CHAPTER IV

SOCIO-LEGAL ASSESSMENT OF POLICE-PUBLIC RELATIONSHIP

Police Patrol beats their day and night, regardless of weather conditions. They regulate traffic, prevent road accidents, combat crime, preserve peace in the community and ensure security of life and property against the depredations of anti-social elements.¹

The history of the Indian police since independence is replete with instances in which Policemen met with death or lost their limbs in the pursuit of criminals in unfamiliar terrain or when called upon to quell riots. Everyday, we see the policemen working, often; the Public made allegations against them and criticize them. Some of the criticism is justified, while some are not but the Public forget how difficult their work is. “Today we look at a different aspect of their work, that is the protection of life and property for which they risk and sacrifice their lives.”²

To understand the position of Police in the public mind, it is not enough to find out what the Police are doing, their actions and believes, with in the group memory, as interpreted by Public agencies of open confirmation. In the Indian case, one cannot say that the social environment is charitably. Obviously, the Police Community Relations as an area which needs to be researched in depth and if the Police in the community or its opinion leaders can be educated in mutual predicaments dilemmas of policing & performance can be accomplished. But then, it is a very sensitive area and half hearted or ill conceived programmes of propaganda can be proved self defeating.³ It is the reverse side of the coin, that the police have found the Public to be indifferent to Police problems. Duence efforts

² Speech given by Pandit Jawaharlal Nehru, Unveiling of Police Memorial at Jaipur in 1963.
towards Public understanding of Police Problems and of Police behaviour have been made in a numerous ways for example, efforts have been made to improve relations, with the press which often arouse, rather than reflects, Police Sympathy, or antagonism towards the Police. Police departments recently made sincere efforts to co-operate with reporters and to enlist the aid of reports in Publicising Police problems.

*Police task is great, resources are few,*

*He sheds no tears, but sweat and blood.*

– Mahmood Bin Muhammad

The foregoing discussion revealed certain important factors, which have been responsible for Poor-Public Relations. But it will be unjust and unfair if we blame the Police solely for this, to some extent Public is also responsible for this. There are some factors which are beyond the control of police which are ultimately responsible for poor image of police. These are:

4.1 Increase of Population

Police have to face a lot of difficulties in their day to day workings with the increase of population, the crime has increased and this results in increase of work load. Besides, there are number of other functions which Police has to perform due to political pressure or under influence and this has also resulted in Poor Police-Public Relations.

Today, our Policeman is isolated, neglected, ignored, deprived, insecure, tired and constantly under accusation. If he is honest and brave, he is alone and vulnerable. when he dies, his family suffers alone and the country forgets him and declares it as a professional hazard for which he had been paid for. This also affects in their efficiency and working.
4.2 Disturbed Family Life

Police Personnel posted in Stations/Divisions/Posts have to perform law and order duties besides other routine duties. This hamper their working capacity, as there should be separate force of law and order and for prevention and detection of crime. Usually, Police personnel are posted in distant areas, which are often far from their residencies. They cannot attend their families, look after their children and other family problems. This also results in disturbed family life of Police Personnel which ultimately results in rude behaviour of Policemen and affect their image.

The Police Personnel are confronted with considerable difficulties in getting their children educated because a large number of them are posted in interior areas of districts where educational facilities are sometimes are not adequate. Apart from this, owing to frequent transfers, their children’s education is usually disrupted. Furthermore, in view of the nature of their duties, the police personnel hardly find any time to look after their children’s education in their homes. The Punjab Police Commission suggested that, “There should be special free school for the children of the police personnel with boarding facilities up to the Matriculation standard”.

During interviews, with the policemen, it was found that even their meritorious children could not pursue higher studies in technical and scientific fields owing to their inability to meet the high costs in these areas. In Uttar Pradesh, a separate education fund has been organized for awarding scholarships to the meritorious children of the policemen for their higher education in technical lines. Therefore it is suggested that (a) A separate Education Fund should be organized on the pattern of Uttar Pradesh Education Fund for awarding scholarships to the meritorious children of Police Personnel for pursuing higher studies in technical and scientific field of education. (b) Free education should be imparted to the children of police personnel up to higher secondary for certificate. (c) Facilities should be provided to the Police Personnel and their families for their education in the event of the disability and death while on duty. (d) Hostel facilities

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should be provided at each district headquarters for the children of constabulary and non-gazetted officers.

4.3 Accommodation Problem

A majority of the policemen have no Government accommodation. It is sad that the officially earmarked space for a convict in the jail is larger than the one given to a constable in the police station or police lines. No surprise, the incidence of disease is disturbingly high among policemen. Even, the people could not provide or give the particular image in their mind, due to which, even the genuine police personnel has to face mental and physical trauma which ultimately hampers their duty.

Therefore, It is suggested that big housing colonies should be established for different ranks of police personnel in the district headquarters/units instead of constructing a small number of quarters in many different localities. Such colonies will provide better security for the families of police personnel and the department will find it easier to look after their welfare.5

4.4 Lack of adequate investigation staff, lack of scientific and technical personnel and Forensic Laboratories

The work of investigation involves a visit to the location of the crime by the investigating officer, recording of testimony, making of arrest wherever possible and desirable, with the object of launching prosecution in a Court of law. The Job of investigation, quite tough and challenging as such, is even more difficult in the Indian conditions. The difficulties are mainly due to three factors: Inadequate Investigating Staff, lack of scientific and technical personnel and equipment and the most important of all factors, lack of social support to the Police agencies.

The Investigating Officers have to devote time to other kinds of routine work also, as it has been earlier, their number is also not very large in view of the large population within their areas and there are variety of problems in the Indian setup. This leaves the investigating officers with very little time for actual detective work. The delay in the investigation may prove fatal in quite a few cases. In few cities, in India have been provided with forensic laboratories with the result that sometimes the relevant objects are to be sent over long distances for expert analysis and report this unavoidable delay also harms the Police image. In many police stations, there are no equipments to deal with fingerprints or to take photographs of various objects commented with the crime. Therefore, unavoidable cause by the police also results in the poor police image.

4.5 Challenge of Superiors

When subordinates face the superiors wrath, they respond according to the character and competence of the superior officers. If the superior is a competent and knowledgeable man, he commands respects. A superior who sets a particular task, directs and channelizes his subordinate for getting better results than one who follows open fire policy. This gives no cover to the subordinate who if they take a particular step cannot escape by saying that it was under orders. In such circumstances, the subordinate responds with care and caution and refrains from taking risks.

Community perceives only the gap between the upper and lower echelons in the Police force. If the gap is wide, there would be corruption, or no direction, there would be an increase in crime rate. Hence, the force must appear to the community as a cohesive body. Similarly, if the superior treats the Subordinate in turn would treat the complainant and witnesses with due courtesy.

4.6 Lack of Faith on Police/Misconceptions about Police

The policeman is a living symbol of “the law to the community”. They are the personification of the law. They are first official with whom violators of the law comes in contact. The Justice, propriety and restrains in the exercise of powers and performance of
duties will determine the attitude of the Public towards them and ultimately towards the
government of which they are representative. The Public judge the Police by the failings
and attainments of the individual Policeman with whom they have contact and their
opinion is formed by their reactions to these personal and isolated experiences of
members of the public. Today, we faced the grim realization that even after seventy years
of independence, there are large number of intelligent and law abiding citizens who do
not take policemen as their friend and servant of the community and do not co-operate
with them in the performance of their duties. “Or it may be that people do not know fully
of our activities, our handicaps, our sacrifices and the ardors nature of duties performed
by us in most trying conditions which, if made known to them, would in all probability
invoke esteem, sympathy and support”. Whatever may be the cause, the situation calls
for introspection and a thorough probe and immediate recourse to remedial measuring to
remove misconception and mistrust which have been rightly or wrongly in the mind of
the people and prejudicing relations between the police and the public. Even after
independence, the police force is looked down and treated by the political parties in
opposition to the party in power and also by some sections of the public as an agent of
party in power.

4.7 Lack of Cooperation, Support and Social responsibility

It is the most serious and great complexity faced by the police is the lack of public
cooperation, for example, Police-Public Interaction. The public is of the opinion that
interaction with police is to invite the trouble for them. Everybody want to remain away
from the police and at times isolation destroys the police image. A police who lacks
support and cooperation of public is always looked down, it should be noted that if
public is hostile towards police. It is ultimately makes police task more difficult and
onerous one also, faced with a critical, hostile public, the police unfortunately tend to
develop a hostile attitude, worsens public relations.

It is, therefore, cordial Police-Public relations should be encouraged which can help the
police to improve their public image. Further, general public area is of the opinion that in

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7. O.W. Welson, Police Administration, Thomas Publishers, Spreingfield, Mc graw Publication,
1957, p. 160.
present times policemen treats everybody as criminal. People hesitate to go to the police station and filing of a complaint simply because of the cruel treatment of the police with the innocent people even during investigation. Thus, the public does not co-operate with the police is largely true. It is universal even for those persons who are eyewitnesses to the commission of an offence to evade or attempt to evade giving evidence.

By its image, the police inspire fear in the public rather than trust or confidence, the police has not yet been able to free itself of this image. Today citizens do not have the same kind of fear of the police which they had during the British Raj. Nevertheless, the less the continued use of police, for the maintenance of law and order prevents the citizens from viewing the police state represents the ugly face of the Government. This is the main reason why the investigating staff should be as far as for possessed from the rest of the police and should not be given such duties as can prejudice the public against it.

The public does not co-operate with the police, hence, the first and the foremost task of the police is to create a favorable public opinion and be assured of its full co-operation. This goal can be achieved if the people are aware that the police is not the sole custodian of law and that they also have a role to play in apprehending the offenders. The public will co-operate with the police only, if the police officer makes it feel that they are acting in their best interests and safeguards individuals liberty and promoting public peace. Sometimes, the police officer, while investigating cases, may have to detain and question even innocent person and may incur public wrath but once the public come to know that such actions are part of the procedure, they will be satisfied. There is great fear that, if one goes to the police station, one would get a harsh treatment. Besides, people are afraid lest the affected party should come to know of the information that they may pass on the police officer, therefore, they do not come forward to give evidence against offenders.

It was also the advice of the late Prime Minister to develop a “human approach” towards all our problems and try to treat most of the people in good honour. The bring of police and public together was always uppermost in his mind as a seasoned administrator of forty crores of people and in his speech on February 7, 1960, at the closing ceremony of the Tenth All India Police Athletic and Sports Meet he said:
At the same time, others should also realize the difficult nature of the duties of the police officers. Their duties can be satisfactorily performed only when the general public and the police co-operate with each other. If this is not achieved, the police cannot do their work, and neither their reputation nor that of the police should keep in mind is that their work, day and night, relates to the public, you should, therefore, by your work and by your behaviour draw the public towards you and win their co-operation.\(^8\) whatever work the police do for investigation of crime, etc-their success depends upon a good deal of the co-operation they get from the people. In the absence of such co-operation it becomes much harder for them to succeed in their objectives.

Therefore, the question of public co-operation with the police or the relationship of the police with the public is of great importance. Generally speaking, the police in England are supposed to be friendly with the people and the policeman in that country is a popular figure. The function of the police is to protect the citizens from antisocial elements and their efficiency goes up in proportion to the co-operation of the people they have. In our country, there is general fear of the police who are accused rightly or wrongly of being bossy and corrupt.\(^9\)

It is universal tendency among people to keep away from the problems of other. The lack of social responsibility bordering on callousness is visible everywhere in the Indian society. Instances are very common where broad daylight murders have been committed in the presence of crores of person around without even one person having the courage to interfere with the offender. This tendency can be noticed even in some non-criminal situations like street accidents, however, the people are also scared of retaliations from those against whom they testify. This fear of retaliation is not only reflected in inhibited behavior in the context of tough guys and bullies but it is present even in less dangerous situations.


People are inhibited from coming forward with evidence before the police because a witness has to face all sorts of hardship while appearing in Courts. India being a poor country, most of the people make a day to day living and for many witnesses it amounts to financial hardship if they spend time in attending the Courts. Though the government is supposed to pay for the maintenance and travel of witnesses, the rates of payment are extremely low and unrealistic and there is sometimes a lot of delay in even getting in whatever amount is payable.\textsuperscript{10}

\textit{Undue Pressure of Society}

There is yet another difficulty experienced by the police while investigating a case against a suspect or putting them under arrest. All sorts of pressures are exerted on the police by the members of the social caste or professional group in which the suspected or arrested person belongs to have the proceedings dropped. It is not an unknown phenomenon that when the police arrest a sweeper for an alleged offence, within a few minutes the police station is besieged by hundred sweepers. Instances have occurred where the students have staged strikes in their institutions or taken out processions demanding the release of some student arrested for ordinary crime. Police work is made difficult in such situations when political forces promptly appear on the scene to exploit the situation for their own ends. Industrial strikes also made the police unpopular with the labour is due to their alleged partisan attitude in industrial strikes and disputes which, according to the labour favours, the management in most of the cases and puts various restraints on the labour in their realization of trade union rights.

\textbf{4.8 Problem during strikes and demonstrations}

Strike is a trial of strength between the labour and the management and so long there is fair fight, there is nothing for the police to do, but to wait and watch. The attitude of the police during the strike should be comparable to that of a referee in a boxing bout. So long there is exchange of blows and not hitting below the belt, the referee maintains a

neutral but a watchful attitude but moment an element of unfair means is brought in the fight, the police have to step in and caution the boxers or forcibly separate them. While the majority of policemen are impartial in their attitude towards the strikers there are cases when partisan attitude is taken. The industrial magnets being rich persons, police have to guard their reputation carefully in dealing with strikes as any action taken by the police which the strikers feel will help management, will be branded as motivated and allegations of corruption will be made. Such situations are delicate and call for extreme patience, tact and good temper on the part of the police in dealing with them.

This country has witnessed a dramatic and alarming increase in the number of demonstrations, Bunds and Hartals planned or otherwise. Largely, there are consequences of social and economic discontents and political frustrations. But in the minds of the agitators, it also symbolizes the order or system against which they are demonstrating. Whatever the circumstances, excessive force must be avoided. But the tendency on the parts of political agitators to describe the use of any force at all as excessive and to make that the basis of further agitation and harassment including the suspension and transfer of conscientious police official has certainly affected the police morale. If allowed to continue unchecked, it could affect discipline as well and this would be a very grave development an urgent need to enforce social discipline and consider fresh standards of law and order. Pressures from a growing population which is fast widening the gap in the ratio of policemen and the population is often cited as a major cause of the efficiency of the force. The sheer size of the population has made it impossible for the police to monitor the movements of criminals to bring down the crime rate.

Another factor that results in the depletion of police-public ratio is the ever increasing demands for providing excessive security to Very Important Persons (VIPs). The growing terrorist threats makes it necessary to provide security to the Prime Minister, his ministerial colleagues, former Prime Ministers and Ministers and a host of other functionaries. The same position exists in states too. The net result is that for maintaining law and order, the police forced is depleted to such an extent that sometimes the policemen visiting a site of crime or violence have to run away from there to save their
own lives for the simple reason that they find themselves heavily outnumbered.\textsuperscript{11}

4.9 Problem of Media

Apart from the public criticism of the police by certain political parties also supports the image of the police in the public. There may be many reasons Yellow Press and gutter Press indulge in black-mailing. Some press are financed by the opposition political parties to publish such news which spoil the image of the police and indirectly the ruling party.\textsuperscript{12}

4.10 Problem of Poor or less Transport

Many times because of poor transport, police reached late on the sight which gave a bad impression on public. In our society relationship are very intimate and personal, so nobody is willing to testify against their friends, relations or neighbours. Also people are also less obtained about social responsibility. So they always keep away from the problems of others. Another, main problem faced by the police is of fluctuation of witnesses in their statements, e.g. hostile witnesses.

4.11 Problem of Colonial Image of Police

The trust and confidence of the people is sine quo for the proper functioning of any stream. It is an anomaly that the police have to comply with the debates of law and to work their discretion within the bonds of law to justify their accountability to the welfare society without any trust reposed in them by the people and the Courts and without any accountability of society. Presently, the police system is carrying the image of colonial regime. They do not swallow the idea that it is primarily for the peace and welfare of the society at large. The behavioural aspect of police time and occasion add fire to the fuel. Public notion that police are inhumanely cruel, brutally hostile, inimically corrupt and

absolutely bereft of ethical and moral values is not in the vacuum.

4.12 Lack of Awareness

There is no cooperation between the villagers and the police. It is a problem which the Indian rural society being what the social sociologists term ‘scared’ and therefore, opposed to the secular concept, the villagers have their own notions of right and wrong. They may pass judgements on the wrongdoer and the victim on the basis of their moral notions which may be at variance with the legal or police view of the situation. The village community may in all earnest believe that the matter was ‘personal’ between two individuals or groups, and, therefore, the police had no business to intervene. This kind of situation causes quos in the administration of justice.

*These may result in feelings of powerlessness and the experience of stress.*

4.13 Stress in the Police Department: A Common Phenomena

Stress is a fact of life and is inevitable in this age of intense competition, and increased expectations. Nevertheless, stress has always been present and will continue to be present irrespective of gender, age, social class and profession. However, it is not necessarily harmful but most of the time stress leads to unpleasant consequences and serious negative effects on both physical health and psychological well being. Stress not only results from external factors but can also be generated from within by our hopes for expectations and beliefs. It acts as a signal for the mind to get prepared for any change in situation.

Continued experience of helplessness leads to apathy and a sense of defection. The impact of occupational environment on the life of the individual is tremendous consequently. it leads the individual to make certain choices. The job of an average policeman has a negative impact on the well being and results in considerable amount of stress and strain. Both perceived and real, which in turn would undoubtedly affect his
work performance.\textsuperscript{13} Moreover, Criminal Justice System in India makes conviction extremely difficult. This breeds a sense of helplessness among the hardworking police personnel. Recently, suicide committed by the Deputy Superintendent of Police of the Punjab Police in Kharar is the shocking outcome of stress. No one among the public has come forward who were present on the scene to identify the culprits. Lack of cooperation from the public, which ultimately results in police inefficiency.

One of the most serious grievances of the police is the political interference within their work and there is certainly a lot of substance in it. The political interference is manifested in appointments, transfers and promotions of police personnel which affects their initiative and efficiency. There is a feeling among the police personnel that it is difficult for an independent person to survive in the service. Moment a police officer handles the case of an influential political officer, a telephonic call comes. If he ignores, he is transferred to an ineffective post. This results in frustration among the police personnel.

The perceived negative public image of police discussed above has been a legacy of the police force since colonial period. The basic structure of the police force in the country is derived from the colonial system of British India. People’s notion that police are inhumanely cruel, brutally hostile, inimically corrupt and absolutely bereft of ethical and moral values. It also results in the gap between the police and the public. Tough procedural laws, hostile witnesses, frequent acquittals and bail provision loosen the confidence of the policemen.

The organizational structure of the police is such that there are few centres of power, and authority. This concentration leads to the development of an authoritarian style of working among the superior officers. Use of coercion and threat are the most frequently used and accepted ways of supervision of work of subordinates. Consequently, subordinate personnel may develop a poor perception of their quality of life which may ultimately affect their self-image and work effectiveness.

\textsuperscript{13} S. Siwach, “Major Stressors in Police Organisation”, \textit{The Indian Police Journal}, BPR & D, April-June 2003, p. 50.
Another factor is the old khaki uniform of the police that contributes to the sense of being perceived differently and hence, the impact on self image. For example, being a uniformed profession, in a crowd situation a police person is immediately distinguished from oaths and they are also distinguishing between public and themselves. This is itself becomes an undeniable source of stress. Consequently, the constant exposure of police officer to physical danger but then in a State of continual tendency to avoid hazard and their obligation to face up to these risks. Their continuous observations of incidents of injury and death only serve to reinforce this conflict.

It also needs to be pointed out that the resource limitations, crime and order maintenance problems are also not limited to Punjab. States like Assam, Andhra Pradesh and Uttar Pradesh also face similar challenges. Therefore, preparing the police service to deal with a multi cultured society is extremely difficult without proper training. The social evils like casteism and communal violence and riots are very common in Punjab and the apathy and criticism has to be faced by the police. For example, Talhan incident at Jalandhar in which my father, himself was involved as a duty officer. He has to face the transfer consequences for controlling the situation in which a mob set fired the public property in the whole city just because of religious rivalry. Police tried to call the Magistrate and the higher officers but they were not responding to the calls due to which, a police officer has to fire but, as a result, right from senior superintendent of police to sub-inspector were transferred. Another example of communal riots in Dera Sacha Sauda’s case, violence followed by death of baba in Jalandhar which ultimately affects the position of the police.

Student unrest and strikes also plays havoc on the police working. If police intervene in the student clashes as a duty which ultimately lowers their esteem in youngsters eyes. strikes also deviate them from their actual work to peaceful strikes. it would be fine but like Jatt Andolans in which public property is damaged or railway lines are destroyed. It is therefore, it is suggested that protest should be like Anna Hazare – Non-violent like Gandhiji. There are some specific problems like which are listed below. The strength available locality is inadequate. There is a vast increase in population. In a number of cases all that a few constables could do was to the police station to seek more reinforcements.
The communication facilities even at big police stations are so poor that it sometimes takes more than one hour for reinforcement to arrive from police lines. By that time, the mob swells to such an extent that even the augmented force is insufficient.

Lack of effective leadership, indecision and lack of initiative at all levels due to fear of consequences of action taken.

Gross underestimation of events and failure of intelligent planning.

Shortage of manpower, motor transport and riot drill equipments.

Failure to organize proper patrol in riot affected areas and failure to take effective police action and lack of impartially in certain places in police officers.

A complacent attitude and improper appreciation of the situation in the early stages, leading to ineffective action in the initial period of the trouble.

Failure to utilize and conserve the available police force properly showing a lack of planning and organization.

Poor system of public relations and communication due to which spread of false rumours is not checked. The help of press is not mobilized to counter check act of false rumours.

**4.13.1 Psychological Problems**

The impact of emotional problems generally noticed among police personnel and other uniformed services are Anxiety (nervousness, tension, phobias, panic), Depression (sadness, low-self esteem, apathy, fatigue), Guilt and shame (projection, poor self assessment), Loneliness (social isolation, selective inattention), Moodiness (negative mood swings, problem focusing attitudes) and Personal Inadequacy (inefficiency, incompetency).

Besides these, effects and feelings they suffer from the following behavioral and cognitive factors: Difficulty in sleeping/early working, Emotional outbursts/aggressions, Excessive eating/loss of appetite, Excessive drinking and smoking, Accident proneness/trembling, Avoidance/inactivity, Difficulty in making decisions, Frequent forgetfulness, Negative self critical thoughts, Increased sensitivity to criticism Distorted ideas and more
rigid attitude. Generally, because of above factors, the personnel perform poorly in job and they have poor inter-personal relations. Physically at individual level, they suffer from hypertension, muscle contraction, nervous breakdown etc.

The possible factors of Emotional Problems

The emotional problems among police personnel are at both personal and professional fronts. Present study carried out in police department, experience in field as well as at academy where the researcher got ample opportunity to interact with lots of officers and men and following possible areas which might be causing emotional problems.

Emotional problems due to lack of social skills resulting in varied problems at job as well as in life. For example, many police personnel specially, at the rank of constables and head constables confess that they face humiliation when public interact with them in English language because they are not conversant with English language, Inability to perform upto the satisfaction, Emotional problems because of health problems, Emotional problems because of lack of social and sexual life, Feeling of uncertainty and insecurity, Excessive/ uncertain mobility that too at a very short notice, Dilemma over social responsibility, Odd and hostile working environment and Poor organizational working conditions, Financial crisis due to maintenance of more than one establishment or house or Long separation from family.

The ability to manage feelings and handle emotional problems is of paramount importance for professional successes. The Phillaur academy should emphasize more attention towards assisting and training of personnel, in coping emotional problems in view of the continuous deployment for operational tasks, and its expanded role of being entrusted with complete internal security matters in future. In this organization, most of the personnel suffer from lack of motivation, low morale and fatigue, carelessness and casual approach towards tasks and increasingly neurological problems.

In conjunction with other administrative and operational problems of police personnel, possibly the emotional problems are also causing serious troubles for the organization.
The most important effect is increased cases of indiscipline, constant emotional problems make the personnel more irritable, impatient and due to which indiscipline at the place of duty is on the increase, incidences of misbehaviour with public, seniors and even with own colleagues are on the increase.

Among a few personnel the continuous emotional disturbances lead them to think that there is no end to their problems. This generates suicidal tendencies in them. Sad examples of suicides are Mr. Mishra Suptt. of Police and Mr. Ajaypal Singh Sandhu (SSP) who committed suicide due to stress. They were facing many trials of violation of human rights and illegal encounters committed during terrorism time. The one with weaker minds fails to cope with this continued troubles and thus commit suicide. The other few resort to alcohol consumption and drug intake for temporary and momentary relief from emotional disturbances. The department is facing increased accidents including vehicle accidents in all probability due to emotional problems causing stress. The physical and behavioural effect of stress manifest in the form of insomnia, restlessness, fatigue, irritability, difficulty in concentration, decision making dissonance and various physical and mental disorders. This makes the personnel more prone to commit mistakes resulting into accidents and accidental firing.

The other aspect evident as a consequence of possibly emotional problems caused probably by frequent movements, low pay, low promotional prospect, career stagnation, poor chance of career development, poor social status, separation from family and constant fear and danger associated with the job are compelling more and more personnel to proceed on discharge or voluntarily settled life with their family.

Therefore, it is suggested few means to overcome stress:

1. *Keep away from alcohol and drugs:* Alcohol and drugs may relieve stress momentarily but continuous use will aggravate the situation. Besides taking physical and mental toll, it deteriorates the financial condition too. Thus,
alcoholism and drug addiction are the cause rather than the therapy of stress in the long run.

2 **Regular exercise and games, yoga and meditation** Regular exercise and games are most effective in relieving stress. Regular exercise and games make the body stronger and mind studier. Exercise keep illness away while games provide recreation. During games stress is relieved and often minor conflicts in the office/duty place are resolved in the playground. Use of yoga and meditation as a potent reliever of stress is on the increase not only in India but in other countries as well. But this should be learnt and practiced under proper guidance.

3 **Avail leave regularly**: Failure to get leave is one of the most potential stressor for force personnel. Thus, it is most important that one avails his leave in time. It is the duty of all commanders to ensure that their troops avail leave and that too in time as far as possible. This will give them time to relax from the dangers of operational area. Since men are not able to keep family at most of the deployment places leave is the only time which they can spend with their family and fulfill their family and social commitments.

4 **Transfer policy**: Transfer policy should be streamlined for rationalizing transfers. There should be no out of turn transfers. There should be need based transfers below the rank of Commandant. This will remove uncertainty and generate a feeling of belongingness.

5 **Better Accommodation**: Lack of proper accommodation is also the main cause of stress among the force personnel. There should be proper accommodation at the place of deployment. The situation is aggravated by lack of proper accommodation at the unit headquarter/Group Centres. If accommodation is provided at unit headquator/Group Centres where one can settle his family, it may solve many problems of the force personnel.

6 **Better Recreational Facilities and Proper Rest**: The troops are overworked and adequate recreational facilities are lacking. The principal of eight hours work a day should be strictly implemented and recreational facilities should be improved to relieve stress.

7 **Counselling**: The organization should take services of expert counsel or on
regular basis to counsel men in coping with the stress. The officers may be trained in counselling and interpersonal skill.

Therefore, the combined effects of emotional turmoil have a determined effect on the overall efficiency of the force. Since, the persons are pre-occupied with their own problems most of the time, they are unable to give their best to the organization. Therefore, taking proper care of constrains of police department, people also try to understand and cooperate with the police force.

**Legal Difficulties**

Some of the legal difficulties faced by the police in the enforcement of the social legislation are:

1. It appears that it becomes difficult for the police to get local witnesses or evidence regarding the possession of illicit liquor jointly by several persons under prohibition offences. And those who come are susceptible to temptations and are easily won over by the accused thereby defeating the purpose for which raids are carried out. This sometimes gives the impression and often gives rise to allegations that police are mixed up with gamblers and boot loggers.

2. Only Deputy Superintendent of police can investigate offences under the suppression of Immoral Traffic in Women and Girls Act, 1985, which restricts the application.

3. There is difficulty of finding a women witness of the locality as required under Section 15 of the Act to witness the search.

4. Under the Children Act, 1960, though employment of children for purpose of begging has been punishable, no punishment for begging has been prescribed for those who employ children for smuggling and transport of liquor and narcotics etc.

5. Under Section 6 of the young persons (harmful, publications, they can not enter and search any place where any stock of harmful publications are kept without
obtaining a warrant from a Magistrate. This sometimes delays police action and makes it ineffective.

The difficulties which have discussed above, pose serious challenges towards achieving the social goals. Proper enforcement of social legislation has to be assured and thus question has been exercising the minds of policy makers and administrations.

4.14 Judicial Enquiry

Another question exercising the minds of the government and the people, relates to the demands for a judicial enquiry after the incidents of police firing. It is natural for the opposition parties to raise such demands to bring a bad name to the party in power. Judicial enquiries demoralize the force and reduce effectiveness in dealing with serious situations which need high degree of firmness and determination. In this respect, the Assam Police Commission was of the opinion that, there should be no question of Judicial Enquiry at all when the police have used lethal force in dealing with criminals like dacoits, etc. or even where they use such force in tackling individuals or crowds of miscreants deliberately indulging in attacks on life and property. Even in cases where lethal force is used by police for dispersal of aggressive unlawful assemblies, a judicial enquiry should not be an automatic affair.\(^\text{14}\) In this opinion of some, there should be an automatic departmental enquiry either by the range Deputy Inspector General of Police or by a Senior Police officer unconnected with the district in every case where firing is resorted to disperse the aggressive assembly. It can also be conducted by the Execute Magistrate. Judicial enquiries should be an exception rather than a rule as they do harm than good.

*Use of Force*

The police officials justify custodial torture as a ‘necessary evil’ to keep growing crime rate under control. They justify and support use of violence and third degree methods

against apprehended criminals on the following grounds.

Professional and hardened criminals understand the language of violence only. They would not tell the truth unless sternly dealt with, when these offenders have no respect and regard for the rights of innocent persons i.e. victims, why should the police respect their rights, if police deals with offenders politely and gently, no one would ever be prosecuted for his crime. Thus, from the practical point of view, rough and tough treatment with the criminals is inevitable, lack of public co-operation frustrates the cause of police investigation and people are unwilling to give witness against the criminals. Therefore, police has to resort to self-help for eliciting information about the crime from the offender by using third degree methods if the arrested person is stubborn and adamant in not divulging out the truth, very often public also expects the police to give a sound thrashing to anti-social elements and bad characters. The most glaring example of custodial torture with the local support of 1980 when suspects in police custody were blinded by puncturing their eye balls.\textsuperscript{15} It is hard for the policemen to remain away from these type of vices because it is impossible for them.

4.15 Judiciary’s Attitude towards Police

Like public image of police, the judiciary also does not hold police in high esteem. The hard core image adversely reflects in the comments about the working of the Indian police and blamed it for corruption, dishonestly, inefficiency and its oppressive methods of investigation.\textit{Justice A.N. Mulla} of the Allahabad High Court who later became a member of Parliament characterized police force as the largest single lawless group and held that crimes in India could be reduced to half if the police was disbanded,\textit{Mr. Justice O. Chinnappa Reddy}, former Judge of Supreme Court attributed poor image and people’s indifference towards police to a variety of factors, it occasional high handed behaviour, acts of perjury and misuse of power and authority.\textsuperscript{16} Earlier, the police Commission of 1902 also commented adversely against the police and observed that the police is far from efficient, it is defective in training and organization, it is inadequately supervised

\textsuperscript{16} Developing Society and Police, p. 2.
and generally regarded as corrupt and oppressive hence utterly failed to win the confidence and co-operation of the people. Instances of brutality, violence and even rape committed by police with persons under their custody are frequently reported by the media which sensitive public and people begin to think police as a foe rather than a friend. It is, therefore, necessary that the police should try to improve its image in public so that it commands respects and sympathy of the people.\textsuperscript{17} In the background of custodial torture cases coming before the Courts, the judiciary has made the following suggestions for improvement of Police Image.

Policeman should be made to understand that they are basically to help the public and not harass them. The use of force should be minimized to the barest necessity so that public voluntarily extends a helping hand to the police, in order to win public co-operation and support, the police must demonstrate absolute impartiality in its work without being influenced by the pressure from political high ups, proper training should be imparted to policemen of all ranks and they should be apprised of the latest techniques of crime detection and investigation, the police force should be adequately staffed and equipped with latest weapons to meet new challenges, the Police Act of 1861 needs to be amended as recommended by the National Police Commission in its Fifth Report, the police machinery should be insulated from political interference as recommended by DharmVira Commission Report, surprise visit to police stations and similar units of senior officers should be intensified, this would help in early detection of persons held up in an unauthorized custody and subjected to ill-treatment, above all, torture victims should be dealt with sympathetically and should be adequately compensated and also provided necessary medical treatment and rehabilitation.

Therefore, it is suggested that the training imparted to the constabulary, which constitutes bulk of the police force, is quite a lot physical training to prepare the recruits for various duties. It aims at conditioning the minds of the recruits, to mechanically execute the order of their superiors. The recruits at the lower level are not able to shed their inherited prejudices. Besides, they do not get mentally quipped to follow democratic principles and

values. Therefore, the training programme at this level needs to be of longer duration and more comprehensive. The communal publications would not affect the police if the latter were fully sensitized during training, both initial and in service to the fact that nations interest is only in secular approach.

4.16 Condition of Service and Other Related Matters

Conditions of service regulate and influence the administrative behaviour of employees of an organization. They create an environment under which the employees operate for the performance of their duties. Service conditions, in other words, affect the performance of an organization and as such, should be laid down clearly, keeping in view the genuine and desirable needs of the public personnel. A proper attention has to be given to the welfare of the employees and provision of other amenities has to be ensured. Faulty service conditions may breed frustration, discontentment and corruption among public employees, especially the police personnel. Thus, for ensuring the recruitment of the best man to the police, it is necessary to provide for attractive service conditions which would help in creating a sense of commitment, loyalty and contentment in the police force. Service conditions is very wide term and includes pay-scales, special pay and other allowances leave and pensionary benefits, medical and educational facilities, housing rewards and punishment, welfare and other recreational activities.

It is recognized fact that pay structure is the most important consideration having direct bearing upon the nature of service conditions. The Royal Commission remarked specifically of the drawbacks of police life, “social disability, which restricts the constable’s person liberty” and “a sense of segregation occasionally keenly felt by the policemen and his family” “as a member of what it is, by definition, minority group” as “like a person or minister, he is both in the community and separate from it”.\(^\text{18}\) The Punjab Police Commission was also of the view that “to ensure the success of the future policy of recruitment, it is a necessary corollary to consider the question of pay, emoluments and future prospects of the service. It is essential that the pay scales should

be economic and adequate and somewhat more attractive than in other services. Economic conditions play a great part in keeping a man straight and afford a power of assistance against temptation. The commission feels that a good deal of injustice has been done in the past to policeman in matters of scales of pay. It is very creditable indeed that despite these scales of pay, we do find quite an appreciable number of policemen of honesty and integrity even in constable’s rank. These pay scales were bound to lead to corruption among the constabulary and to the adoption of other dubious means, if they were to make both ends meet, support their families and educate their children. It is the time that this injustice was undone.\(^\text{19}\)

A number of benefits and allowances are allowed to police officials in general and to certain classes in particular. In Punjab, the types of allowances admissible to the police officials are: (a) Dearness Allowance (including Dearness pay) (b) Additional Dearness Allowance (c) Dearness pay (d) House Rent Allowance (e) Uniform Allowance (f) Conveyance Allowance (g) Kit Maintenance Allowance and (h) Medical Allowance.

### 4.17 Leave Problem

As compared with other public servants, liberal leave entitlements are not generally made for the police personnel, cause more serious dislocation in the maintenance of law and order. One of the main grievances of the police personnel, therefore, it has been that it is extremely difficult for them to get leave. The indepth interviews with the policemen show that even if the purpose of there is genuine and urgent, it is generally considered by the superior officers as doubtful and the leave is not approved in time.

The pattern of leave reserve varies from State to State. In Punjab, leave reserve has been provided in all ranks of Inspectors, Sub Inspectors, Assistant Sub-Inspectors, Head Constables and Constables. With a view to mitigate the hardships of police personnel, an adequate leave reserve should be provided so that leave could be granted to the police personnel liberally. If for genuine reasons of exigencies of work, leave cannot be granted

at any time, the policemen should be paid monetary compensation in lieu thereof. In order to encourage police officers to take leave once in one or two years, leave travel concession needs to be considered.

The policemen work for all the twenty four hours with all sorts of job hazards and scarce personal severity. The National Police Commission has found that the policemen’s average working hours are fourteen hours a day. Normally, the policeman should be required to work for eight hours a day. It would be desirable that the constabulary and non-gazetted police officers may be given overtime pay to compensate them for the long and arduous hours of work put in by them practically on every working day, in excess of the normal eight hours of duty like other public servants. The policeman upto the rank of Head Constable should be given one day off as off day every week to compensate them for their inability to avail the normal weekly holidays, they should be entitled to additional leave every year besides what they are normally entitled to get like other public servants. They should also be enabled to encash the entire leave including additional leave if they are denied the leave in public interest.

4.18 Frequent Transfers

It has been observed that there are frequent transfers of policemen including the gazetted officers. There are cases where transfers takes place after every 3 to 6 months. Such a practice affects police efficiency adversely. The Punjab Police Commission recommended that frequent transfers must stop and people when posted at a place should be allowed to remain these normally for a period of three years.\(^\text{20}\)

Police profession is facing the most challenging time these days. Amids the changing society and growing prosperity, the informed and aware citizens are very assertive about their rights and responsibilities of police. At the same time, developed society causes new types of problem domains for policing for which police are either not trained or say, lacks professional excellence. This is just obvious because of tons of load on already

source resource of the “police” in our administrative set up.

The job of police involves day to day physical and psychological dangers which results in attitudinal problems, behavioural problems and relationship problems.\(^{21}\) Sharma has observed\(^{22}\) that in India where, the basic infrastructure facilities for policing (for example, technological support in crime detection and prevention in terms of networked crime profiling system apart from the physical hardships due to improper housing, conveyance and lack of other basic amenities, policing can be a very dehumanizing process.

### 4.19 Tough Procedural Laws

There are some problems faced by the police flowing out of certain provisions of the Criminal Procedure Code, it is required that whenever the police enters any premises for the purpose of search and seizure, they must be accompanied by atleast two respectable inhabitants of the locality.\(^{23}\) Since it is not always possible to find two respectable persons willing to associate with the police for the purpose, the police finds itself in a difficult situation and hence, try to observe the formality with the cooperation of some ‘respectable’ person willing to associate with the police for the purpose, who might be of dubious character and reputation. Courts being aware of such police practices treat the evidence produced by search and seizure with utmost suspicion and even genuine prosecution cases are adversely affected in the process.

Then there is the provision in the Criminal Procedure Code which bans the use of any statement made by a person to a police officer in the course of investigation at any inquiry or trial in respect of any offence under investigation at the time when such statement was made.\(^{24}\) It is however, permissible to use the statement for the limited


\(^{23}\) Section 100(4), Criminal Procedure Code, 1973.

purpose of contradicting a witness if there is an inconsistency between his statement made before the police and thus subsequent testimony in Court. The rationale of this principle can be appreciated by referring to the observation made by the Supreme Court in a Case. The police officer in the course of his investigation finds himself more often in the midst of an excited crowd and babel of voice raised all round. In such an atmosphere, unlike that in a Court of law, he is expected to hear the statements of witnesses and record separately the statement which appears to him to be relevant. These statements are, therefore, only a summary of what a witnesses says and very often perfunctory. Indeed, in view of the aforesaid facts, there is statutory prohibition against police officers taking the signature of the person making the statement, indicating thereby that the statement is not intended to be binding on the witness or assurance by him that it is a correct statement. The Evidence Act contain some of the provisions which are meant to protect persons suspected of crimes from police brutalities. A confession made to a police officer is not admissible as evidence in a Court of law.

This provision, though enacted with good motive nevertheless, it creates unnecessary hardships to the police in the prosecution work. There is no harm in making confession before a police officer admissible in evidence though the ‘Courts’ may be extra cautious while dealing with the question of authenticity of such confessions. Obviously admissibility of a piece of evidence as relevant in one thing but relying on it is quite another thing. The same holds true of the statements made whose admissibility has been barred under Section 162 of the Act. There are so many police officers who justifiably argue that it is not possible to make the police law abiding unless some confidence is reposed in them. They insist that police has to use third degree methods because of legal disabilities.

In quite a few true cases accused are acquitted from Courts of law due to various reasons. In a number of cases accused are released on bail and when they come out, they harass

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25 Section 145, Evidence Act, 1873.
28 Section 25, Evidence Act, 1872.
the complainants and witnesses so that the cases may not be properly put up against them and they may be acquitted. The reasons for such acquittal/bails are generally beyond the control of police but the public put the blame on the police. The law for administering justice must be radically changed so that the police may get justice. The Law Commission, however, is strongly against removing the ban on the admissibility of confessions made to the police officer. It is observed that the large mass of offences in our country are investigated only by the subordinate police officials. The high sense of fairness and justice which might activate the superior personnel does not permeate the lower ranks. To make a confession made to a subordinate police officials admissible in evidence would therefore be fraught with dangerous consequences.

4.20 Lack of Study and Research in Policing in India

In India today, the socialistic pattern of society is no longer a phrase, it is an accomplish fact. The administrative implications of such a society in the content of the phenomenal charges that are coming through rapid urbanization, industrialization and expanding education are totally different from what they were under the British rule we stand today at the beginning of the new era of police duties. Before people will allow him to serve them, he has to satisfy them that he is capable of service. Hence, the police officers themselves, with their professional knowledge, insight and experience will have to provide the leadership in devising new measures to attain higher levels of efficiency in police administration.  

In the recent years, there is realization that the organization and administration of the Police forces have to be refashioned and science and technology should be geared to police work. What is needed, is a systematic and planned development based on analytical study and research. To quote Bruce Olson:

“The ultimate objective of Police Administration must be the diminution of crime rather than its investigation, the police must

Today, the understanding of the crime problem has been changed. If the police organization in particular and society in general, won the police functionary to react to the day to day situation in an improved manner, attention is necessary towards research specially in the selection of personnel, their training, their career development and the external causes, such as the legal framework in which the police organization has to function and the intense public criticism. But, in India, to our knowledge no systematic basic research has been undertaken, with specific reference to various theories derived from biology, sociology, psychology, anthropology and economics.

The police as an organization more than any other field of study stands lacking in the field of research. The police as a concept in the Indian context, and the development of police as an organization have not been adequately investigated. Organizational problems such as the selection and recruitment procedures, training technique, morale, leadership problems, job analysis and job satisfaction and motivational problems have not been attended to from the viewpoint of research. At present, no Policy stands clearly outline and no tentative agenda has been drawn up with regard to specific topics relating to the police organization as far as research is concerned.32

The police, as an organization have to learn a lot from modern psychology and research and in its endeavour to make it functionaries service worthy and through its own institutions. The lack of job analysis, work study, a wrong selection of personnel with the required aptitude, inadequate training and leadership, the absence of knowledge of correct attitudes and opinions which are prevailing inside and outside the organization are making the situations more complicated. In police a co-relation or comparison

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between the functionary and his performance is not possible without research and psychology for police. From day to day the police are getting mechanized sophisticated weapons or gadgets and equipments are being brought into use for investigation and detection of crime. In the arena, the functionaries have to be trained properly and also in their span of their service, conditions are to be created to insure maximum efficiency in terms of services performed by the police personnel. There is lack of study and research in policing in India. We demand research in policing in India. We demand efficient police, there must be some thorough study and research of the loopholes existing in the police organization.

Only proper selection procedures, standardized as the result of research carried out after scientifically analyzing the various jobs, would bear fruit factors such as the state of health, diet, fatigue, sleep, rest, recreation, working conditions, stress, depression among cops, uniform and equipment, living conditions and medical attentions would be recognized in their proper perspective only through research.33

The amount spent at present on research and development is negligible in proportion of the total budget of the police organization. It has no active collaboration with any research institute in fields relevant to the police. The efforts to the organization in this direction are negligible. Scattered attempts at research and overlapping bits of it are not going to benefit the organization or to make it responsive, even if the implementation of such attempts is ensured. It is not wonder that reform in the police organization has remained neglected covering to the paucity of research and owing to the absence of any long term policy of development.

4.21 Conclusion

The main reason for unpopularity of Indian Police in the democratic set up is an outcome of multifarious duties, listed or unlisted, in the district administration where police is

required to enforce all sorts of laws and codes—popular and unpopular in democracy. This leaves police action sandwiched between the law and popular will of the people and according to the constitution of the force, the police is to fall back for protection under the legal action incurring all sorts of displeasure and security. The popular will of the people invariably prevails while the mute law protecting everybody does not offer convenient security to police. Therefore, it is high time that some positive steps would be taken to change the public good will and co-operation, which is very essential for the police work.

*Law enforcement officers are never 'off duty.' They are dedicated public servants who are sworn to protect public safety at any time and place that the peace is threatened. They need all the help that they can get.*

– Barbara Boxer