enrolment to every member of a Raksha Samiti which shall be in such form as may be prescribed and thereupon he shall have the powers privileges and protection conferred and shall discharge the duties imposed on him as a member of the Raksha Samiti by or under this Act.

(3) The Korwar and Patel of the village wherever they have been appointed shall be the member of the Raksha Samiti.

Nomination of Mukhaya Rakshak: 10. The Superintendent shall nominate for every Raksha Samiti, one of its members as Mukhaya Rakshak whose powers and duties shall be such as may be prescribed.

Posting of Station and Jila Raksha Adhikari: 11. (1) For direction and supervision of Raksha Samitis within the local limits of a police station, the Superintendent may post a police officer, not below the rank of an Assistant Sub-Inspector to be a Station Raksha Adhikari.

Control and training of members and officers: 12. Members of the Raksha Samitis and the officers nominated or posted under Section 10, and 11 shall be under the direction and control of the Superintendent and shall receive such training and when called out for duty shall discharge such functions and duties as may be prescribed.

Functions and duties of Raksha Samitis: 13. The members of Raksha Samitis shall perform the following functions and duties.

- (a) Guarding of the village/area assigned to them
- (b) Patrolling for the purpose of prevention of crime
- (c) Protection of persons and property
- (d) Assisting, when necessary the ordinary police in maintaining public order and peace;
- (e) Performing such other duties as may be assigned to them from time to time by the State Government or the Superintendent;
- (f) To arrest proclaimed offenders and absconders and to produce such arrested persons to the nearest police station/outpost without delay;
- (g) To give information regarding suspicious and bad characters;
- (h) To render necessary assistance to police in rescue and relief works connected with natural calamities

Training: 14. The Director General of Police or any Police officer authorized by him in this behalf or the Superintendent may call out any member of a Raksha Samiti for training or to discharge any of the functions or duties assigned to them in accordance with the provisions of this Act and the rules made thereunder.

Powers, protection and control: 15(1) Every member of the Raksha Samiti shall, when called out for duty, have the same powers, liabilities, privileges and protection as a Police Officer under the Police Act, 1861 (No. 5 of 1861).

(2) No prosecution shall be instituted against a member of a Raksha Samiti in respect of anything done or purporting to be done in the exercise of his power or the discharge of his functions or duties as such member except with the previous sanction of the Superintendent.

De-enrolment: 16. The Superintendent may de-enroll any member of the Raksha Samiti, who on being called out under section 14, without reasonable excuse neglects or refuses to obey such order or to discharge his functions as a member of the Raksha Samiti or to obey any lawful order or direction given to him for the performance of his duties.

Certificate to be delivered up by the persons censing to be a member: 17(1) Every person who for any reason ceases to be a member of a Raksha Samiti or resigns his membership shall forthwith deliver to the Superintendent or to such person and at such place as the Superintendent may direct, his certificate of enrolment and the arms and other articles which have been issued to him as such member.

(2) When a member of a Raksha Samiti dies, any person who is in custody of the certificate of Enrolment, the arms and the articles referred to in sub-section (1) which have been issued to the said member shall forthwith deliver to the Superintendent or to such person or at such place as the superintendent may direct, the said certificate of Enrolment, arms articles.

(3) Any magistrate and the Superintendent may issue a warrant to search for and seize wherever they may be found any certificate, arms or other articles not delivered as required by sub-section (1) or sub-section (2). Every warrant so issued shall be executed in accordance with the provisions of the Code of Criminal Procedure, 1973 (No.2 of 1974) by a Police officer or if the Magistrate or the Superintendent issuing the warrant so directs by any other person.

Punishments: 18(1) If any member of the Raksha Samiti willfully neglects or refuses to deliver up his certificate or enrolment and the arms or any other article in accordance with the provisions of sub-section (1) of Section 17, he shall, on conviction, be punished with imprisonment which may extend to fifteen days or with fine which may extend to Two hundred and fifty rupees or with both.

(2) If any person willfully neglects or refuses to deliver the certificate of enrolment and

the arms or any other article in accordance with the provisions of sub-section (2) of Section 17, he shall, on conviction, be punished with fine which may extend to Five hundred rupees.

(3) No proceeding shall be instituted under sub-section (1) or sub-section (2) without previous sanction of the Superintendent.

Member of Raksha Samiti to be Public Servants: 19. Members of the Raksha Samiti acting under this Act shall be deemed to be public servants meaning of Section 21 of the Indian Penal Code, 1860 (No. 45 of 1860)

Members of Raksha Samiti not disqualified from being Members of local authorities: 20. Notwithstanding anything contained to the contrary in any other law for the time being in force, a member of the Raksha Samiti shall not be disqualified from being a member of any local authority nearly, by reason of the fact that he is a member of a Raksha Samiti or that he holds an office of profit under the Government by virtue of his being a member of a Raksha Samiti.

Explanation :- For the purpose of this Section "Local authority" includes a Municipal Corporation, Municipal Council, a Nagar Panchayat, Zila Panchayat, Janpad Panchayat and Gram Panchayat.

Powers to make rules: 21. (1) The Government may, by notification, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for or regulate the following matters, namely:-

(a) The functions which shall be discharged and the duties which shall be performed by the Raksha Samiti under Section 3;

(b) The form in which certificate or enrolment shall be issued under sub-section (2) of Section 9.

(c) The organization, enrolment and functions discipline of the members of the Raksha Samiti and the manner in which they may be called out for duty;

(d) Powers, duties and training of the Mukhya Rakshak, Station Raksha Adhikari and Zila Raksha Adhikari under Section 12 and

(e) Generally for giving effect to the provisions of this Act.

(3) Every rule made under this Act, shall be laid, as soon as may be after it is made, on the table of State Vidhan Sabha.

Appendix -II

Questionnaire on Public Perception of Raksha Samiti Scheme

1. Name : _____ 2. Age: _____ 3. Occupation: _____
4. Educational Qualifications: _____ 5. No. of family members: _____
6. Income : _____ 7. Earning members in your family : _____
8. Dependants in your family: _____ 9. Name of the village : _____
10. Are you a Gram Raksha Samiti member ? Yes/No

-
1. Have you ever been to a police station ? Yes/No

If yes, why?

2. Are you aware of the functions of police station and police officers ? Yes/No
3. Has any police officer ever visited your village ? Yes/No
4. Are you aware of the Raksha Samiti, which exists in your village? Yes/No
5. How many members are there in the Raksha Samiti ?

Do you know their names?

6. How will you rate the performance of 'Raksha Samiti' in your village in the following aspects ?

- | | |
|--|-----------------------------|
| a. Guardings of villages/areas assigned to them | Very good/Satisfactory/Poor |
| b. Patrolling for the purpose of prevention of crime | Very good/Satisfactory/Poor |
| c. Protection of persons | Very good/Satisfactory/Poor |
| d. Protection of property | Very good/Satisfactory/Poor |
| e. Assisting police in maintaining public order and peace | Very good/Satisfactory/Poor |
| f. Rendering necessary assistance to police in rescue and relief works connected with natural calamities, etc. | |

Very good/Satisfactory/Poor

- g. Arresting proclaimed offenders and absconders and producing such arrested persons to the nearest police station Very good/Satisfactory/Poor
- h. Giving information regarding suspicious and bad characters and other Very good/Satisfactory/Poor
- Comments, if any

7. Do you feel that crime has
Decreased after the Raksha Samiti
Was formed in your village Fully/To a great extent/To some Extent/Not at all

8. A. To what extent Public supports
Raksha Samiti in your
village Fully/To a great extent/To some Extent/Not at all

B. How can public support 'Raksha Samit' better ?

- | | |
|--|----------------|
| a. By whole hearted participation | Agree/Disagree |
| b. By giving respect to the members of Samiti | Agree/Disagree |
| c. By giving full cooperation | Agree/Disagree |
| d. By offering selfless service | Agree/Disagree |
| e. By motivating eligible persons to join | Agree/Disagree |
| f. By providing relevant information to
Raksha Samiti members | Agree/Disagree |

Comments

9.A. How will you rate the role of police Very Good/Satisfactory/Poor

B. What is your comment about the police participation in the scheme ?
Are they

- | | |
|-----------------------------------|-----------------------------|
| a. Interested | Very Good/Satisfactory/Poor |
| b. Committed | Very Good/Satisfactory/Poor |
| c. Communicative withy public | Very Good/Satisfactory/Poor |
| d. Allowing people to communicate | Very Good/Satisfactory/Poor |

10. What are the gains to the village as a whole from the scheme as per your perception in contributing to the feeling of

- | | |
|--|-----------------------------|
| a. Security among villages | Very Good/Satisfactory/Poor |
| b. Involvement of all community members | Very Good/Satisfactory/Poor |
| c. General understanding of public about the functioning of the police | Very Good/Satisfactory/Poor |

11. Do you feel that the Raksha Samiti has failed ? Yes/No

Comments

If failed, causes of failure

- | | |
|--|--------|
| a. Because of lack of conduct for Raksha Samiti members | Yes/No |
| b. Members have been misusing their powers | Yes/No |
| c. Because the members are not paid for their services | Yes/No |
| d. Because of the predominance of caste politics | Yes/No |
| e. Because undesirable elements have entered Raksha Samitis | Yes/No |
| f. Police does not like to share their powers and privileges | Yes/No |

12. Do you want the scheme to continue? Yes/No

13. Do you want to join the Gram Raksha Samiti ? Yes/No

If yes, why ?

14. What do you think is the basic incentive for joining the Raksha Samiti ?

15. What are your suggestions to improve the scheme further ?

16. What is your perception regarding the functioning of Gram Sabha in your village ?

17. Has there been a perceptible change in the attitude of government officials towards villagers after formation of zila sarkar ?

APPENDIX III

**Questionnaire
On
Perception of Police
On
Raksha Samiti Scheme
(for SIs/HCs/Constables)**

Name : _____

Rank: _____

Place of

Posting: _____ Experience: _____

1. Are you aware of Raksha Samiti Scheme in your jurisdiction ?

Yes/No

a. Who is the head in the state ?

b. Who is the head in your area of jurisdiction ?

c. Who are the members of Raksha Samiti ?

d. What is the eligibility criteria for public to join the Raksha Samiti ?

e. Who are the compulsory members

2. What is your opinion about the performance of the Raksha Samitis in the following areas?

- | | |
|---|------------------------|
| a. Guarding of villages/areas assigned to them | Very/Satisfactory/Poor |
| b. Patrolling for the purpose of prevention of crime | Very/Satisfactory/Poor |
| c. Protection of persons | Very/Satisfactory/Poor |
| d. Protection of property | Very/Satisfactory/Poor |
| e. Assisting police in maintaining | Very/Satisfactory/Poor |
| f. Rendering necessary assistance to police in rescue and | |

relief works connected with natural calamities, etc. Very/Satisfactory/Poor

g. Arresting proclaimed offenders and absconders and producing such arrested persons to the nearest police station Very/Satisfactory/Poor

h. Giving information regarding suspicious and bad characters Very/Satisfactory/Poor

i. Helping investigations Very/Satisfactory/Poor

3. Are you willing to share your powers and privileges along with the Raksha Samiti members ? Yes/No

4. (a) Do you like 'Raksha Samiti' Scheme ?

(b) What role do you perceive to be important to make this scheme successful?

5. To what extent the crime has decreased after the Raksha Samiti was formed in your jurisdiction Fully/To a great extent/To some Extent/Not at all

6. How is the public participation in the Scheme ? Very Good/Satisfactory/Poor
How can it be further improved ?

7. How is the participation of the police department Very Good/Satisfactory/Poor
in the scheme ? How can it be further improved?

8. Do you feel that the 'Raksha Samiti' scheme has failed ? Yes/No
Please Comment

What are the causes of failure ?

- | | |
|---|--------|
| a. Because of lack of Code of Conduct for Raksha Samiti members | Yes/No |
| b. Members have been misusing their powers | Yes/No |
| c. Because the members are not paid for their services | Yes/No |
| d. Because of the predominance of caste politics | Yes/No |
| e. Because undesirable elements have entered Raksha Samitis | Yes/No |

9. Do police like to share their powers and privileges with Raksha Samiti members ?

Yes/No

10. Do you want the scheme to continue ?

Yes/No

11. What do you think should be the basic incentive for public to enthusiastically participate the Raksha Samiti Scheme ?

12. What are your suggestions to improve the scheme further ?

13. Is there any attitudinal change of villagers towards public after the introduction of Gram Raksha Samiti Scheme ?

APPENDIX – IV

Questionnaire On Perception of Raksha Samiti Scheme Of Officers in police

Name: _____ Designation: _____

Place of Posting: _____

Experience with Raksha Samiti Scheme: _____

- | | |
|---|---|
| 1. Do you support this scheme ? | Yes/No |
| 2. To what extent Raksha Samiti Scheme has achieved the following objectives ? | |
| a. Devolving of powers to the members
of the village | Fully/To a great extent/To some Extent/Not at all |
| b. Help to the police in guarding
villages/areas assigned to
them | Fully/To a great extent/To some Extent/Not at all |
| c. Patrolling for the purpose of
prevention of crime | Fully/To a great extent/To some Extent/Not at all |
| d. Protection of person | Fully/To a great extent/To some Extent/Not at all |
| e. Protection of property | Fully/To a great extent/To some Extent/Not at all |
| f. Assisting police in maintaining
public order and peace | Fully/To a great extent/To some Extent/Not at all |
| g. Rendering necessary assistance to
police in rescue and relief works
connected with natural
calamities etc | Fully/To a great extent/To some Extent/Not at all |

h. Arresting proclaimed offenders
and absconders and producing such
arrested persons to the nearest
police station Fully/To a great extent/To some Extent/Not at all

i. Giving information regarding
suspicious and bad
characters Fully/To a great extent/To some Extent/Not at all

j. Any other task assigned
to them Fully/To a great extent/To some Extent/Not at all

Comments

3.A. To what extent are you satisfied
with the political commitment at
various levels to make this
scheme successful? Fully/To a great extent/To some Extent/Not at all

B. What are your expectations from them to make this scheme fully
Successful ?

4.A. To what extent public support
and participation is there in
making the scheme
successful ? Fully/To a great extent/To some Extent/Not at all

B. How can Police and Public together make this scheme more successful ?

5. What are the constraints for the police in managing and running the scheme ?

6. Do you feel that the Raksha Samiti Scheme has failed ? Yes/No

Comments

If failed, causes of failure

- | | |
|---|--------|
| a. Because of lack of Code of Conduct for Raksha Samiti members | Yes/No |
| b. Members have been misusing their powers | Yes/No |
| c. Because the members are not paid for their services | Yes/No |
| d. Because of predominance of caste politics | Yes/No |
| e. Because undesirable elements have entered Raksha Samitis | Yes/No |
| f. Police does not like to share their powers and privileges | Yes/No |

7. Do you want the Scheme to continue ?

8. What are your suggestions to improve the scheme further ?

9. Is there any attitudinal change of villagers towards police after the introduction of Gram Raksha Samiti Scheme ?

APPENDIX – V

Questionnaire
On
Perception of Raksha Samiti Scheme
Of
Government Officials

Name: _____ Designation : _____

Place of Posting: _____

Experience with Raksha Samiti Scheme: _____

1. Do you support this scheme ? Yes/No
2. To what extent Raksha Samiti Scheme has achieved the following objectives ?
- a. Devolving of powers to the members
of the village Fully/To a great extent/To some Extent/Not at all
- b. Help to the police in guarding
villages/areas assigned to them Fully/To a great extent/To some Extent/Not at all
- c. Patrolling for the purpose of
prevention of crime Fully/To a great extent/To some Extent/Not at all
- d. Protection of persons Fully/To a great extent/To some Extent/Not at all
- e. Protection of property Fully/To a great extent/To some Extent/Not at all
- f. Assisting police in maintaining
public order and peace Fully/To a great extent/To some Extent/Not at all
- g. Rendering necessary assistance to
police in rescue and relief works
connected with natural
calamities etc Fully/To a great extent/To some Extent/Not at all

h. Arresting proclaimed offenders
and absconders and producing such
arrested persons to the nearest
police station

Fully/To a great extent/To some Extent/Not at all

i. Giving information regarding
suspicious and bad characters

Fully/To a great extent/To some Extent/Not at all

j. Any other task assigned
to them

Fully/To a great extent/To some Extent/Not at all

Comments

3.A. To what extent are you satisfied
with the political commitment at
various levels to make this
scheme successful?

Fully/To a great extent/To some Extent/Not at all

B. What are your expectations from them to make this scheme fully successful?

4.A. To what extent public support
and participation is there in
making the scheme
successful ?

Fully/To a great extent/To some Extent/Not at all

B. How can Police and Public together make this scheme more successful ?

5. What are the constraints for the police in managing and running the scheme ?

6. Do you feel that the Raksha Samiti scheme has failed ?

Yes/No

Comments

If failed, causes of failure

a. Because of lack of Code of Conduct for Raksha Samiti members

Yes/No

b. Members have been misusing their powers

Yes/No

c. Because the members are not paid for their services

Yes/No

d. Because of the predominance of caste politics

Yes/No

e. Because undesirable elements have entered Raksha Samitis

Yes/No

7. Do you want the scheme to continue ?

Yes/No

8. What are your suggestions to improve the scheme further ?

Yes/No

9. Is there any attitudinal change of villagers towards police after the introduction of Gram Raksha Samiti Scheme ?

7. Do you feel that the Raksha Samiti scheme has failed ?

Yes/No

Comments

If failed, causes of failure

- | | |
|---|--------|
| a. Because of lack of Code of Conduct for Raksha Samiti members | Yes/No |
| b. Members have been misusing their powers | Yes/No |
| c. Because the members are not paid for their services | Yes/No |
| d. Because of predominance of caste politics | Yes/No |
| e. Because undesirable elements have entered Raksha Samitis | Yes/No |
| f. Police does not like to share their powers and privileges | Yes/No |

8. do you want the scheme to continue ? Yes/No

9. What are your suggestions to improve the scheme further ?

10. Has the attitude of villagers changed towards government officials after the introduction of Gram Raksha Samiti in your village ?

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