

**Paper 2**

Law and Order Administration:

British legacy;  
National Police Commission;  
Investigative agencies;  
Role of central and state agencies including paramilitary forces in maintenance of law and order and countering insurgency and terrorism;  
Criminalization of politics and administration;  
Police- public relations; Reforms in Police;

**1. Policemen are civilians with uniform and public are the police without one.**

**Comment;**

**15 marks (250 words)**

**Approach**

The question simply asks to bring out the responsibility of police as a common public; and the responsibility of the public in keeping peace and order in the society.

**From paper 1**

We can bring concepts of conflict management, coordination, participative decision making etc here.

**Introduction**

Common Wealth human Rights Initiative has stated, in one of its reports that, “the Indian police are adamant, oppressive, woeful and inefficient”. This attitude of police can be antithetical to a smooth maintenance of law and order in the society, because the public sees police as extortionist and devilish personalities which worsens the current hostility and makes the Public-Police coordination a next to impossibility.

**Body**

Hence there is a need for the police to understand the situations and problems of the public by stepping on their shoes, rather than resorting to penalties and punishments for every small mistakes committed by them.

**Police as public with uniform;**

- Soli Sorabjee committee on police reforms states that “it is not the business of the police to be in a war condition always and to use its gun on the daily basis”. Thus police are supposed to be the protectors of the public, not the predators. They have to be humane and cooperate with the public and should not punish them for the acts that exceed the reach of human capacities.

Ex: On the spot seizure of vehicles for not carrying the papers, canning the innocent public, beating the under trials inside the prison (Thuhukudi custodial death case), etc

- Further, assaulting a suspect during investigation; fabricating a false case; using abusive or threatening language; demanding a bribe; or indulging in unruly conduct are not a part of official duty as per the Human Rights Commission's guidelines for the police. And this actually creates a wide schism between public and '**publicness**' of the police.
- However, there are several incidents wherein police become a part of the public and help the needy people in various situations.

Ex: The heroic scenes of police men acting as steppers for the people to get into the boats during the Kerala flood's evacuation operations.

Police voluntarily performing the cremation of patients who died due to COVID-19 infection;

The initiatives of Bengaluru Traffic Police to provide snacks to the violators of traffic rules and late guiding them to wear masks and helmets (**considering citizens as Abrahams**);

Several police departments taking to social media to educate the people and redress their grievance online (**client orientation of NPM**);

These are the exemplary incidents which show that the police are not the authorities who punish and control the public, rather they are the friends and fellow beings who guide, correct and educate them.

### How publics are the police without uniform;

- Dismissing the PIL that sought action against the Police's ruthless actions during the enforcement of COVID-19 lockdown; Supreme Court stated that, it is impossible to maintain the law and order in the society without the cooperation of the public.

Thus, public should understand that laws are best implemented if the public become the police for themselves and abide to the rules and regulations voluntarily.

Ex: In a case study by Transparency International, regarding the corruption in police department, it was found that there was more propensity of public giving the bribes than police demanding it.

- Further, the incidents like brutal attack on Police Personnel in Delhi in 2019 and the subsequent protest by the Delhi Police indicate that, public are not the police without uniform rather they are the criminals with a civilian faces.

- However, some of the examples like Mahila Police Volunteers who help the police in investigation of crime against women.

Residence Welfare agencies joining hands with the police and helping them in the night patrols (**participative management**);

Several voluntary organizations striving to educate the people about various civic rules on behalf of the police, etc, indicate how public behave as the police without uniforms.

### Conclusion

Hence, a mutual coordination, cooperation and collaboration of the public and police augur well for the Indian society. And neither the collision nor the collusion works here.

As put out by RAND on account of the death of George Flyod in US "Communities should rely on police departments to "protect and serve" themselves and the police, in turn, should rely on community support and cooperation for installing peace in the society, and this relation has to be harmonious forever".

**2. Insurgencies cannot be controlled solely with the application of force; comment. Also discuss some of the creative measures taken up by police forces in order to curb insurgencies in India.**

15 marks (250 words)

### Approach

First part of the question asks to explain how a blend of force as well as humility can go a long way in controlling insurgency in India. For the second part of the question, we need to provide good examples and case studies.

### From paper 1

Again here we can bring development administration, good governance, conflict management, coordination integration and others.

### Introduction

Echoing the voice for the repeal of draconian AFSPA; the Justice BP. Jeevan Reddy Commission stated, that our counter insurgency operations in India have become "a symbol of oppression, an object of hate and an instrument of discrimination and high-handedness." Also, Amnesty International, J S Verma Committee and even Santhosh Hegde committee also opposed the use of force as a single most strategy for curbing insurgency.

### Body

**Sole use of force can be counter-productive;**

- As stated by Supreme Court in the Selva Judum case, the insurgency in India has taken birth due to skewed development and the related inter and intra regional developmental gaps, and the problem of development has to be tackled with the development, and not with the help of force.
- Further, use of force will only result in the common public developing hostility towards the government; and who in turn support the insurgent groups instead of aligning with the government. Narinder Nath Vohra, the interlocutor to J&K also reiterated this issue when he urged for the phasing out the use of pellet guns in the counter insurgency operations in J&K.
- Added to it, the excess of power given to the Police and Military forces are often misused by them to commit extra-judicial killings. And also, incidents of gender violence committed by officials are also over heard in the insurgency stricken areas. This again creates sense hatred against the police in the minds of common people. Ex: The nude protest of Women in Karbi Anglong in 2017 is the extreme form of hatred against the police the nation has ever seen.
- Lastly, such incidents even nullify some of the developmental activities taken up by the government. Ex: We have seen Naxalites blowing of Schools and Anganwadi Centres in West Bengal, and the insurgents of Northeast blocking the roads and calling to boycott the elections.

**Hence, insurgency has to be tackled with the multipronged strategies;**

- This should include a shock and awe technique wherein, police use force to bring the situation under control on the one hand; on the other hand it also takes up reconciliatory measures to diffuse the situation and extend bonhomie with the public. Ex: Operation Sadbhavana sponsored by the Indian army in J&K. This is aimed at taking the J&K youths for all India tours so that, they not only develop harmonious feelings and positive attitude towards the army, but also that they mingle with the people of other states **(behavioural changes)**.
- Also, involvement of local leaders and politicians can help in reconciling with the common people and veer them away from supporting the insurgency groups, providing them shelter and passing on crucial information to them. Ex: Involvement of Naga politicians like S C Jamir and Hokishe Sema in the counter-insurgency operations helped curbing insurgency in Nagaland in 1960s **(lynch-pin model)** .
- Further, insurgency groups never come out for full fledged wars, rather they just try to de-legitimize the government by running the parallel governments. This at the best can be tackled well with the help of counter propaganda, i.e. by profound involvement of the government in developmental activities like



operation Maitri in Chattisgarh wherein government builds Schools, Primary Health Centres, Haats, Roads and other constructions on a war footing.

- Added to it, reconciliation with the insurgent leaders can also help in bringing down the gravity of insurgency; by signing peace accord and cease fire agreements. Ex: Ravi-Muivah accord is the best example for this **(communication)**.
- The success of some of the counter insurgency operations like the Operation Greyhounds and the CoBRA (Commando Battalion of Resolute Action) owes not just to the use of force; but also to the rehabilitation schemes that are weaved to provide shelter and protection to the insurgents who would like to drop their weapons and surrender to the government. Ex: Art of Living helping the government by providing yoga and spiritual training to the former ULFA gun-slingers.

### **Conclusion**

Hence, force alone cannot do anything for that matter, forget about curbing insurgencies. What is required is the “strong wits than the iron fists”, and to put it in the words of KPS Gill, “it takes both the physical and the psychological forces for the effective tackling of insurgency in India.”

