Police in South 24 Parganas District: Different Appropriations

The terrain of argument in this chapter is that although the police are among the most rigorous and hierarchical organisations of the state and a great deal of importance is attached to principles of order within the organization, the functioning of the police is not uniform across the local social contexts in which it operates. Thus a basic difference is created between the police as it is organised in the law, and the police that can be seen in the context of a local society. The contention is that there are two reasons for this difference. The police as it is organised in law is appropriated by the people who put on the police uniform, and by the local society in which these uniformed people perform their functions as police-men. In the absence of a uniform manner of police functioning, which is enshrined in the law and procedures, the police in local societies are different. But before going into the details of the police in Kultali, Kakdwip and Baruipur police stations, and the grounds for their difference, it may be worthwhile to examine the basis for the uniformity of the police in law.

Police and the Law: A Question of Uniformity

A first look into the functions of policemen at the level of the police stations as laid down by the
Police Regulations: Bengal, 1943,\textsuperscript{1} gives the impression that these functions are, indeed, quite disparate internally. It would appear that all those residual functions of the state which for some reason or the other could not be accommodated within the parameters of the functioning of other organizations of the state, have been kind of dumped on the police. As far as the main function of the prevention and detection of crime in the police station area is concerned, regulation 205(a) stipulates that:

the officer in charge of a police station is responsible for the effective working and management of the police subordinate to him, for the preservation of peace, and for the prevention and detection of crime. In order to check crime, his first aim should be to obtain correct information about criminals, criminal classes, vagrants and wandering gangs resident in or passing through the police station, and either to watch them effectively or to take such active measures against them as may be necessary or legal. The foremost means to this end are -

(i) an intimate knowledge of the area committed to his charge and of its inhabitants, and the enlistment of their sympathy and cooperation;

(ii) the regular and early reporting of facts as to crime and criminals, suspicious characters and strangers by chaukidars;

(iii) the active surveillance of registered criminals and suspects;

(iv) the careful maintenance and study of the surveillance register and Village Crime Note Book;

(v) the efficient use of patrols;

(vi) prosecutions for bad livelihood and

(vii) generous cooperation with officers in charge of neighbouring police stations.\textsuperscript{2}
The Regulation 205(b) insists that,

An officer in charge of a police station shall neglect none of these means, and by constantly moving about within the limits of his jurisdiction and by visits to respectable residents, shall assure himself that he receives regular and complete information and is in touch with the active criminals.  

Regulation 205(c) admits that all these cannot be done personally by the officer in charge of a police station but that he is 'responsible and shall satisfy himself by frequent inspection that all registers and records are properly maintained and kept up to date'.  

Interestingly, though the account of the tasks of the officer in charge so far seemed to be within the limits of justifiable functions of the police, for the prevention and detection of crime, Regulation 205(d) enjoins upon the officer in charge of the police station to step out of the immediate tasks of prevention and detection of crime and lays down that 'he shall collect and communicate intelligence on all matters of public importance passing in their jurisdictions, even though such matters may have no connection with any criminal offences'.  

From here on, the Regulations seems to insist on an ever broadening of the vision of the police mainly through the collection of information. Regulation 214 a has it that 'all subordinate officers of and below the rank of sub-Inspector and constable shall carry pocket books and pencils with them and shall note all facts of interest from the police point of view' and immediately
report on the important entries to the officer in charge. Regulation 217 gives detailed instructions on Assistant Sub-Inspectors and constables deputed to railway or steamer stations on how to keep watch on different kinds of people. Regulation 222 lays down that the police must constantly supervise the ferry services to prevent overloading to boats. Regulation 224 enjoins that police officers shall secure and send into the head-quarters station of their districts all lunatics found wandering at large and believed to be dangerous. Regulation 225 directs that every sub-Inspector in charge of a police station shall inspect all arms and ammunition shops within his local jurisdiction not less than once a quarter. Regulation 227 mentions that the police shall report on all wrecks to the magistrate and take measures to protect the wrecked property. Regulation 228 has it that the finding of statuary, coins and others treasure buried underground shall be reported. Regulation 229 stipulates that the officers in charge of police stations shall report to the Superintendent the discovery of any object of archaeological interest, and the Superintendent, Department of Archaeology. Regulation 231 lays down certain rules for the observance of the police under the Cattle Trespass Act, 1871. Regulation 232 insists on the police to ensure that the sales of cattle and ponies are registered. Regulation 233 directs that in case of the outbreak of infectious diseases, which may take on epidemic character, the officer in charge of the police
station shall immediately bring it to the notice of the concerned authorities. 16 Regulation 234 has it that the police may be called upon to perform the duty of collecting, registering and transmitting vital statistics in rural areas except in certain specified areas. 17 Regulation 235 lays down that the police shall assist an officer on tour or any other traveller by supplying vehicles etc., and Regulation 236 mentions that certain police station which have boats, may provide these also to officers employed in investigation and other station duties. 18 Regulation 241 instructs that post-masters may take the assistance of the police for the safe custody of cash chests at the police station and for providing escort for their safe transport. 19

Although the general impression is that the police is concerned only with the prevention and detection of crime, and what are called the maintenance of 'law and order', it can be seen from the above account of functions of the police at the police station level, as laid down in the Regulations, that there are different layers of police functioning even at the level of the police station. The inner most layer of course consists of functions for the prevention and detection of crime. But even here it can be noticed that there is no mention of what nowadays is called the 'law and order' functions of the police. In the area of the prevention and detection of crime, it is to be noted, the emphasis is on tapping information from
all possible sources, much of which is to be from keeping watch on the lives of the people, in other words, through surveillance of the population. But the task of watching the criminals, 'the bad characters' the 'suspicious looking people', that is, surveillance of the criminals is not possible if the police are not aware of the lives of the people in general. Here, therefore, is the need for the police to step out into the next layer of police functioning, that is, watching the lives of the population in general, people in their everyday lives, at the railway stations, ferry stations, on public thoroughfares. But beyond a point, it is not possible for the police to watch people in their everyday lives, if the police does not mingle with them, at least to some extent, share in their sorrows and take measures for ensuring a 'happy' life to members of the population. Thus the need for the police to be alert about cattle thefts, and inform the concerned authorities of the outbreak of infectious diseases. At the outermost layer of its functioning, therefore, the police watches not only for criminals and likely-to-be criminals, but the whole population, maintains a constant surveillance over them, becomes a part of the life processes of the whole of the society, in which a bond is created between the police and the society in general. A police force that is concerned only with crime and criminals, that which does not know the whole society, does not mingle with the whole society, but perhaps only certain parts of it, will be viewed as sectarian, because
this will create a situation in which the society in general also will not be in a position to know about the police.

It is argued that the different layers of police functioning which are specified in great detail in the law, serves three purposes. First, the emphasis on the generality of the norms of police functioning, which meshes the police with the whole of the population, across the different sections in which it is divided, enables the police to standardise its functions, to professionalise its operations, because a common social background makes it possible for the police to take the whole society into account in its functioning. Second, the standardisation of the functions of the police, which makes it possible for them to be based on the norms of the whole society, rather than of any part of it, finds the police in a position of neutrality with respect to the different sectors of the society in which they have to function. The police, thus, emerges in the role of a 'third party', a neutral body of persons, who intervene in disputes between contending parties in society, but which does not take the side of either. Third, it is to be noted that the generality of police functioning, enshrined in the law, is not an unspecified generality of functioning, but one which takes account of every detail of how and what the police have to do. In the generality of its functioning, the police are not to be meshed with the
population just as another part of it, but as an organised force, which has its own objectives and its own modes of functioning. It is only by following the procedures laid down in law and in other regulations, which protects the autonomy of the police as an organization, that the police upholds the conscience collective of society and guards it against crimes.20 In fact, one writer has argued that the regulations of the police in Bengal, such as the Police Regulations of 1792, 1793, 1817, which preceded the Police Regulations of 1943, were aimed at "ensuring that the office of Daroga was wholly alienated from any organic link with the local society so that it became a bulwark of colonial state power at the local level, rather than a vehicle for the continuance of customary authority".21 What is at issue here is that the autonomy of the police was sought to be protected so zealously in law that the generality of its functioning which was so meticulously built in it, gave way to the need for autonomy. In other wards, in the built-in contradiction between the generality of police functioning and the need for its autonomy in law, the generality of its functioning could even be sacrificed in favour of the need for autonomy of the police as an organization and of the officer in charge (Daroga) as the head of the organization at the local level.22

The Police Station: Different Settings

All the three police stations of Kultali, Kakdwip and Baruipur, in their building structures would appear
to be quite incompatible with the importance in local society they seem to have. In fact, it was quite difficult to locate the police station at Kakdwip in the first instance. After reaching the main bus stop at Kakdwip bazar, when people were asked about the location of the police station, it was pointed out that it was down a lane not far away. After going a certain distance down the lane, when once again asked about the location of the police station, somebody asked to walk down the lane a little more and to look on the right where the police station was located. Still the police station could not be located. When another person was asked, he pointed to a small thatched construction as housing the Kakdwip police station at a distance, across what seemed to be a pond in the rainy season. Enquired about how to get over to the police station, he pointed to a narrow passage on a side. The story is more or less the same with Baruipur police station. But with Kultali, there was no question of finding out the police station without the active help of same local residents. The farthest into Kultali that can be reached by road is Jamtala, from where one has either to hire a mechanised boat or avail of the usual service which is very infrequent. By mechanised boat from Jamtala, it will take not less than one and a half hours to reach the Kultali police station.

By contrast, police stations in the urban areas of South 24 Parganas district like Jadavpur, Behala and
Thakurpukur, wear a completely different look. In terms of not only the structure of the building, but also a host of other facilities like transport and the personnel strength, it proves to be difficult to believe that these are police, the same police who are transferred from one police station to another in the district, under the same district authorities. The argument to be surely put forward in favour of such a differential arrangement of the police, would be that the urban areas have more incidents of crimes and more complicated ones from the legal point of view, and, therefore, need more personnel and facilities for their prevention and detection. It is true that in Kultali, the number of First Information Reports lodged in a year on an average, would be slightly more than a hundred, in Kakdwip it would be around a hundred and fifty, and in Baruipur, the usual number would be somewhere between three hundred and fifty and four hundred. That way, Kakdwip, which is more urban than Kultali, has more crimes than in Kultali, and Baruipur, which is more urban than Kakdwip has more crimes than in Kakdwip. That is to say, the acts of crime in a society are counted here on the basis of the number of FIRs lodged with the police. But it is not considered that the law(s)/sections on the basis of which acts of crime are counted in Kultali, most of which are on serious acts of violence, are much less differentiated than those law(s)/section(s) on the basis of which acts of crime are counted in the urban Baruipur, most of which are related
to business/property offences. It is this question of more or less differentiation in law of acts in society, which to a considerable extent, influences the number of FIRs that would be lodged in a police station. Moreover, it is not clear from the available data from the three police station areas of Kultali, Kakdwip and Baruipur, that the people in these three police station areas are equally willing or can even afford to lodge FIRs with the police, or that their FIRs are equally accepted by the police. It seems that the facilities available at a police station both to the policemen at work at that police station and to the society at large, depends to a considerable extent, on the specific equation between the police station and through it the whole organization that it represents and the society in which it operates. It depends on the extent to which the society, more importantly its literati, the mediators, are able to extract benefits from the police. And mediators in a society are more successful in placing demands on and extracting benefits from the police station, when they are more numerous and are familiar with the normative codes on which the police functions. The facilities at Jadavpur Behala and Thakurpukur police stations are better because the mediators in society in these areas are more successful in extracting these facilities for the policemen in these police stations and for themselves, because with better facilities, the police serves them better.
As far as the policemen themselves are concerned, it is a question of adapting themselves to the local society. But they also have their hangovers of the past. A police officer who was recently transferred (at the time of the field work) from Baruipur to Kakdwip lamented over the absence in Kakdwip of gentlemen, doctors, lawyers, teachers, of the kind he had known in Baruipur. Another police officer who worked at Kakdwip, but was later transferred to Canning thought that his friend who was posted at Kakdwip, had a better time than he had. But in any case, their general feeling is that they have to adapt themselves to the local society in which they are temporarily working.

Cleanliness and Order: a view from inside

The differences in the local settings of the police stations are reflected in the functioning of the police in the three police stations. This becomes even more clear when one looks into the standards of cleanliness and orderly functioning of police officials inside the police stations. But before that, it is worthwhile to have a look at the relevant stipulations of the Police Regulations. Regulation 203(a) lays down that,

A police station should be a pattern of order and cleanliness both inside and out. There should be a place for everything, and the officer in charge shall be held responsible that everything is in its place. The bedding in the constables barrack shall be neatly rolled up when not in use. No clothes shall be hung from the roof and no rubbish accumulated under the charpays. The compound shall be kept tidy and free from jungle by the constable and hollows and depressions which hold water shall be filled up. Regulation 203(b) adds to it,
The officer in charge shall inspect the constables barrack everyday, and shall see that the above rule is observed. He shall also see that the Assistant Sub-Inspectors, head constables and constables under him mend any holes that may have been made in their mosquito nets and that they look after their clothing with due care. The result of such inspections shall be briefly noted in the general diary.

From a look at things inside the police stations, the furniture, the records, the malkhana (the store room of arms, ammunitions, cash and ornaments) and the lock-ups for keeping the accused, it appears that it is not only possible to have some idea of how the police station functions internally, but also of how it apparently functions in society. As far as the police stations of Kultali, Kakdwip and Baruipur are concerned, it seems to be possible to think of a continuum in terms of the manner in which things are maintained in the police station. Curiously in Kultali, the most remote of the three police stations from Calcutta, the inside of the police station was best maintained; in Kakdwip, the situation was tolerable by standards of police stations in the rural areas of South 24 Parganas district, but in Baruipur everything seemed to be in a mess.

Of all things, the ones which were the most important from the point of view of this research project, were the records. In Kultali and by and large in Kakdwip police stations, the records appeared to be kept in order. In Kakdwip, there were some problems in locating some of the records, but that was not a daily problem. But in Baruipur, locating a volume of even the First Information
Reports sometimes appeared to be impossible, although these are among the most important records kept at a police station. This was inspite of the fact that this research project was concerned with reports only for the period between 1988 and 1991. In the light of the poor maintenance of records at the police station level, it seems that prospects of working on these records on a long term basis, are rather dim.

The Officer in Charge

Inside the police station, of course the place where the most crucial decisions are taken is the room of the officer in charge. In all the three police stations, that is, Kultali, Kakdwip and Baruipur, this room seemed to be somewhat set apart from others, both in its location and the special status it enjoys in the police station. When somebody approaches the police station from outside, the room which is likely to be the most visible to him and the one to which a separate access is available is that of the officer in charge. But this separate access to the room of the officer in charge seemed to be more distinct at Baruipur police station than in Kakdwip and Kultali police stations. Because, apart from the side from which some one coming from outside, can move into any of the rooms in the police station, there is a separate access to the officer in charge's room straight from the main gate of the police station.

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In trying to read the person that is the officer in charge of the police station, it is conceded that only one person was seen at each of the three police stations in the office of the officer in charge. It is, therefore, obvious that in the absence of the scope for a comparison between the working of at least two persons in the position of the officer in charge in the same police station, the personal aspects of the behaviour and functioning of the officer in charge in each of the three police stations would surely creep into an attempted 'objective' reading of the person. But it would perhaps make some sense to try to see how different sectors of the local society act on the person of the officer in charge. It seems that the officer in charge who received the most personal attention from different sectors of the local society was the one posted at Kultali police station. It is important to note that it was the personal aspect to his presence which appeared to be very important in Kultali. The personal presence of the officer in charge of the police station, rather than anybody who could be in charge on a particular day, seemed to be important because perhaps a question of personal power of the officer in charge was important. It was perhaps because of the personal power attached to the officer in charge of Kultali police station, that it seemed to be an important thing in Kultali to know the officer in charge personally. The concern for knowing the officer in charge
personally in Kultali almost took on the character of a collective gaze on the officer in charge. Importantly, this collective gaze on the officer in charge can not be defined to be of every or even most individuals in society, who watch him for their individual purposes. This gaze appeared to have a sectoral aspect to it: every sector of society, every section of the people, constituted on the basis of their distinctions, would watch out for the officer in charge in the interest of their own respective sectors. Thus, the officer in charge of Kultali police station seemed to be located at the intersection between different sectors of society and different sections of the people. Almost everyone around in Kultali, particularly those belonging to different political parties, appeared to know not only of the kind of person the officer in charge was, of the difference between him and his predecessors, but also where at that moment he was likely to be. The opinions would obviously vary, along local positions of the different political parties, but there seemed to be a concern for him, across different sections of people and political parties, a need to know him, to the depth of his self. One possible explanation for the local exploration of the person of the officer in charge and the almost constant collective gaze on him was that he is a key factor in the struggle between the political parties which have carved out their own spheres of influence in society, in which, the spheres of influence in Kultali mean control over not only the
opinions of sections of the population but also over the persons of the able-bodied men in these sections. In such a situation, any tilt on the part of the officer in charge in favour of any of these contending parties can have serious consequences on the strength and fortune of the other contending parties. Every political party in Kultali is, therefore, always apprehensive of such a tilt, and possibly much of their need for knowing the person of the officer in charge of the police station emanates from this apprehension. Apparently, there is a seasonal aspect to this apprehension also. This apprehension of a possible tilt of the officer in charge in favour of a political party, increases in times of harvest. An illustration can be given from an experience at the time of the field-work. The officer in charge of the police station was found moving towards the bus stand. Somebody, who belonged to a political party, hurriedly approached him to ask where he was going. The officer said he has taken leave for two days and that he was going home. The person came back and reported the matter to his party colleagues. One of them commented that he was afraid that the officer might have taken the leave to allow for the contending political party to harvest the crop of 'their' land.25

In Kakdwip police station area, the element of personal responsibility and power of the officer in charge is present, which seems to appear from the importance he
is attached to in the local society in matters which may not be strictly confined to crime or politics. But here the officer does not seem to be subjected to the kind of collective gaze which happens to his counterpart in Kultali police station. The officer in charge of the Kakdwip police station is important, of course, in many equations between political parties in the area. But in Kakdwip it is not only the person who is important and about whom every section of the population is apprehensive of any tilt in favour of any political party. It is a combination of both the person and his position as the officer in charge of the police station that is taken into account. It is thus noticeable that there not only is a suspicion of him as a person who may have his own preferences and prejudices, but also a trust in him as the officer in charge of the police station. In the balance between the two, in Kakdwip it seems that it is a collective trust in him that is more important. This has made him a major arbitrator for the settlement of disputes in the area. The important point is that his role as the arbitrator is not confined to either disputes between individual parties or disputes between political parties. To a large extent, perhaps, it combines both. In one case, the officer in charge was arbitrating between a young man and another old man with whose daughter the young man eloped and got married and remained in hibernation for a reasonably long period of time. The old man was standing with his daughter in the room of the
officer in charge of the Kakdwip police station, perhaps quite angry with the young man who eloped and got married to his daughter, who was also standing near him. But the surprising thing was that although he was most of the time talking about the damages this young man caused to his status in the society, not for once did he make his anger too obvious either in the expressions on his face or in his utterances. The officer asked the young man if he was already married to a woman before this marriage. The man nodded his head to indicate that he was, upon which the officer stood up from his chair, ran up to this man and slapped him several times on his face. The man remained silent. The officer threatened him that should any such incident recur, he will be given a fitting punishment. Now this young man, as it turned out later, as well as the woman with whom he eloped and got married to were Muslims, and both were adults. There is nothing in the Indian law which can prevent a man (Muslim) from getting married, to a second woman. But here this was prevented, or if not prevented, the two persons were restored to their former positions, through the arbitration of the officer in charge. As an aside, it may also be noted that the woman involved in the incident, who was apparently equally responsible for eloping and getting married to the man, was only rebuked by the officer, but neither slapped on her face, nor threatened. In another incident, the officer in charge arbitrated between the leader of the
trade union of an ice producing factory and the management of the factory. When asked about why he thought it proper to intervene in the dispute, the officer said it was to avert a probable 'labour unrest', which from the police point of view, was better to avoid. Obviously arbitration of both these types are not sanctioned either by the Code of Criminal Procedure, 1973, or the Police Regulations, Bengal, 1943. What is, however, to be noted is that whereas all concerned parties are apprehensive of the official as well as personal actions of the officer in charge of the Kultali police station, in Kakdwip, the officer in charge, seemed to have an autonomy of functioning, both for himself as well as the police, which may not be sanctioned by the law, but which has been able to acquire a degree of acceptance in the local society.26

In Baruipur police station, where the number of FIRs lodged in a year on an average is the highest of the three police stations from which data were collected, the officer in charge of the police station did not appear to be either one whose official as well as personal lives would be on collective gaze, a subject of considerable importance for various sections of people to be interested in, or one who, in both his official as well as personal capacities, would intervene in disputes between parties, of both personal and political nature, and would also be accepted for arbitration. The officer in charge of Baruipur police station was not any more important in the local society of Baruipur than as the head of the police.
station. This does not mean that he had a greater respect for the law and its procedures than his counterparts in Kakdwip and Kultali. But there are certain other factors. Baruipur is much nearer from the headquarters of the district at Alipur, both Baruipur and Alipur are under the jurisdiction of Calcutta Telephones, and the sub-divisional criminal court, to which the accused from Baruipur police station are to be sent, is also at Alipur. Consequently, the officer in charge of Baruipur police station, appeared to be better supervised than his counterparts in Kakdwip and Kultali. When there is any major trouble in Baruipur, that can be promptly brought to the notice of the district headquarters, and directions for actions to be taken, may come from there. Moreover, because of its nearness to the headquarters, in most cases of trouble in Baruipur, not only the Circle Inspector of Baruipur, whose office is only a few yards away from the police station, but also the Additional Superintendent of Police in charge of the rural areas of the South 24 Parganas district, would personally supervise the operations of the police, and reinforcement of police personnel, when necessary, are also promptly available at Baruipur. This is why the officer in charge of the Baruipur police station did not appear to have many more powers nor a more sought after person, than the other sub-Inspectors posted at the police station, except for the areas in which his own decisions were necessary or which
he needed to communicate to the Circle Inspector or the authorities at Alipur. Perhaps for this reason, at least the person who was found in the position of the officer in charge of Baruipur police station at the time of the field work, seemed to have some time off on most of the days for a nap in the afternoon, most probably to keep himself fit for raids on suspected offenders at night.27

'Publicness' of the Organization: limitations on 'Social Visibility'.

One way in which it was thought to be possible to gauge the extent of 'publicness'28 of the police organization was to assess its 'social visibility'29 in the local societies in which it functioned. In the context of the three police stations of Kultali, Kakdwip and Baruipur, it was thought that the 'social visibility' of the organization could be assessed on the basis of the willingness/unwillingness of officials at the police stations, to make the records at the police station, available to a researcher, when there was a formal permission from the higher police authorities. It seemed that inspite of the formal permission, the willingness of a police officer, at the police station level, to make some records available for research, depended considerably on his personal choices, predilections and perhaps also fear.

In Kultali, the first approach in this regard met with a flatly negative answer from the officer in charge. In Kakdwip, it was not a clearly negative answer, but it
was made amply clear by the officer in charge that the answer was in the negative. In Baruipur, rather surprisingly, it was not even necessary to show the written permission. It was sufficient to mention in the first interview with the officer in charge that there was permission for the research work. In both Kultali and Kakdwip police stations, there used to be a daily ritual of bargaining for the information necessary for this research work. There would be innumerable questions, usually from the officer in charge himself, but also from other police officers, as to the nature of uses and interpretations these information would be put to, which sometimes were extended to where this research was based, who founded it etc. In Kakdwip police station, the situation eased after sometime, and the necessary information were available. But in Kultali, at one point, things came to such a pass, that once again a request had to be made to the higher authorities, and ultimately some of the necessary information were taken from the office of the Circle Inspector at Canning who was in charge of the Kultali police station, to whom copies of most of the records kept at the police station, are to be sent as a matter of administrative procedure.

Probably, a partial explanation for the willingness of the police officials to make these records available for research lies in the different power bases of the three police stations. In Kultali, although the
police officials have to maintain a semblance of legal formalities in their functioning, at least as far as the procedures are concerned, there is a large element of personal discretion available to them, which is not explicable in terms of law and determined by the norms on which laws are based. This makes the police officials a key factor (or perhaps several factors) in the local powers equations between different sections of people and different political parties. This creates the need for the political parties, between which almost the whole population are divided, to keep themselves informed of these officials in both their personal and official activities. It is the personal element of the power exercised by these officials, which makes them concerned about the documents produced at the police station. They are concerned about the contents of these documents, the manner in which and the compulsions under which these were produced. They, therefore, take care of these documents and maintain them well. In making these available for scrutiny by a researcher, they are afraid that the manner in which these documents were produced may be revealed, specially because while the researcher thus gets the chance to work on these documents with the skill he has in this area, the police officials do not have the chance to know how much the researcher may come to know and inform the world of what went into the production of these documents. In Kakdwip, the personal element to the power of the police was there, and this was the reason for
which there was a lot of bargaining for information in the beginning. But after sometime, the impression gained about the collection of information for research was either that the researcher does not have interpretative schemes which would unveil the personal element of power or perhaps that the researcher is not competent enough to use the data in a way which may affect the position of the police officials. Moreover, in Kakdwip there was another factor at work as far as the availability of information is concerned. After the first few days, during which the officer in charge of the police station screened the information himself before passing them on to the researcher, he deputed one of his trusted subordinates to do the same, because the officer in charge could not afford to spend time on this after attending to his duties. This second official for some reason was more relaxed in his approach, and gradually over a period of few months, he was also more accustomed to the work and started to take a more lenient view of the research project. In the process, somehow, the necessary information was available. Incidentally, he was also the person under whose charge the records were kept. It is important to note that although this official also was careful about making records and registers available, particularly in the beginning, he seemed to have much less of a personal concern for the documents. In Baruipur police station, the personal element to the power of
police officials was perhaps the least because, apart from other considerations, their functions were under constant monitoring by superior officers. Besides monitoring by superior officers, police officials in Baruipur, had also to work in conditions in which a relatively large section of the people they dealt with, had a fair idea of the relevant legal provisions. Moreover, there were some others in society who knew people higher up in the police hierarchy through personal connections, and could easily stir up matters. So, many of the functions that officials in Baruipur police station performed, were in their official capacities. They did not seem to have a great personal concern for their work. In consequence, records and registers were often not kept under personal care, almost all of these records were allowed to gather thick layers of dust over them, and many of these were not in order.

Rules of Hierarchy

The unwillingness of police officials to preserve the 'publicness' of the organization in their functioning, is also reflected in the norms of hierarchy followed at the three police stations, which are at variance with the written rules of hierarchy in the organization. In all the police stations, there is a long tradition of alternative callings for officers at the different levels of the hierarchy - barababu for the officer in charge, mejobabu for the second officer, and
chhotobabu for the third officer. It is not at all that these names are used only in private, without the person concerned allowed to come to know about it. These are open substitutes for the official ranking. Those who are aware of the tradition of the landlord families in Bengal, in the eighteenth and nineteenth centuries, will remember that these names used to be attributed to the zamindar, his younger brother or elder son and his youngest brother or younger son, in that order, which used to indicate the chain of authority to subordinate workers in the household and residents in the locality. Now these names are still in free use at the police stations. But within this, there are variations in the relations between the different officers at the three police stations. At Kultali, and to some extent at Kakdwip police station, where the officer in charge has a considerable personal element to his power as perhaps the real barababu, his powers were seen to be heads and shoulders above those of even the other Sub-Inspectors, the mejobabu and the chhotobabu, and his words are mostly accepted as unassailable by the other officials of the police station. It was really interesting to see how the other Sub-Inspectors, although the officer in charge is also a Sub-Inspector, have learned to look up to him as a kind of their elder brother. In Baruipur police station, although the callings of barababu, mejobabu and chhotobabu continued, there seemed to be something like a division of
Discipline: Personal, Social and Organizational

The distinction between the 'personal' and the 'official' legal positions of police officials in Kultali, Kakdwip and Baruipur police stations, seems to be related to the idea of discipline at three levels - the personal, the social and the organizational. The idea of discipline in the context of the personal life of an individual would indicate the manner in which the individual police official would take personal care of the documents under his official charge and exercise his powers as a police official, from a point of view which stems from the normative codes of his personal life. Here, however, the sense in which the word personal is used, does not in any way resemble the idea of the 'individual' in relation to the 'social', as it was constructed in the West,
particularly by English utilitarians like Bentham, James Mill and also John Sturat Mill. Here, the police official is taken to act at the personal level of his life, if his acts do not conform to the general norms of the whole society. Thus, his acts would remain personal even if he acted not on the basis of norms of his ‘individual’ life, but, for example, on the basis of the caste or jati (sub-caste) to which he belonged. Thus, the personal concern for the official duties of the police man could well have stemmed from the ideas of cleanliness (purity) and internal discipline of the jati to which he belonged, and since most senior members of the police force are drawn from the upper castes, a more serious concern for personal cleanliness and internal discipline cannot be ruled out. As far as the unwillingness of the officers to make the records available for research is concerned, it seems that one reason for which some of them seemed to think of the records as the repository of their personal power, was that they perhaps tended to think of themselves as the ‘sarkar’, the rulers, who have the exclusive right to rule, which cannot be questioned by others. It is tempting to make a comparison between this case and the role of the Thakurs in Benares, so beautifully described by Benard Cohn. In West Bengal, Rajputs to which the Thakurs in Benares belonged are rare, but the Kayasthas, who along with Brahmins and Baidyas constitute the upper castes, the bhadraloks, are predominantly present in the
administration since the colonial period, and they have reason to think of themselves as the ‘rulers’, the people in the administration. This was even more clear in the role of the officer in charge of Kakdwip police station as a major arbitrator in the area, because, arbitration was the major form in which disputes were settled by the Thakur Raja in Cohn’s study of the Benaras region. 31

The idea of discipline in its ‘social’ context, would indicate the manner in which the individual police official would push his own preferences to the background, and in the discharge of his official duties, would follow the normative codes which transcended the barriers of the section of the population to which he belonged, presumably because there is no basic contradiction between the norms of the section of the population to which he belonged and of the population as a whole. In such a case, the functioning of an official, based as it would not be on his personal preferences, there would also not be any assurance that his functioning would strictly conform to the law and the procedures of functioning in the organization. Nevertheless, the transformation of the norms of discipline in the personal life of an individual, which includes behavioural modes in his family, neighbourhood etc., but not that in the society at large, was a subject of intensive study by several generations of thinkers in the West. 32 It is to be noted that while historians like Christopher Hill talks about the monarchical, aristocratical and and democratic
disciplines in early modern Europe,\textsuperscript{33} E.P. Thompson documents the inter-relations between conceptions of time, work-discipline and industrial capitalism,\textsuperscript{34} and Douglas Hay gives a brilliant analysis of the legal basis of property and authority in Eighteenth century England,\textsuperscript{35} more recent writers like Peter Burke have been able to concentrate on even more small-scale issues, like neighbourhood behaviour patterns and its rituals for enforcing discipline in society.\textsuperscript{36}

It was through the operation of a process in which certain elements of a local society, sect, a religious denomination, were suppressed in favour of certain other elements that, what Jurgen Habermas calls the 'Bourgeois Public Sphere', emerged which waited upon and actively encouraged the creation of norms more general than that of the immediate neighbourhood.\textsuperscript{37} It was the ever increasing generality of the norms of behaviour, which at one point, gave birth to the idea of what is called the 'civil society', which in terms of the generality of the norms on which it was based, was brought into a relation with the 'state', which was the most organized expression of the generality of the norms. Thus, 'civil society' and the 'state', were kind of posed against each other in the writings of political philosophers from John Locke\textsuperscript{38} to recent writers like Charles Taylor,\textsuperscript{39} who have tried to reinterpret Locke to a considerable extent. Beside Locke, there is a renewed interest in Hegel's idea of the state.
and civil society, in which also, there is a clear separation between the state and civil society. But, interestingly, John Keane, who explored the origins of the distinction between civil society and the state, argues that "until the middle of the eighteenth century, European political thinkers without exception used the term civil society to describe a type of political association which places its members under the influence of its laws and thereby ensures peaceful order and good government. In this old European tradition, civil society was coterminous with the state".41

Inspite of the production of the huge literature, which was the major mode of interpretation of Western thought, something seemed to be amiss in the explanation of the transformation of the norms for regulating, disciplining, ordering of the personal lives of the people, to those which discipline the lives of a whole population, and of the state which give this discipline, its most organised form. In search of such an explanation, some recent scholars have turned to religion.42 The transformation of the norms of regulating the personal, 'private' life of an individual into norms for the ordering of the society as a whole, took place in Europe on the basis of the rudimentary attributes of Christianity, namely, the social nature of a person's relation to god, and, secondly, the existence of the Church in Christianity. This, throughout the Middle Ages, contributed much to the organization of human relation to
god on a general social rather than personal basis and also to the formulation of the rules and procedures of such organization.\textsuperscript{43} It is not without significance when John Keane argues that till about the middle of the eighteenth century, 'civil society' was coterminous with the state.\textsuperscript{44} 'To be a member of a civil society was to be a citizen, a member of the state, and, thus, obliged to act in accordance with its laws and without engaging in acts harmful to other citizens'.\textsuperscript{45} The reason for the overlap between the meanings of 'civil society' and the 'state' in early modern Europe, was the largely common rules of discipline in both. This becomes even more clear when Charles Taylor claims that even the absolute monarchies of early modern Europe were 'limited' by 'the development of a legal notion of subjective rights' which started off 'as a notion of purely positive law, before bring transposed by the 'natural rights' doctrines of the 17th and 18th centuries'.\textsuperscript{46}

In India, since a person's relation to god in Hinduism is largely 'private',\textsuperscript{47} and not based on his/her membership of a larger 'society', organised by the church, which enforces the rules of discipline on the individual, the norms on the basis of which the individual person regulates, disciplines, orders himself, could not be transformed into the rules of disciplining the whole society, which would be further crystalised in the laws and procedures of the functioning of organizations of the
Hinduism is 'the mosaic of distinct cults, duties, sects and ideas and the adjusting, juxtaposing or distancing of these to existing ones'. In India, the norms of personal behaviour of a person stems from his/her identification with distinct cults, duties, sects and ideas, which are to some extent autonomous, and which enforce the rules of personal discipline. The enforcement of the rules of personal discipline on the basis of the norms of the society as a whole was alien to Hinduism.

In the South 24 Parganas district, which has remained largely left outside the construction of Hinduism as a national religion, of the rules of discipline in the society at large, which would be commensurate with the rules of discipline in the organization of the police, has not quite taken place. Consequently, police officials are guided in their behaviour and in their own conceptions of orderly functioning, not by the written rules and procedures of law, but by those which they have learned through their identification with certain castes, sects, cults and ideas to which they belong. This is the explanation for their personal concern or the documents and the personal perception of the risks of exposure, which is observed in Kultali and Kakdwip police stations. When this personal element of discipline and power is to some extent removed, as in Baruipur, due to the existence of certain factors, like a more effective supervision of the district.
headquarters, and a more regular surveillance of the population, the police officials do not change their normative loyalties, as soon as they are transferred to this police station. Instead, they lose all interest in their work, cease to transpose their personal conceptions of orderly functioning on their work in the organization, but do not embrace the written rules of organizational functioning, in which the he has to share his concern for work at office with his colleagues in such a way that he does his own share of the work, while others do their shares of the work, so that, without any of them feeling personally concerned about the work, it is done on a collective organizational basis. It is, perhaps, for this reason that most of the clerical work at Baruipur police station is done by a constable, although regulation 208(b) of the Police Regulations clearly states that constables shall not be employed on clerical duties permanently.50

The Hazat (lock-up)

Very near from the place where the officers sit in the three police stations, are two small rooms, one for arms and other valuables called the malkhana, and the other is for suspected offenders, who are to be produced in court for trial. The proximity of these two small rooms to the duty officer's room is understandable because there is a need for constant watch on these two rooms. But the curious thing about these two rooms is that they
are almost equal in size to each other and both are so small that rather than describing these as separate rooms, perhaps it is better to take these as parts of the duty officer's room. Apart from their smallness and proximity, another reason for which these rooms may be taken to be parts of the duty officer's room is that, at least one of these rooms, the one meant for suspected offenders, is completely exposed to the view of those who are present in the duty officer's room, both the police officials as well as outsiders who have come to the police station for various reasons. Interestingly, in this respect, the arrangement in all the three police stations, namely, Kultali, Kakdwip and Baruipur, is essentially the same. It is not known why the cell was structured in such a way that the suspected offenders are always kept on watch. For some reason, there is a resemblance between this structure, for keeping suspected offenders in Kultali, Kakdwip and Baruipur police stations and the plan for a penitentiary, drawn up by N. Harou-Romain in 1840, in which a prisoner, in his cell is kneeling at prayer before the central inspection tower. But compared with this plan, the structure at the three police stations in South 24 Parganas district, is also different in one important respect. In contrast with the anonymity of the persons in the inspection tower, who are watching the prisoner in his cell, in Kultali, Kakdwip and Baruipur police stations, the persons inside the lock-ups, have the privilege not only of watching those who are keeping watch on them, and
not only the scene inside the duty officers room, but they are also able to hear every word that is exchanged in the room. In one sense, in fact, the suspected offenders in the lock-ups of the three police stations, are in a very privileged position for knowing about these police stations, every bit of what each of the officers who sit in this room do or say, the outsiders, many varieties of them, from politicians to police informers, whose most preferred room for entry into the police stations is this room, the officer in charge, who enters this room quite often, sometimes because, as in Baruipur, one passage through which one is to enter into the officer in charge's room, is through this room. What seemed to be rather surprising was that this privilege of the suspected offender for knowing about the functioning of the police, was equally ignored by police officials at all the three police stations. It is particularly surprising because, especially in Kultali and Kakdwip police stations, the officials were quite unwilling to cooperate with the present research programme, best some of their secrets come out into the open, but they are not at all worried by the presence of suspected offenders who may be able know some their secrets. It seems that this showed at least two things. One, the social, economic and educational levels of the suspected offenders are usually such that they will almost never be able to put the police in trouble on the basis of what they may come to know at the
police station. This shows perhaps the broad class and literary basis of the suspected offenders which was observed otherwise also. The second thing that seems to emerge is that these people, uneducated, perhaps most often from the lower castes, poor, almost wretched, who can rarely put up a challenge to the police force as a whole on the basis of their information of the police, are the people whom the police officers also 'know', but they have reason to be sceptical about a researcher who is from outside and who, on the basis of his unknown skill, may be able to bring these officers face to face with the outside world, of which they are afraid. The extent of the policeman's 'knowledge' of the persons whom he has put behind the bars can be illustrated with the help of an example. A police officer had gone to enquire into an incident in which a housewife, on the basis of the reports available at the spot, committed suicide by setting fire to her body. After completing the necessary investigations at the place where the incident took place, the officer wanted to get somebody to remove the body of the deceased. But for some reason, nobody around agreed to do the same. When the officer failed to persuade any one inspite of repeated requests, he asked his subordinate police officers to guard the place, while he came back to the police station. On his return to the police station, he was telling one of his colleagues about his plight. At this, one person in the lock-up whom the police officer himself arrested on charges of theft,
volunteered to do the job and promised that he would not flee. The police officer in the beginning was a somewhat reluctant, but when he failed to get anybody else for the purpose, he agreed to the proposal, and freed the man for doing the job. The man did the job and returned to the police station. The police officer put him back to the lock-up.

**Networks of Information**

A further study on the constricted 'publicness' and the obscured 'social visibility' of the police organization at the police station level, a 'publicness' and 'social visibility' which is so meticulously constructed in the Police Regulations, can be made on the basis of observation of the networks of information, through which the police in Kultali, Kakdwip and Baruipur police stations function. The only basis on which an idea of the networks of information can be formed, is through observation of the different types of people who come to the police station. Sitting in the 'duty officer's room, it can be observed that apart from the complainants, the politicians and the suspected offenders (inside the lock-up) or others who might have come to the police station on a specific business, there is another type of people who come to the police station. These are people who seem to be liable to be put to many uses and at least one of their main things-to-be-done is to come to the police station.
Among these people, there are some about whom some details are available, like the ones who work in neighbouring tea stalls and shops where food-staff are available, who serve tea and foodstuff to police-men and others who work like orderlies mostly to particular police officers, but who are not policemen themselves. There are still others, who do not seem to do anything specific, but they would come to the police station at any conceivable time, but at least some of them, frequently enough to make their faces familiar to the researcher. They would enter the duty officer's room, which in many ways is the nerve-centre of the police station, and would appear to be fairly well known to the police officials sitting in the room, particularly Sub Inspectors. After a prolonged observation of these people, along with the others who served tea and other food-stuff to police officers, and some of those who are in the lock-ups, it appeared that all these people, in their different categories, contribute to the construction of those vital, networks through which the police functioning at the police station level. When asked about these matters, responses from police officers were not quick to come in the beginning of the field-work, but towards the end of the field-work, a few of the police officers particularly at Baruipur police station, revealed that these apparently hangers on at the police station provide for the vital links in information, which police officers require to kept themselves in touch with developments in the larger
society. Obviously, these are not the only people who constitute all the networks. Police officers, when they move out of the police station, either on formal 'duty' or for some other reason, also meet people in different localities, who inform them of developments in their localities. Police officers are also in touch with leaders of different political parties and these leaders also, out of their own accord, meet police officers at the police station and interact with them through other means. But the people who are seen at the police station not only provide for the more immediate sources of information, they can also be deployed for establishing links between police officers and others with whom these officers may need to interact.

Perhaps because of their strategic positions in the networks of information, the different categories of informers who move in and out the police station at any conceivable time, have one thing in common: their free access to the inside of the police station, even to those corners, where information of considerable importance to the police seemed to be exchanged. Their status as insiders to information available at the police station, appeared to be similar to the access to information that those inside the lock-ups had. In fact, as it turned out, it was not only a common access to information which established a commonality between the suspected offenders in the lock-ups and the 'informers' outside the lock-ups.
In many cases, at least some of these 'informers', exchanged places with those inside the lock-ups.

There are, of course, clear differences between Kultali, Kakdwip and Baruipur police stations in certain respects. At Kultali police station, the 'informers', appeared to be very few, when compared with the number of such people at Baruipur police station, and they also did not wear the anonymous look on their faces, which their counterparts at Baruipur police station tried to do. There can possibly be two explanations for this. One is that the offences usually reported at Kultali police station are of a relatively more serious nature, no great hue and cry is raised at the police station on small incidents like theft, although theft is quite often found in combination with offences against public tranquility and/or murder. Moreover, most of the offences reported at Kultali police station, were committed by many, sometimes several hundred people together. The purpose of such acts by several people are also widely known to the people. Consequently, the people who gather at the police station, are usually not ones who are giving information to the police on some isolated act of offence which is difficult for the police to know otherwise. They come to the police station not hiding their identities, but for asserting these identities, social, political or both by implication, and to demand for police action in their favour. Some people, of course, come to the police station to pass information to the police against their
own associates. But such people are relatively few because this will be viewed as a very serious offence by their associates, and should it be leaked, it may cause them to be even murdered by their associates as a kind of punishment for their wrong. Moreover, those who come to the police station frequently to pass secret information, are not allowed the kind of free access to the duty officer's room at Kultali police station, which every variety of hangers on at Baruipur police station have. The point is, at Kultali police station, while the informer passes information to the police, he is allowed little chance to receive information as well at the police station for use elsewhere. Thus, open access to the duty officer's room at Baruipur police station which has turned it into a veritable free market of information, is denied or at any rate restricted at Kultali police station. Kultali is more like a market of monopolies where scoops thrive in the absence of information. But if the consumers of information in the market are to be considered, the takers of information available at Baruipur police station are few outside those who directly deal in them. In Kultali, on the contrary, even scoops and rumours have a steady market spanning across different sections of people in the local society, who at least feel directly concerned about them.
In Baruipur, the proliferation of the networks of information, centring on the police station, had some consequences. For an assessment of the consequence, it would be better to take account of an incident which took place in September - October, 1991, at Baruipur police station. The incident took place at the police station a few days before the Durga Puja festivals of the year. A dispute arose between some truck-drivers and a person over amounts of money the later demanded on behalf of the police. The truck-drivers, who were apparently aghast at the high amounts of money demanded by the the person, were in some doubt about whether the person really represented the police. They asked the person to come to the police station to which he agreed. Both the contending sides came to the police station. The truck-drivers pleaded their case before the officer on duty at the police station at the time. The officer, upon hearing of the complaints, rebuked the person. But from the way the officer rebuked the person, it was abundantly clear that he knew the person. But it seemed that the officer was angry with the person. He even went to the extent of telling a constable to put the person in the lock-up. To this, the person retorted by saying that his action had the sanction of the officer in charge. This seemed to have on electrifying effect. The officer immediately withdrew from the scene and returned to his seat. The
disputants also disappeared from the room. The officer on duty murmured a few words of discontent. Then the atmosphere in the room returned to normal. After a few minutes, perhaps fifteen minutes, one person was heard shouting from outside the duty officer’s room. Among the words that were audible from the seat opposite the duty officer’s, were that the officer on duty was transgressing his limits, that he will have to face the consequences and that the officer would be transferred. The officer did not join in a verbal duel, but he said that he would take a drastic action on the matter once the officer in charge returned to the office. After sometime, the officer in charge entered into his room. The officer on duty followed him into the room. There was no shouting. The officer on duty came out a placid person after about fifteen minutes and resumed his works.

The one point of the incident which remained unclarified is the identity of the person whose angry voice came from outside the duty officer’s room. At that time, the most that could be gathered was that he was what in police circles is known as D.M. Upon enquiry from a police officer, who at that time was not posted at Baruipur police station, it transpired that D.M. stands for Dak Master. On further enquiry, the police officer informed that the Dak Master is usually a constable who looks after the duties of constables at the police station, and who is put in charge of collecting bribes on
behalf of all the constables of the police station, which is sometimes extended to include the head constables and Assistant Sub-Inspectors, but only rarely Sub-Inspectors.

The incident involves many aspects, of which three seem to be particularly important. The first, it seems, concerns the networks of information and the organizational boundaries of the police in these networks. The extensive regulations quoted at the beginning of this chapter, seem to harp on the point that the police have to keep themselves informed not only of the acts of crime committed in society, and not only even of the acts of crime likely to be committed in society, but also of developments in society which may not have an immediate relation to crime. The method prescribed for this in law is that of keeping watch on every development in society, which may or may not have any relation to acts of crime. In other words, the method prescribed in law is of surveillance of people, the whole population of society. Apart from other things this requires a massive man-power of the police, which is not available. In the absence of the necessary man-power, and other facilities like rapid transport, the only means of keeping track with information for the police is to fall back on some people, mostly criminals themselves, who feed information to the police. Now feeding information to the police has its own risks, especially for people who are themselves part of the activities of which they supply information to the police. They need protection from the police. But
this protection, when given by the police, makes them compromise their functioning under the law. These compromises, then begin to have ramifications in other fields also. The 'informers' bring to the police not only information on the basis of which the police would act under the law, but also proposals for other compromises also, in which certain acts of crime, if ignored by the police, can bring money for the police. In most cases, this money comes to the police, not directly, but through 'informers', and while money passes through their hands, they also take their own shares of this money. Gradually, an entrenched relation develops between police-men and these 'informers'. Money or other material gain then surreptitiously enters as the prime motivating factor in such alliances, which was originally created by the police for getting information. Now, when material gain is the basis of the alliance, rather than the availability of information, competition between several groups in the police station and their outside allies, seems inevitable. The consequence is that the autonomy of the police as an organization is broken and several factions emerge, in each of which there are not only policemen, but also outsiders, who stake an equal claim to membership of these factions. In the wake of the 'trade-union' rights of policemen, these factions also take the advantage of alliances with political parties/factions of political parties, outside, which help to further divide these factions and strengthen their positions.
When factions in the police force gain in strength, which have alliances outside the organization, with 'informers' on the one hand, and political parties/factions of political parties, on the other, the first casualty of this is the principle of hierarchy in the organization. In the factionalism within the organization, some factions and their members may be stronger, not because of their position in the organizational hierarchy, but because they have an alliance with either more powerful elements in society or the dominant political party in the area or perhaps some influential members of a political party in the area. Besides, another reason for the strength of a faction at the police station level may be that the leader of the faction may be linked with a political party or a leader of a political party who has a link with one/some of the superior officers of the district, thereby establishing an indirect link between a police official at the police station level and another at the district level, the numerous intermediate levels being ignored in the process.

It may be argued that the emergence of factions, in which police officials enter into alliances with certain criminal elements of society and political parties/party factions, leads to the growth of a sub-culture in which police officials and their allies participate, although this participation is more direct in the case of the criminal elements, and less so in the case
of political parties/leader. It is important to emphasize that the political aspect of this alliance, in which a faction at the police station level has a link with a political party/faction of a political party/leader of a political party, is rather indirect. In the day to day functioning of the factions, the political aspect does not take a determining role. In fact, it is the irregular nature of the political link of the factions which tends to facilitate the growth of a subculture in which the police and criminal elements of society participate. One occasion in which the typical nature of the sub-culture seemed to express itself was the celebration of the Kalipuja in October, 1991, at Baruipur police station. Although the Kalipuja itself was performed the previous night, the pomp and glory associated with the celebrations of the Puja in the premises of the police station was not only in evidence on the next day, the celebrations of the festival itself were still very much on. The image of the goddess Kali was in her place at the pandal. The decorations were in perfect order. The blaring of songs on the microphone was in high pitch. In the rather large courtyard, hundreds of poor children gathered to collect prasad of the goddess, which considering the various items offered, meant full course meals for the children. Almost everybody of the police station, from the civil defence personnel, constables to officers of all ranks (except the officer in charge who could not be spotted) was present at the courtyard, and every body was busy in either
distributing or eating the prasad. Prasad was given to the suspected offenders in the lock-up also. A person came with the prasad for a second time to the lock-up, and earnestly asked if any of them would require some more prasad. One person was perhaps unwell or sad, he said that he did not require anymore. At this, the constable who was distributing the food, said that it was an auspicious day on which no one should have any ill feeling. The other comments that were heard at the police station, seemed to vindicate this auspiciousness of the day, when the 'sins' committed on all the other days of the year, are expiated.

**Recording of Information: Recodification of norms**

It is noteworthy that while the law emphasizes on the generality of the information that the police receives at the police station level, which would attribute the qualities of 'publicness' and 'social visibility' to the organization, the method prescribed for recording information at the police station is such that in the nuances and distinctions which have to be made in the process of this, would facilitate appropriations of the organization for purposes which do not promote its 'publicness.' Regulation 244(a) has this:

> A first information shall be recorded in respect of every cognizable complaint preferred before the police, whether prima facie, false or true, whether serious or petty, whether relative to an offence punishable under the Indian Penal Code or any special or local law."
This is a clear vindication of the generality of the information to be received by the police. But it is interesting to see how this generality is gradually qualified. Regulation 243(c) lays down,

The information of the commission of a cognizable crime that shall first reach the police, whether oral or written, shall be treated as the first information when hearsay information of a crime is given, the station officer shall not wait to record as the first information, the statement of the actual complainant or on eye-witness.

Regulation 243 (d) qualifies,

A vague rumour shall be distinguished from a hearsay report. It shall not be reduced to writing or signed by the informant, but entered in the general diary, and should it, on subsequent information, prove well founded, such subsequent information shall constitute the first information.

Regulation 243(e) further qualifies,

A telegram is not a writing given to the police signed by the person making the statement and, therefore, does not comply with section 154, Code of Criminal Procedure. If, however, in the opinion of an officer receiving a telegram reporting the occurrence of a cognizable offence, the circumstances justify action being taken, he should himself lodge a first information on the basis of the telegram. If he does not take such action, he should make an entry in the general diary.

In the case of a telephone message reporting such an occurrence, the informant should be asked to come to the police station to lodge the information and an entry of the message should be made in the general diary. If it is considered necessary to start investigation on the basis of the message and the informant remains anonymous or cannot be found, the officer receiving the message must himself lodge the information on the basis thereof.
Then Regulation 243 (b) stipulates,

The first information report shall be written by the officer taking the information in his own handwriting and shall be signed and sealed by him.

It can, thus, be seen that although the law tries to attribute 'publicness' and 'social visibility' to the police by emphasizing on the generality of the information that the police receives at the police station level, this approach to generality is so much qualified in the various passages which make up the regulations, that the tilt, which is only minimal in the beginning, gradually shifts to a decisive favour of an autonomous police force. What is striking about this autonomy is the element of continuity allowed to it since the early years of colonial rule down to the recent times when there was a very fundamental transformation of the basis of local power in rural west Bengal. In fact, it is interesting to see how more or less the same amount of autonomy of the police in the early colonial and post-colonial contexts had very different effects and were put to very different uses. Rahman has argued that this autonomy in the colonial period had the effect of what he calls 'executive despotism'. What appeared to make the police 'despotic' was not only an autonomy provided to it in the law, but also a cognitive distance from the local societies in which it functioned. This means that the people in the local societies were not able control the police or check its powers, because they were unable to comprehend the
normative basis on which it functioned. In their turn, the police also failed to understand the normative basis of actions of the people. But they were able to exercise their ‘despolic’ powers not only because they acquired a greater power of physical force over the years, but also because the colonial administration was to a large extent able to gradually dispossess the local zamindars of the powers of the shord. This element of incomprehension of the normative basis of people’s actions on the part of the colonial administration was beautifully expressed by Sir Cecil Walsh, a colonial administrator, in these terms:

The records of crime in India present peculiar features unfamiliar and almost unknown, to the criminal courts in England. He adds,

So far as my experience in the United Provinces goes, no magistrate or judge knows anything about the antecedents of those who are brought before him, or of their life and character, unless a previous conviction stands against someone. I have sometimes wondered whether such men ought to be punished at all, beyond being bound to keep peace.

As distinguished from the holistic nature of the autonomy the police enjoyed in the colonial period, the idea of autonomy that is provided for in the law is small-scale and distributed in the various fields of police functioning. As far as the South 24 Parganas district in the present study is concerned, and the three police stations of Kultali, Kakdwip and Baruipur in particular, the autonomy of the police, if not exercised in accordance with provisions in the law, are not exercised in the
holistic manner in which it used to be exercised in the colonial period. In fact, although the autonomy may not be exercised in accordance with the provisions of the law, it is more often exercised in a certain relation to provisions of the law. As far as the recording of information at the police station is concerned, then, it appears that much of the autonomy of the police in Kultali, Kakdwip and Baruipur police stations, hinges on subtle distinctions in law between, for example, a First Information Report and the General Diary, cognizable and non-cognizable offences, oral and written information, hurt and grievous hurt etc. It is on the basis of their manipulation of distinctions in law like these that, police officers in the three police stations exercise their powers of autonomy.

Apart from these small-scale manipulations, there is also the very large question of whether and how far information as to the occurrence of offences are at all recorded by the police. At all the three police stations, at almost any hour in the day, a good number of persons, both male and female, are found who have come to lodge complaints with the police. These are mostly poor and illiterate people, although in Baruipur, the situation is slightly different. But irrespective of whether these people are illiterate or literate in the conventional senses, the one thing that the police officer on duty, who is supposed to record the information, knows far sure is that almost none of these people would know, whether the
offence of which he is going to provide information to the police, is a 'cognizable' or 'non-cognizable' one, or whether it would find place among the FIRs, or would be entered in the General Diary. Two factors, would, therefore, determine, whether a particular information will be recorded as an FIR or a watered down version of it would be entered in the General Diary. One, the gravity of the information in the opinion of the police, which according to it, should be acted upon by the police and two, the person who has come to lodge the information. If only the officer on duty is convinced that on either of these grounds, the police should record the information, then the actual process of recording begins.

But there seemed to be some differences as to the manner in which the gravity of situation would be measured in the three police stations. In Kultali police station, the police officer would hardly have to question the informant as to the authenticity of the information. If something serious happens, there would either be a large gathering of people at the police station, or apart from the person(s) who have come to lodge the information, the police, even while sitting in the police station, would have ample alternative sources of information, through which it would have some idea of what had happened. If neither of these happens, the police would be sure that nothing serious had actually happened and that they can at best enter the information in the General Diary. In
Kakdwip, on the contrary, with respect to each complainant or informant, there would be a lot of questioning on the part of the officer on duty, which would in fact border on grilling the person. If, at the end of it, the officer is satisfied that an offence was committed, then he would enter into the next phase of questioning, to determine the exact nature of the offence in terms of law. Very different from both Kultali and Kakdwip, is the usual practice in Baruipur police station. There would first be a simple question about what happened from the side of the officer on duty. Once the complainant has given an account of the incident, the officer would decide on whether to lodge an FIR or to make an entry in the General Diary only. If he decides in favour of an FIR, he would ask the complainant specific questions like whether there was a trespass associated with theft, or whether the hurt was grievous etc., so that he can record the information in such a manner that it is explicable in terms of the legal categories of crime, and he is able to apply the relevant law(s)/section(s) for an identification of the act in terms of these law(s)/section(s).

It is significant that in all the three police stations, the information that is recorded by the police, are conveyed by complainants/informants in most cases in the oral form. This has an important effect. In one sense, it allows an absolute independence to the officer, who records the information, to give the information a structure which is suitable both for the purpose of law,
which has to explain the act of offence, and for himself, if he has any interest in moulding the information in such a way that the punishments prescribed in law would be more or less stringent. It is important that even when the complainant/informant is literate in the sense that he can himself write a full account of the information, there is no assurance in law that the officer on duty shall make a copy of the information in the FIR. In fact, the stipulation in the law that 'the first information report shall be written by the officer in his own handwriting' has come in handy for the purposes of the police. But, interestingly, another stipulation in the law that the third copy of the FIR shall be given to the complainant free of charge is more frequently observed in its violation. Even if, however, a copy of the FIR is available all that easily and even to a person who can read it, it is unlikely that he/she would be able to detect the subtle changes made in it, because these changes have been made with respect to different sections of law which are highly differentiated internally, so that even small changes in the account can establish a relation with a different section of law which prescribes a more or less severe punishment.

The elaborate manner in which the compatibility of the account of an information is weighed and measured with respect to the sections that are applied, in all the three police stations, had some significant effects.
Precisely because of the oral form in which the information is provided to the police, and the questioning and verification that is involved in it, some people who come to the police station more often than others, have been able to have some idea of which specific elements of an information would lead to a more severe punishment to the opponent whom they have to 'teach a lesson'. This knowledge of the law, although indirect, has a dispersion effect, precisely because it is indirect. But the forms of this dispersion are somewhat different depending on local contexts. In Kultali, the people who come to the police station more frequently than others in society are more often than not activists of different political parties. In Kakdwip also this is partially true, but besides the people belonging to different political parties, the criminal elements in society also 'know' the law. In Baruipur, however, the effect of these people, who come to have some idea of law through these methods, do not have a widespread effect in society, and are usually confined to the networks of information that the police builds. But in the rural areas of Baruipur, the indirect knowledge of law of some people, who may be political activists, criminal elements or village notables, has some effects in the structuring of the information that is supplied to the police.

As far as the personal aspect of the complainant/informant is concerned, it is clear that in Kultali, a person, isolated from the section of people or
the political party to which he belongs, has no importance at all, if he is not some one like an employee of the government. In this context, it is important to note that even the personal attainments of a person, would not qualify a person for being taken seriously as a complainant or informant, particularly if the complaint is against somebody or some people who belong to a powerful section of people or a political party. In Kakdwip, however, when a person introduces himself, for example, as a teacher, it is quite likely that his complaint/information will be received by the police. But even here it operates, perhaps, only up to a point. If the person against whom the complaint is sought to be made happens to be a political leader of the area, it is doubtful if the complaint, would be received, particularly as an FIR. In Baruipur, it seemed that the complaint who appears to have some education and has a certain standing in a more or less respectable profession, was sure to be able to lodge an FIR, if the complaint he wants to lodge warrants it, even if it involves a minor political leader. But one police officer said at the time of the field-work that the general convention was not to enter the names of important political leaders as accused in FIRs. In at least one case in Baruipur police station, in which a political party demonstrated at the police station, the officer in charge, who lodged the FIR himself, did not enter the name of one leader who at that time was a Member
of Parliament in the list of the accused, but the name of the person was mentioned in the FIR, while the names of the local political leaders including the name of one person who at that time was a councillor of the municipal corporation, were mentioned in the list of accused in the FIR. But, of course, this is the only such example, in the entire period (1988 - 1991 upto June) in the three police stations.

Investigation of Offences: the Burden of Interpretation

Investigation of offences is the most important part of the functions of the police at the police station level mainly for two reasons: one, it is here that the investigating officer is confronted, more than anywhere else, with the task of interpreting acts in society in terms of the legal categories of crime. Here, it is he who decides for all practical purposes, inspite of the power of Magistrates to order further enquiry, whether an act in society constituted a crime in law, and to also to interpret the exact nature of the offence which would prescribe the just measure of punishment in law. Two, it is in the process of investigation that the investigating officer who may have some interest to serve, is able to manoeuvre his investigation in such a way that, he is not only protected inside the organization against factions which may seek to malign him, but also depending on the local context, able to play his part in the networks of power in the local society. This is why skills in
investigation of offences is what makes a police officer 'powerful', in the local society today, as distinguished from the colonial period, in which the baton was the most important source of power for the police officer.

In the context of such overwhelming implication of power, it is, indeed, interesting to see how the law enables the police to exercise these powers in an autonomous manner. The scope for this autonomy is distributed among a large number of sections of the Code of Criminal Procedure and the Police Regulations, Bengal, 1943. But perhaps, the most dramatic of these scopes for autonomous exercise of power, is to found in Regulation 257(a) read with 157(b) of the Code of Criminal Procedure, which says that 'the officer in charge of a police station may refrain altogether from investigating a case in which there appears to him to be insufficient ground for investigating'. This is in addition to Regulation 279 of the Police Regulations, Bengal, 1943, that whenever a case reported to the police is found, after investigation, to be maliciously false, prosecution against the complainant may recommended by the police to the concerned Magistrate.

It is argued that the overwhelming power implications of the investigation of offences by the police, in which the investigating officer, in the present context of Kultali, Kakdwip and Baruipur police stations, may be exposed to many forces operating on him, when
combined with the largely autonomous role he is assigned in the law, which makes many options open to him in the process of investigation of a reported offence, can make him a more sure target of these forces, because in the context of the autonomy available to him in law, he cannot hide himself from these forces on the pretext that the law does not permit this. On the other hand, in Kultali, and to some extent in Kakdwip, the large amount of available autonomy also allows the police officer to function more directly in the local networks of power, than what is perceived in law, but the basis of his power paradoxically is in the autonomy allowed in law. But this autonomy of functioning in the area of investigation of offences also serves the purpose of law, because it gives a kind of freedom to the investigating officer to decide to interpret an act in society as an act of crime. Particularly with respect to final reports, which are submitted by the investigating officer when after investigating into a reported offence, he does not find proof of an offence committed, the many options left with him are, to state that the offence was 'true', 'intentionally false', or 'non-cognizable. So the autonomy he is allowed in law allows him to reduce the burden of interpretation of acts in society as acts of crime, from levels at which he would have to mention the law(s)/section(s), which were violated (which have just measures of punishment tied to them), to one at which he may even report that the offence whose information was
recorded at the police station was found on investigation to be true, but that for reasons which have to be specified, the filing of a charge sheet is not called for.

It appears that all these small-scale autonomies permitted to the police in the investigation of offences are put to different uses and have different effects in the three police stations of Kultali, Kakdwip and Baruipur. In Kultali, since most of the offences reported at the police station are of a collective character, involving sometimes hundreds of people, and are generally disputes between sections of people/political parties, the outside forces that seek to operate on the process of investigation of an offences are likely to be intense. This, in its turn, also gives the investigating officer/officer in charge, a rather wide arena for the exercise of his powers in the local society. The main forms in which pressure is brought to bear on the process of investigation of an offence of this nature, include demonstrations by political parties/sections of people at the police station, demonstrations at other places where opinions are expressed either in favour or against the concerned officer, the use of links between different levels of the internal hierarchies of political parties so that the officer concerned is transferred from or retained at the police station. But there is no fixed set of programmes for exerting pressures on the investigating officer/officer in charge nor is it likely that every
officer will react similarly to these pressures. Moreover, as far as the use of links between different levels of the internal hierarchies of political parties for influencing the investigations of the police are concerned, the attempts made at the local levels of the hierarchies of different political parties do not automatically translate themselves into actions of leaders at the higher level on lines desired by the local levels. Similarly, on his part, the investigating officer/officer in charge of Kultali police station, based on autonomies permitted to him in law, but not always restricting himself to the limits to autonomy as laid down in law, is more likely to accommodate the dominant local sections of the people/political parties, rather than taking the role of a benefactor of the political party in power at the State level. In this respect, it is also not unlikely that some differences in perception may crop up between the police officers at the police station level and those who are above them, but the extent to which higher levels of the police hierarchy would take interest in a particular perception of an incident would considerably depend on its political implications, both for the disputing parties at the local level and the political parties in power at the State level.

As distinguished from Kultali, at Baruipur police station, most FIRs are concerned with petty offences, like theft, rather than serious offences like rioting and murder. But in the context of the enviable autonomy
permitted to the police officer in law, the investigation of offences at Baruipur police station, leaves much to be desired. In respect of offences such as theft, the investigating officer hardly ever goes to the site of occurrence of the offence. In most cases, either he hears the story from the accused when he/she comes to the police station, or calls the complainant to the police station when he/she is not otherwise available, and writes the Case Diary. In such cases, usually the Case Diary is written in 5/6 instalments covering approximately a span of four to five months, on the basis of information which were actually gathered from the complainant/informant once only, at the end of which it is recommended that the information recorded in the FIR was 'true', but that sufficient proof of the identity of the offender could not be established in spite of repeated efforts (5/6 instalments of the Case Diary) and that, therefore, a final report may be submitted. This is the usual practice in respect of investigation of offences like theft. But sometimes, the investigating officer, while perhaps investigating into another offence, may chance upon a person who admits to having committed theft, but not the offence of which he was accused. Then the officer puts his name to a case of theft, if he is otherwise convinced that the person did not commit the offence of which he was accused. But since the officer also knows that the person whose name he has put as the
accused in a case of theft, did not actually commit the theft, he writes at the end of the Case Diary that the information lodged in the FIR is either 'intentionally false' or 'mistake of fact', which then, aquits the person of the charge. This, incidentally may be an effective instrument through which the officer may have an 'informer' who knows that the officer 'saved' him.

In looking into the reasons which cause delay in the investigation of offences, it may be observed that cases such as those of theft, which are disposed of as matter of administrative, procedure but not as anything more than that, the investigation also does not take more than the usual time. But in more complicated cases, in which the opinions of doctors, fire arms experts, bomb experts etc. are necessary, it seems that the coordination, both procedural as well as functional, of the functions of the police with these experts are not every effective, in which the overall 'work culture' in different organizations of the state is reflected.

It may be said that the police in South 24 Parganas district at present suffers from what Michel Foucault calls the 'crisis of illegality'. At one stage in the politicization of the peasantry, which was based on a certain opposition to the autonomy of the state, the further politicization of the peasantry was made possible through a denial of the absolute autonomy of the state. But as the politicization of the society reached a certain level through rural reform measures like land reform and
the establishment of panchayats, at least in certain sectors of the society, it was felt necessary to reassert the autonomy of the police, to deal with rising lawlessness. In areas like Kultali, Canning and Bhangore, this seems to be clearly the case. But the autonomy of the police cannot be reasserted because, large sections of the people not only do not appreciate the need for the autonomy of police functioning, but they have their very direct economic interests in not allowing this autonomy. On the other hand, in areas like Baruipur, the problem is that while the autonomy of police functioning is desired and wanted by large sections of the people, this autonomy cannot be asserted because of the networks of interest developed by the police. But at the time of the field work in 1991-1992, it could be sensed that an increasing section of the higher administration of the state, and political leaders in the district, began to feel the need for some autonomy of the police, while at the same time, they were aware of the problems associated with the assertion of police autonomy.
NOTES AND REFERENCES


2 ibid., p. 84.

3 idem.

4 ibid., p. 85.

5 idem.

6 ibid., p. 88.

7 ibid., p. 89.

8 ibid., p. 91.

9 idem.

10 idem.

11 ibid., p. 92.

12 ibid., p. 94.

13 idem.

14 ibid., p. 95.

15 idem.

16 ibid., p. 96.

17 idem.

18 ibid., p. 97.

19 ibid., p. 101.


23 Police Regulations, Bengal 1943, op. cit., p. 83.
24 idem.
25 This account of the officer-in-charge is in sharp contrast with that given on the role of the Daroga in colonial Bengal by Hussain Zillur Rahman in 'The Rule of Law as Executive Despotism', op. cit., pp. 59-61.
26 The role of the Thakur Raja of Dobhi Taluka near Benares described by Bernard S. Cohn, deal with some of these issues. see Bernard S. Cohn, Anthropologist Among the Historians and Other Essays, Delhi: Oxford University Press, 1987, pp. 564-65.
27 As far as supervision of the local police and the surveillance of the population in Baruipur is concerned, it seems to be in the nature of a caricature of the methods of surveillance in Michel Foucault's Discipline and Punish: The birth of prison, Middlesex: Penguin Books, pp. 170-194.
30 The term documents has been used here only to maintain the convention. But the sense in which documents are accorded an objective, autonomous and neutral status is completely excluded from its meaning here.
31 Bernard Cohn, op. cit., pp. 564-565.

33 Christopher Hill, op. cit., pp. 212-250.

34 E.P. Thompson, loc. cit.

35 Douglas Hay, op. cit., pp. 17-64.

36 Peter Burke, op. cit., pp. 3-39, 79-222.

37 Jurgen Habermas, op. cit., pp. 31-43.


John Keane, op. cit., p. 35.

ibid., p. 36.

Charles Taylor, op. cit., pp. 102-104.

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ibid., pp. 68-69.

ibid., pp. 67-70.

Police Regulations, op. cit., p. 86.

Michel Foucault, op. cit., p. 165.

Police Regulations, op. cit., p. 103.

ibid., p. 102.

idem.

ibid., p. 103.

ibid., p. 102.


Cecil Walsh, op. cit., p. 9.

ibid., p. 12.

Police Regulations, op. cit., p. 111.

ibid., p. 122.

This was revealed by a police officer at the Baruipur Police Station, when enquired about the inconsistencies in the reports of offences in the Case Dairies.

Michel Foucault, op. cit. pp. 82-89.