CHAPTER-I

INTRODUCTION

In the era of globalisation, withdrawal of State is seen as a necessity. While the activities of omnipotent State is taken over by plurality of societal friendly organisations, there is an apprehension, that it would create a uniform society. This however, has alarmed the developing societies, which are characterised by diversified socio-cultural and ethnic groups, for whom, identity and protection of their rights is of utmost priority. In this process, these groups, having lost their faith in the existing traditional socio-cultural institutions, are increasingly depending on the people friendly and specialised agencies such as Human Rights groups and NGO’s for their protection.

Human Rights having its roots firmly established in the discourses of Natural Rights having a wider area of operation, seem to be gaining legitimacy at the societal level by virtue of them being people friendly in their approach. This infact has put them against the traditional agencies which have statutory powers to protect the rights of citizens. However, these agencies which fall under wide canvas of Criminal Justice System, are today, juxtapositioned to the concept of Human Right thereby creating
a situation of confrontation. Despite many efforts at clarifying these areas of confrontation, there seems to be no de-marketed compartmentalisation possible to restrict these overlapping in the day-to-day administration of law and order or dispensation of justice.

In India, with the onslaught of globalisation several social groups having grievances against the state mostly in the areas pertaining to the Criminal Justice System have only claimed to fight the state with the objective to weaken the state and stake their claim to accede from the main political system. As a result, agencies, which have legitimate concurrence of state to use coercive force against the divisive forces, have become rather activised resulting in the crises of Human rights situation. From Punjab to North-Eastern States the conflict seems to be between the Human Right organisations and police which have called for academic attention in the recent past. The state of Karnataka although, quite and peaceful seems to be slowly experiencing this kind of anti-state activism in the border regions of the state, especially in the border areas close to Andhra Pradesh. This alarming situation which has an effect on the socio-political situation in the state of Karnataka therefore, has become a major concern for the state. As a result, to counter the activities of these divisive forces, the state of Karnataka is currently thinking in terms of operationalising the Human Rights Commission in the state, by establishing Human Rights courts at district level.
Thus, it is predicted that these Human Right organisations at the local level would neutralize the situation from further escalation. Although, this attempt of the Government initially is seen only as an expansion of Human Right Commissions activism, in the years to come, it is likely to contribute to the social emancipation and political correctiveness with increased demand for a civic society. The Andhra Pradesh experience in this regard is worthy of emulation, especially of the role played by activists belonging to Civil Liberties Group, who are acting as buffers between state of Andhra Pradesh and People’s War Groups.* In order to support such a progressive step there is also need for an increased attention to be paid to this cause from amongst academic to disseminate more information about this third generation rights.4

Keeping these significant aspects of inter-relationship between academics, society and the agencies of the state, the proposed study was undertaken after a thorough study of the literature available in these areas including works of Subramaniam (1992),5 Chaturvedi.S.K. (1998),6

* Activism of PUCL Vs PWG in Andhra Pradesh is an acknowledged fact in this regard.
are the current studies in this direction. Most of these studies however
have concentrated on Human Rights in its legal, constitutional and
international perspective. While books on Police Administration have
thrown light in the managerial, legal and organisation point of view. Thus,
one can find an ample number of books, research documents in this
direction. But, what distinguishes the present study in its focus covering
both Human rights and Police Administration, is the fact that it subjects to
scrutiny, their inter-relationship, which of course relatively is a green
pasture, hence the study.

PURPOSE OF STUDY:

This being the importance of Human Rights and Police Administration today, it is but tempting and also relevant that this growing area of Human Rights is investigated, keeping in view the current socio-political changes that are occurring world wide. While the current trend of globalisation is hinted at restructuring the state and its various activities, it is also imperative that the various agencies/functionaries working under the supervision of the state are also subjected to change in order to keep themselves abreast with changing time. Despite the fact that the state is
subjected to careful scrutiny these days, dependency of the state on the constitutional machinery has often brought to fore the debates about restructuring the constitution and reviewing its contents in the light of the new concepts such as 'Human Rights' and 'Hindutva'. These are no doubt gaining primary importance in these debates as can be witnessed. While, it is a fact that such a debate has a hidden political agenda in relation to Hindutva, it is with satisfaction that one would agree to the fact that the concept of Human Right as enshrined in the constitution also has been consistently performing. However, the global trend towards market economic system has an impact on the traditional society like India. Apart from the political system, this is calling for an increased participation of various societal groups within the society to stake their claim for their share of power, within the powers vested in the state, thus helping to protect the larger interest of the society. Consumerist movement, privatisation of civic functions at the local level, NGO activism in the locality and at the state level involving rights of displaced peoples etc., are all thus the necessary results of an expanded market and globalised economy, which have within them the crucial questions pertaining to Human Rights.

Human Right having within its content what is already enshrined in the constitution viz., the fundamental rights etc., constitutes one of the major instrument for an individual to protect his rights, forming an integral
part of the components of a vigilant society in a democratic set up. Similarly, with intrusion of globalisation and the varied technology in the socio-political instrumentalities of governance the challenges before traditional agencies of the state such as the Police Administration calls for a sea change among the Police Administration and the police organisation. The traditional police functions under the umbrella of criminal justice system which was turned to perform its police-thief, police-law and order and police/traffic control kind of roles are fast becoming outdated. Because of the enlarged world and borderless society coupled with changing technology, automation and arms, thus ranging from cyber hacking to corrupting information systems, a new outlook, attitude and reinforcement has become a necessity for these police organisation. Problems of Intellectual Property Rights and such other knowledge based activities of the complex societies of today have demanded a change in the entire Police Administration. As against this requirement of a comprehensive change, the police personnel within the organisation seems to have neither the qualification nor the organisational readiness to react to these enormous changes within their society and the world around them. Infact, the Government of India is still to come out with a new bill covering laws and policies connected to various activities related to cyber world, Intellectual Property Rights and many such knowledge based regulations that fall under the purview of World Trade Organisation agreements. At such crucial juncture when the society is getting activised to enter into a new world of
virtual reality in the 21st century leading to sophisticated ways of life - an important agency of state, viz., the police, which is to act as a protector of life, liberty and rights connected with the major task of maintaining law and order no doubt, needs an updating and specialisation to ensure that there comes to life a balanced society that is devoid of exploitation in any form. It is in this context that the Police administration is put under to scrutiny keeping in focus and in frame a very closely associated concept namely, Human Right, which by versatility of its content has outgrown to such an extent that there are hardly any debates in the intellectual circles that does not encompass this issue today. Hence the study.

PROBLEMS TO BE INVESTIGATED:

Conceptually, rights are those conditions of social life without which man cannot be at his best. State is said to have come into existence to promote man’s best interest. Rights therefore, are tools to safeguard the individual from other individuals and also the individual from the state. This ensures protection of Human rights and permits the individual to maintain his dignity. However, a liberal state may not, despite all pre-requisites realise this. Breach of this protection therefore, results from the state itself. Threat to the interest of the state because of certain acts of an individual may result in loss of rights of an individual. From theft to agitations, the law enforcing agency namely, the police, acts as a protector
of the state instead of working for the protection of the rights of an individual. In the eagerness of maintaining the law and order in the interest of the state, the police often commits excesses. Ignorance on the part of the citizens of their own rights, failure of the police to extend this knowledge to the citizens, need for problem specific investigative modes are thus some of the causes for these excesses, termed as the violation of Human Rights. This act therefore pushes the citizens and police to opposite banks leading a question of mere problem of maintenance of law and order into situation of crisis involving Human Rights. It is in this context, that this study has been proposed involving the following questions for investigation;

a) What has been the relation between Human Rights and Police Administration?

b) How far Human Right as an input can humanise Police Administration?

c) What is the extent of jurisdiction of Human right in matters of Police Administration? And

d) Are Human Rights a stumbling block in the path of Police Administration, as it is often conceived and many such other issues?
The involvement of non-governmental organisations as active caretakers of Human Rights has in fact further complicated this problem leaving Police Administration in a tight spot. Preliminary survey in this regard has indicated very clearly the existence of mutual respect between Human right activists/enforcing agencies and Police Administration. But, certainly there is an uneasy relationship that exists between them as can be evidenced. Hence the need to investigate this problem.

OBJECTIVES:

The objectives of the study are as follows:

1. To understand and assess the various dimensions of Human Rights.
2. To assess the strength and weakness of Police Administration.
3. To examine the inter-relationship between Human Right activism and Police Administration.

HYPOTHESES:

In order to explore the potential for research in bringing together a conceptual issue with that of an active organisation like the Police Administration, a pilot survey was carried out keeping in view the difficulties that may arise in collecting the data from amongst the various strata of Police Administration. In this regard, several rounds of
discussions were also held with different levels of officers within the Police hierarchy, with a view to lay hands on the crucial data that may be available. After due analysis of the pros and cons, the study was undertaken with following hypotheses:

1. That the concept of Human Right may be too complex for specific application in Police Administration.
2. That Police Administration may not be very receptive to the idea of Human Rights and
3. That because of this, Police Administration and Human Right may not be mutually contributory in their functioning.

REVIEW OF LITERATURE:

Being aware of the fact that it is not an easy exercise to pursue a study wherein, on one hand the concept like Human Right is still under explored, which efforts are being made to popularise it through various politico-educational institutions in the developing world. While on the other hand, the Police Administration which despite its explorers from within has largely kept itself aloof from the academic circles. This being the practical problem in a country where secrecy is largely maintained, while right to information bill is still to see the day light, an ambitious study of this kind for a doctoral degree calls for heavy dependence on the
secondary source material and informal discussions. Having known these limitations, a brave heart alone would attempt in this direction to add to the ocean of knowledge, particularly in this area and yet attempting to making it rather distinct no doubt, is a crucial task. In order to succeed in this attempt a thorough review of literature is rather inevitable and hence this review of documents, data and other primary and secondary sources that were at reach. Such a review was organised to learn primarily about rights than about Human Rights followed by Police Administration etc. Dr. Shukla's (1991) Monograph is a comprehensive treatise and a basic book for a beginner to understand the theory of liberty in general and of Hayek in particular. It reflects upon political philosophy of Hayek and his apprehension. This monograph is contemporary in subject while in content it is quiet traditional. Closely related to this kind of thought is the book of Arjun Dev, et al. (1996) edited work. This is a kind of source book and a basic document of Human Right. While, the authors here have employed the historical approach for describing the evolutionary process of the concept of Human Right, they have classified their writing into four broad sections covering Historical Document, Declarations, Covenants and Conventions, Human Rights with reference to Indian Constitution and Law and so on. This is no doubt a useful book for researchers. Another book that is inter-connected to this area is the work of Bailey (1997), this work throws light on the factual information and inside story regarding the functioning of Security Council of United Nations, especially in matters
pertaining to Human Rights. Although this serves as a basic document to understand the functions and performance of Security Council in relation to Human Right issues, the broad area of study chosen helps the researcher to build his conceptual models about the working of United Nations in general and the predicament of Human Right in United Nations.

Chakravarti’s (1958) work on ‘Human Rights and the United Nations’, is mainly a work in the area of the legal studies. It can be regarded chiefly as a contribution to understanding of International Law. This work is primarily an analysis of developmental programmes of United Nations and the problems related to Human Rights. This is both an important and interesting piece of work from the point of our study. Similar to this work is Vijapur’s (1991) edited volume under the title “Essays on Contemporary Human Rights”. Containing 13 articles on various aspects of Human Rights in the international scenario the volume speaks mostly about the protection of Human Rights through the established national and international legislations. The work is critical in some manner as it exposes the dictomy between International Law and Human Rights situation as it exists today. Another work by the same author entitled “United Nations at 50: Studies in Human Rights”, published in 1996, examines and evaluates the success and failures of this apex world organisation in relation to the question on Human Right. It covers the entire gamut of activity of United Nation’s in matters pertaining to Human
Rights especially in the past fifty years of United Nation’s existence. It contains twelve chapters. It is an useful reference book. Nizami’s, et al. (1994)\textsuperscript{22} is a work based on the historical documents such as the American Declaration of Independence (1776) and Bolshevik Revolution (1917). This work looks at Human Rights as a catchword of the present century and addresses the issues of violation of Human Rights referring to the problems of terrorism, Tiananmen square issue pertaining to China, and the Somalia’s problem of hunger and poverty etc., this work can be considered, as a useful text book. Moskowitz’s (1958)\textsuperscript{23} work on 'Human Rights and World Order', is a book that exposes the struggle of United Nation’s for restoring Human Rights. This touches the problem of Human Rights as they are projected in the international arena and lays emphasis on the need for protecting Human Rights through a world organisation. This no doubt is a good source book.

Wade’s (1974)\textsuperscript{24} “Treatise on Government and Citizen’s Rights”, is a reflection on the Government and citizen’s rights in the context of contemporary society. It has extensive reference to new institutional devices and proposals connected to constitutional and administrative law. This is a best supportive document for those exposed to working of constitutions in the recent years. Another book with similar content but of a different democratic society is Marshall’s (1982),\textsuperscript{25} work containing 20 edited scripts. Discussing the American legal system and carrying
diversified views about American legal Scholarship, this book is with five major sections, offers a complete insight into the American legal system vis-a-vis the rights. Ronald Dworkin's book on 'Taking Rights Seriously', (1977), is a collection of essays. This is mainly a critique of positivists theory of legal rights. A thorough analysis of Rawl's theory in this work helps us to understand the theory of Justice in different perspective. Al Szymanski (1984), work on the other hand examining the whole spectrum of Human Rights in the USSR helps a researcher to move away from general to specific category. Civil liberties, the rights of national minorities, economic right of those in employment and women's rights are all comprehensively examined in this work. Employing historical method, this throws enough light on the polity and economy of Soviet Union hinting at the idea that Human Right is a victim of these decaying institutions. Griffiths (1971), work on a history of India's police written by a British civil servant describes development of police administration till 1947 and highlights the role played by the police. It is more of a historical survey kind rather than a critical evaluation of the subject matter. Similar is Varwell's (1978) work on 'Police and the Public’. This only describes the role of police in the social context. His observations are that police recruit should understand his own role in the society is a useful hint to reform police training. This is also a good hand book for police personnel. Another work by Brewer, et al. (1996) is on police functions and organisation, It is a comparative study and throws light on police of seven
countries including Britain, North Ireland, the British Republic, America, Israel, South Africa and China. This book provides detailed information about police organisation and their functioning in respective countries. Reiner's (1985)\textsuperscript{31} work on the political nature of police officials is a controversial book that explores the concept of policing by consent. This is a study carried out in Britain and America, has a historical and sociological perspective. It is no doubt a good book for general reading. Anisworth, et al, (1987)\textsuperscript{32} work addressed to the police officers aims at popularising of psychology in police investigations. It also deals with victimology opening up a new area of study in Police Administration. Apart from these, some books in these areas pertaining to Indian context were also reviewed. Kaul’s (1995)\textsuperscript{33} edited volume on Human Rights, covers the various dimensions of Human Rights in the four sections it has. Analysing the normative framework of Human Rights and the emerging issues relating to protection of Human Rights, there is a section on Women and Human Rights covering concepts like gender, equality, justice etc. Legal issues including violation of Human Rights, rights of children, judicial activism etc., also forms the major themes. This book in fact provides a socio-legal perspective of Human Rights in a lucid manner. This is a good book and helps a lot for those who are pursuing research in the area of Human Rights and other related matters. Saksena’s (1999)\textsuperscript{34} work infact discusses the achievements made by India in protecting Human Rights in the 50 years of its independence. This book exposes the
unfulfilled aspirations of Indian states in areas of Human Rights. Being a compilation of articles contributed by eminent personalities including former Chief Justice of Supreme Court, social activists and veteran freedom fighters and the like, this book throws up a mixed version of Human Right as it is comprehensible in India. It also attempts to clarify the ambiguity between terrorism and Human rights. While, answering to the other popular questions about Human rights Kashyap’s (1977) study on ‘Parliament and Human Rights’, on the other hand, attempts to clarify the meaning, scope and ramifications of the concept of Human Rights. It traces the background, history and the development of Human Rights in India employing historical approach and evaluating the parliamentary mechanism in formulation and operationalization of Human Rights in India. The book also discusses the role of democratic institutions in effectively advancing Human Rights in the third world. These books were of use in the current work undertaken especially in matters relating to the understanding of the concept of Human Rights in the Indian context. Focused on a particular state viz., Bihar, Sharma’s (1999) work is a collection of papers on Human Rights presented in a workshop on “Human Rights and Social Development of the Weaker Sections in Bihar”, to commemorate the 50th anniversary of the Universal Declaration of Human Rights. Some of the papers in this collection are note worthy. Written mostly based on empirical surveys the content of these papers presents a gloomy picture of the Human Right situation in the state of Bihar. Jha’s
work on ‘Resurrecting of Human Rights in India’, is a painstaking study done by a retired police officer, on the status of the right to sue the government for tortuous acts committed by government officials. This book exposes the importance of Human Rights and its weaknesses. The author observes that the doctrine of sovereign immunity, which immunizes government against tortuous acts done by its servants or agents, as still operating in India and calls it as a colonial legacy which should have no place in a Republican polity. The book provides a forceful argument against perpetuation of the doctrine of sovereign immunity and makes a significant contribution to the understanding of the provisions of the article 300(1). The subject has been dealt in great details. Facts and views have been woven logically and convincingly. Drawing its strength from legal opinions, constituent assembly debate's, constitution and other authoritative documents including landmark judgements, this book exposes the faulty political and legal system in India. The book is relevant in the context of raising awareness about Human rights.

Some books on Police Administration such as Kapoor’s work on ‘Police Administration’, published in 1989 is a good guide and serves as a hand book. It covers the principles that govern efficient Police Administration and deals with the responsibilities of police, their attitude, discipline and in hierarchy in the organisation. Giving a holistic insight into their activity the author employing descriptive method explains the subject
matter in abundant details. This book is of course a useful one and serves as a supportive source to research work in the area of Police Administration. Srivastav's (1997) edited work on 'Indian Police: Law and Reality', consisting of 20 different articles of significance, involves certain debatable issues concerning Police and Police Administration. Analysing the various imperatives, dimensions and deficiencies this work provides valuable suggestions for keeping the police working efficiently in tune with rapidly changing global context. Bhardwaj's (1978) on the other hand is a complete guide book for police functionaries. This in fact provides a complete history of the Police organisation in Indian context. The work on 'Police Today', by Shanker Sen (1986) examines the diverse problems like maintenance of law and order, criminal justice system in relation to Police Administration. The whole text is divided into three sections dealing with the role of Police during various crisis situation. It also throws light on the new challenges of a globalised era on the Police. Though not of any high research value it is an informative work. Mishra's (1987) work on 'Police Administration in Ancient India', as the name itself suggests deals comprehensively with various aspects of police organisation and their function during early and later vedic period. It is a comparative study of some of the significant aspects of police functioning during the periods mentioned above. The book offers a significant account of Police Administration in ancient India and helps a researcher to trace the
origins of Police Administration in India. Triloknath’s (1978) work on general administration in India with particular reference to the police, describes the police functions and their new image. This book is a source of comprehensive information on police. The work of Sanker Sen, et al. (1994) deals with training of police in particular. This book gives us an analysis of the imperatives dimensions as well as the deficiencies in police training. Offering valuable suggestions to keep the police training in tune with changing times, this book is a good reference work.

Subramaniam’s (1992) work on ‘Human Rights and Police’, can be perceived as a good guide to the law enforcement officers. It is a work that speaks on the legal system that prevails in India. It also focuses on prevention of Human Rights violation by the law enforcers. This tiny but useful book reflects upon the need for the awareness about the sanctity of Human Rights among the grass root law enforcers. Discussions about Human Rights at the international scenario too is covered in this work. It is no doubt a very good reference book. Studies by Khan (1983) deals with serving police functionaries, with special reference to their selection procedures, training, enforcement of law, their image and functions, relationship with public and demographic structure from organisational point of view.
There are in fact very few studies on the role of police and their interaction with criminals and community members. Mohanan (1987)\textsuperscript{47} has focused on this interesting theme very effectively. It is of course a good book for general reading and for reference. Studies relating to criminal justice system by Vadarkumchery's (1997)\textsuperscript{48} highlights the role of police in this system. The author offers suggestions to ensure that equal justice prevails to the crime doers and witness of crime in his book. Descriptive and analytical methods have been employed by the writer to put forward his ideas. The other work by the same author \textit{viz.} 'The Police, The People and Criminal Justice', published in 1997 is an attempt made by him to put together people's views and their opinion about the administration of justice in the society. This book throws light on the many ways of miscarriage of justice that takes place in our society. This study also indicates as to how violations of law and legal principles take place in practical administration of criminal justice. The other book by the same author on "Management Thoughts on Police Administration", published in 1998 is a collection of quotes. These are a sort of tips for better management of Police Administration. It is no doubt an useful book for those who are at the helm of affairs in Police Administration. 'Chaturvedi's (1996)\textsuperscript{49} edited volume on criminal justice system discusses the problem areas and suggests some steps to improve the same. Gautam's work on 'The Indian Police: A Study in Fundamentals', published in
identifies various issues, ideas and concepts that are related to the functioning of police. The author brings out the ideological contradictions under which police has been operating given to its colonial origin. Exposing the impact on them from the democratic set up, the author laminates on the lack of specified national police policy and the abuse of police in Indian context. Tyagi’s (1961) work is a monograph, which examines the importance of a civil service system and its obligations. It gives a comparative picture of the status of the civil servants in democratic countries. Krishna Iyer’s (1990) work on Human Rights speaks about the status of Human Right in practice. The author has critically examined the world view of Human Right and observes that the ideal of “Human Rights”, as a far of dream. Being a judge himself, of Supreme Court of India he observes that an independent and impartial judiciary can restore Human Rights. Rane in his article on ‘Human Rights Day’, attempts to clarify connotation of the term Human Rights to explain its current status. Protection and promotion of Human Rights he argues that it should not be restricted to the national boundaries. Violation of Human Rights according to him, in any single country should be the concern of people all over the world. This article is useful as a reference work. Another article by the same author entitled ‘Current State of Civil Liberties in India’ describes it as a garb of Human Right. This article helps us to understand the status of Human Rights in India and its violation. Sangeeta “Human Rights in Pakistan - A Showburn Process”, is report under review. It has two
aspects in it, one is about the state of Human Rights in Pakistan and two, about Human Rights imperatives. A clear summing up of all the issues concerning Human Rights situation in Pakistan, thus speaks of Human Right in Pakistan. It is a kind of status report of Human Right in Pakistan. Sathe's article on 'Child and Human Rights', helps us in understanding Human Rights in the context of child's rights and the constitutional provisions and such other declarations related to the welfare of child. Ansari's article on "Personal Law Reform in Human Rights Perspective", open up a new area to understand about Human Rights. Balsubramaniam's article, helps us in briefing us about the issues related to environment and the implementation of the laws relation to it in the developed and developing countries. Nagesh's article on "Human Rights", discusses the growing consciousness about Human Rights and the claim of safe environment as a fundamental Human Right. Similarly, Sudhansu Patra's article also throws light on Development and People's Rights, the article argues that while development is essential, its commercial exploitation involving natural resources should be restricted as they eventually threaten the basic Human Right 'the Right to Live'. Article on 'Police Atrocities in India', by Haque is a general discussion on the role of police in protecting the society from the criminals of various kinds. And suggested remedies to the police atrocities by bringing reforms in Police Law such as accountability and more responsibility etc., is also discussed in this paper.
Pal's on "Police Firing in a Mumbai Suburb", involves explicit analysis of a actual happening involving the harassment on Dalits and other issues relating to Human Right of Dalits. Thus, one can come across various variety of literature in the areas concerning Human Rights and Police Administration. This being the extensive survey of literature, it is infact clearly noticeable that there is ofcourse very few or no work actually done in the area chosen currently for this dissertation that too with special reference to Karnataka. It is clear that there is a dearth of literature in this area and that adding on to this area is definitely a needed exercise. Our study being the one that focuses particularly on the police commissionerate is a much focused one, having a combination of the theoretical and empirical aspect of both Human Right and Police Administration respectively. Hence the importance and justification for the study.

SIGNIFICANCE OF THE STUDY:

In an era of Human Rights, any scientific study to relate this concept to an institution of a state primarily engaged in dealing with protection of rights as extended by the State would only mutually qualify the subject Human Rights and Police Administration. Being two faces of the same coin, they are expected to jointly promote the progress of the society without causing any hindrance to each other. Unfortunately, there
seems to be an impaired relationship between them if one observes closely their functioning. Reasons such as over consciousness and lack of jurisdictional demarcation could be at the outset identified as the cause for such a hindrance which calls for solutions. Since the policy making process can not ensure these operative necessities for smooth working of these institutions, this kind of research is expected to serve as guideline to create awareness among the organisations concerned while providing them a mirror to observe their own activity. It is in this direction, that this problem assumes significance apart from filling the existing gap in literature and opening new horizons of operational research as shown earlier.

Karnataka State is often referred to as a representative sample of Indian Society and Polity. It has a special status in the India federal structure supported by its enlightened history of having had the experience of a welfare state. This is a state where the rate of crime is comparatively lower, while the consciousness of the people is rated to be much higher and more judicious. From newspapers to literary elites and the enlightened administration to responsible representatives and the benevolent people friendly Police Administration, the State of Karnataka has a good track record. From bridge burning to neo-imperialism and from ragging to gender issues, the people's institution in this state have judiciously taken care of punishing the criminals, without leading to any crisis at any point of time.
Being aware of these prime qualities of the state, the other side of the problem is what is of a concern for the proposed present study. The state of Karnataka is generally identified with two parts, the southern and northern regions. There exists enough reasons to compare them to expose the contrast between them. Be it in matters of development or culture, the basic variables show a clear difference. The fact is that northern Karnataka is generally identified as less forward, less literate, more rustic and crime prone because of its socio-political for development and at far reaching distance from the capital, it is to be investigated that whether these factors are responsible for violation of Human Rights in these areas by those who are in fact expected to protect the very people. Recent cases of Bomb blasting to black magic or earlier cases of custodial deaths, violation of Dalits rights, suicide of poor farmers in this region are all referred to as problems stemming out of the backwardness of this region. This being the context of the area chosen for study Human Right issue though not very popular in the region very well fits in to awaken the masses in the region and to highlight the problems therein. Police being the lone-hope for people who are victims of such harsh realities of life are also the targeted agencies for politically active society. Under such dilemma, the police is performing its task and this study would only help them to understand their performance and hence the significance of this.
MAP INDICATING AREA OF STUDY WITHIN KARNATAKA

HUBLI-DHRARWAD.
MAP INDICATING KARNATAKA STATE AND THE AREA OF STUDY.

HUBLI-DHARWAD.
METHODOLOGY:

The study having hypotheses and objectives mentioned above, undertook stratified sample survey depending on the availability of Human Right Groups and Police Personnel in the Commissionerate of Hubli-Dharwad. The respondents were served with schedule depending on their availability. A Commissionerate as defined by Police Administration is comparatively an autonomous area falling directly under Director General of Police. It is headed by Commissioner of Police. He is assisted by two or more Deputy Commissioners of Police, who look after Law and Order, Crime, Traffic, City Armed Reserve and Headquarters duties. The deputy Commissioners of Police is assisted by Assistant Commissioners of Police. Hubli-Dharwad a twin city falling under a corporation jurisdiction having an area of 190 Sq. Kms. covering a population of about 6,48,000. As per the information from the Police Administration each police station in city areas shall have atleast an Inspector, two police Sub-Inspectors, 4 Assistant Sub-Inspectors, 18 Head Constables including one Women Head Constable and 54 Police Constables irrespective of the gender. This number is expected to cover a population of 50,000. Although this itself seems to be quite a poor strength prescribed, in reality the number is lesser than prescribed. Infact, many respondents did agree on this view point. If this is the condition of police organisation, Human Right activism on the other
hand in this area is at a low key level with merely one or two NGOs recently emerging to understand Human Rights. This being the study area having the following organisation of Police (see diagram No.1) has a total sanctioned strength of 1189 Civil-Police for a population of 6,48,000.

**DIAGRAM NO.1**

**Organisation Chart of Police Commissionerate**

- Director General of Police
  - Commissioner of Police
  - Deputy Commissioner of Police
    - (for Law and Order
      for Crime and Traffic and
      for city Armed Reserve)
  - Assistant Commissioner of Police
    - Police Inspector
    - Police Sub Inspector
    - Assistant Sub Inspector
      - Head Constable
        - Police Constable
which at time of study was short by 41 numbers with only 1148 being their strength (see Appendix No.1). Depending on the need of doctoral work and after discussing with academics specialised in statistical methods, 10 percent of the total sanctioned strength of the police were chosen as respondents. While the respondents of NGO group were chosen depending on their availability for informal discussions only since this number was too small to make any choice. The police personnel chosen were divided into three levels consisting of officers falling under the rank of Indian Police Service and Karnataka State Police Service, identified as category-I. The middle level officers, including Police Inspectors not below the rank of Assistant Sub Inspector identified as category-II. Third category consisting of police personnel of the rank of head constables and below, irrespective of the gender as category-III. Apart from these, some of the experts in this area were also consulted during the course of the study depending on the requirement. Although Hubli-Dharwad has moffusil area covered by rural police stations falling under the supervision of Superintendent of Police, they were only consulted for certain technical specifications, technical terminology and for information required about Police Administration, but they were not considered as respondents for the purpose of research. Thus, altogether there were 123 respondents were chosen, who formed the minimum prescribed for the current study. These stratified groups were served with well-coded schedule and the result
therein have been presented in various forms of graphs systematically, supported by primary and secondary sources, as and when required for interpreting and analysing the data. There are about 44 graphs in the thesis altogether.

STRUCTURES OF THE STUDY:

This study is divided into six chapters written according to the prescribed pattern approved by ICSSR.

CHAPTER ONE : As introduction, where in Statement of Research Problem, Aims and Objectives of the Research, Hypothesis, Review of Literature, Significance of the Study, Methodology and details of the chapterisation are all elaborately presented.

CHAPTER TWO : Deals with the concept of Human Right in its historical perspective. This chapter is primarily designed to facilitate an insight into the vast and complex world of Human Right, its origin, existence and operation. This chapter is also theoretical in the sense, it covers under its various hues and colours of rights in its diversified spheres of life.

CHAPTER THREE : Is similar to chapter two, which covers the aspects of Police Administration in its historical perspective. A formal method of explaining the origin and growth of Police Administration is employed here, dividing the origin and growth of Police Administration under various sub-headings such as vedic period to post-colonial period etc. As in case of chapter two, this chapter also is basically constructed with the support of secondary sources that was at our reach and from various libraries consulted.
CHAPTER FOUR: Entitled Human Rights vis-a-vis Police Administration, is an attempt made to assess and analyse the existing relationship between the two agencies, from the constitutional perspective, keeping in view the various international agreements that the country has entered into. This is a small but a comprehensive chapter covering information about the two important sectors of modern methods of governance.

CHAPTER FIVE: Deals with the empirical analysis of the study having the title “Human Rights And Police Administration - A study of their inter-relationship”, which is self-explanatory. This chapter contains about 44 graphs, few diagrams with various other details of statistical test that were applied to examine the data scientifically. Primary and secondary sources have also been employed quite extensively to substantiate the study conducted and interpret results.

CHAPTER SIX: Deals with the conclusion arrived at after the empirical analysis made and the alternative suggestions thought of. This chapter having title as ‘Conclusion’, carries graphs and brief explanation to establish the inter-relationship between Human Rights and Police Administration in the study area.
FOOT NOTES:

1. Problem of Punjab originated with the problem of law and order, Bihar has a similar problem today.

2. Instead of Karnataka recently (1990s) in Raichur District there is activism of People's War Group (PWG), which is noticed by the State. This it is stated is because of the influence of Andhra Pradesh. Similarly, in the recent past the ISI activism has been suspected in some of the places in Northern Karnataka region connected a series of blasts in Churches, Mandirs and Masjids.

3. Arjun Dev, et al., eds. Human Rights: A Source Book, New Delhi, National Council for Educational Research and Training, 1996. Apart from that Social Clubs like the Rotary Clubs have also initiated the establishment of Human Rights groups at their Rotary Districts to work towards bringing about awareness regarding Human rights through seminars and such other academic and activist endeavour.


16. Ibid.


63. Category - I, Commissioner of Police, Deputy Commissioner of Police and Assistant Commissioner of Police.

Category-II, Police Inspector, Police Sub-Inspector and Assistant Sub-Inspector.

Category-III, Head Constable and Police Constable Irrespective of the gender.


73. Bhardwaj, Indian Police Administration, New Delhi, National Publications, 1978.


75. Mishra. K.K., Police Administration in Ancient India, New Delhi, Mittal Publications, 1989.


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