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ROLE OF POLICE IN COMBATING COMMUNALISM

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Abstract:

Ironically the country, which boasts of its cultural heritage from the great exponents of non violence like Gautam Buddha, Guru Nanak and Mahatma Gandhi, is stricken by the deadly disease of communal violence. The incidences of communal violence are the most disturbing phenomena. It is a matter of great shame that in spite of commissions of inquiry and long post mortems into incidents of communal agitation, nobody is punished for the communal crimes they commit.

Combating communalism has to be given priority as urgent national task. It needs to be taken up at all levels of society irrespective of caste colour and creed. Communalism has made serious inroads into the state apparatus; many of the officials of the Government have openly or secretly compromised with or even supported communal forces and sometimes themselves practice communalism. The law and order machinery has to be rid of communal elements. It has to remain ever vigilant to extinguish the communal spark before it sets an area or town on fire.

KEY-WORDS:

Police , Combating , Communalism , citizens , organizations , Godhra Riot.

INTRODUCTION

India needs state apparatus, which is proficient and neutral enough which would be able to combat communalism. It should also be able to ensure safety of all Indian citizens.

Communal riots occur often; they claim more lives and property; and they last much longer. Communal groups are better organized. Anti social elements, with the support of communal organizations and politicians, are able to create rigorous damages to society. There has been a regular breakdown of law and order machinery in dealing with major communal riots. Very low morale, poor leadership, and lack of direction and poor equipments today weakens the police force.

Police force in the country is not free from communalism, castism, indiscipline and politics. Police indiscipline was reflected in police riots when the army had to be called in at some places, to disarm the rioting policemen, including some members of Para-military forces. Many committees and commissions have analysed the weaknesses of the police force and suggested remedies. Several senior officers have drawn attention to the havoc wrought by political patronage and meddling. Everyone agrees that the communal minded inefficient element in the police force could easily be eradicated if only politicians would let it alone. Police misbehaviour and misconduct could be seen even in some communal riots in 21st century.

GODHRA RIOT:

It is considered that the Godhra incident would not have been taken place, if the police have been taken few precautions right from the beginning. Given Godhra's history and communal background, the police should have maintained a strict vigil as Kar Sevaks crossed Godhra on their way to Ayodhya, the Kar Sevaks had indulged in offensive acts at Godhra station. Despite these alarming bells, there was not enough deployment of forces. Whether it was a case of intelligent failure on the part of police force, or a deliberate absence of preventative action?

Once the Godhra tragedy had occurred, the Gujarat police made no preventive arrests. The only two arrests were made on February 27 of those, who were picked up at Astodia that night, for shouting slogans.

Since 1998, there has been an explosion of hate speech all over Gujarat. The Gujarat police were guilty of not taking criminal action against the hate mongers for four long years, even after hate speech and writing had frequently been used to create an appropriate social climate to precipitate violence against the minorities. Through out the baleful planning and scheming, the Gujarat police maintained a diplomatic distance, adopting a non-interfering stance towards illegal activities.

Ahmedabad's police commissioner, Mr. P. D. Pandey had pleaded, "The police tried their best, but they could not stop the mobs. They were disgustingly outnumbered when the mobs grew." But in most cases inadequacy of forces is a mere excuse touted by serving police officers, who fail in their primary duty. Even in Gujarat this time, in several cases where good officers held out against political pressure, the same small deployment was enough to act positively and control the situation. In the vast majority of cases, however, the police did not act on behalf of the mob.

On February 28, of the 40 persons shot dead by the police in Ahmedabad city, 36 were Muslims. This despite the fact that it was the minority community, which was being targeted by huge and well armed mobs at Naroda Gaon and Patia as well as Chamanpura. Of the 184 people, who died in police firing since the violence began, 104 are Muslims says a report drafted by Gujarat police force itself.

This Statistic substantiates the allegations of riot victims from virtually every part of the state that the local police did not do anything to stop the Hindu mobs; they actually turned their guns on the helpless Muslim victims.

From February 27 to April 10, it failed miserably in taking decisive action to control the violence that followed. In addition to this the police itself committed atrocities against Muslims especially in Vadodara and Ahmmmedabad. Even women were beaten and thrashed. In fact, such widespread misbehaviour of the police with Muslim women marks a new low in police misconduct against the minorities.

Police conduct after the Gujarat incidence, with regard to the registration of crimes, conducting of investigations etc., has been marked by a desire to please political bosses and a total disregard for the law of the country. The police are required to file separate FIRs for each incident. Instead, separate incidents of crime committed by different aggressors at different places at different times have been clubbed together in single common FIR. Panchanamas have either been made 3-4 weeks after the incidents or not at all. The names of the main accused have been conveniently dropped.

There were so many other examples of police misbehaviour and misconduct which were published in The Times of India or The Hindusthan Times.

LEGAL REMEDIES:

Sections 107 to 110 and sections 143 to 152 of the criminal procedure code give adequate preventive and disciplinary powers and consider it the duty of district magistrates and police chiefs to prevent violation of peace and ensure the rule of law. And the All India Service Rules (1969) provides for the punishment of delinquent IAS and IPS officers.

Apart from violating Indian Penal and constitutional law, dereliction of duty is a clear violation of the All India Service Rules. Under these rules, there already exist provisions for the dismissal from service of IAS and IPS officials guilty of "any act or omission which renders him liable to any penalty specified in rule 6." (Communalism Combat, November-December 2002)

While discussing about police misbehaviour and misconduct we should not forget that the maintenance of law and order over a civil disturbance is one of the greatest challenges that the policemen have to face today. All policemen must be prepared to control the danger of actual mob violence. Demands, greater than ever before, are being made on the police by Indian citizens for the maintenance of law and order. The growing complexities in society present increasing and difficult problems to the policemen. The tension, the conflicts and frustrations are not going to be solved completely in the near future and

consequently one of the heavy responsibilities of every policeman is to recognise and to protests the rights, privileges and immunities of persons within the jurisdiction he serves. The large scale, communal, linguistic, regional, and students' riots that occurred in the recent past graphically portray that without law and order there can be no peaceful life consequently no economic progress and indeed nothing but chaos. Some police officers have discussed the causes of police failure. Some major reasons are as follows.

CAUSES OF POLICE FAILURE:

- 1.The police force appears disorganised and ineffective. There morale is absolutely at a very low level.
- 2.Police authority in many places is being seriously undermined.
- 3.The uncontrollable groups and individuals appear to 'sense' the impotence of the police forces and 'challenge' the police forces openly. No frequently, at this point, the police are sometimes withdrawn to a safe position in order to avoid a confrontation.
- 4.Political interference and 'control', in police field operations at riots, even to the extent of determining specific tactics to be used or more likely not used during a riot.
- 5.Kindness of the courts.
- 6.Lack of public Support.

Communalization of police force is one more important reason of police failure. No doubt that there is communal element in police force, which leads biased attitude of police personal towards minorities. Policemen from minorities are often given non-executive posts. After the carnage in Gujarat, several police officers suffered for their upright behaviour in controlling violence and preventing further loss of life.

The police are charged with the lawful duty to enforce the law, preserve the peace, protect lives and property, and detect anti arrest offenders. Failure to perform these statutory duties constitutes serious grounds for removal from office.

In any riot, it is important to remember that the police are dealing with people, who have either real or imaginary grievances or who are misguided in their actions. Nevertheless, riots are emotional storms as potentially destructive as any national disaster and it is incumbent upon the police to prevent them if at all possible or to bring them under control once they are in progress.
Remedial actions that can be taken:

RIOT SCHEME:

Every city has a riot scheme, which is known as emergency scheme. It is put into operation in the first stage. It includes mostly of orders and warnings.

- 1.Orders to the public to not to assemble in crowds or carry arms.
- 2.Orders to police for preventive arrests of hooligans and antisocial elements, to appoint special police officers under section 17 of the police act.
- 3.Warnings to the fire stations to man the fire engines, to the hospitals to be ready of causalities, to jail authorities to be ready to receive prisoners.
- 4.A riots headquarter is established under the scheme and manned 24 hours.

After the implementation of the scheme, during communal riots the police and other agencies of Government are required to provide full protection to the minority group and to Government buildings, banks, food storage warehouses, petrol pumps, power houses, industries etc.

DEPLOYMENT OF POLICE FORCE:

Every policeman on riot duty must be briefed about the situation that exists. The basic objectives of riot control operations are destroying the mob organizations, breaking its will to resist and preventing regrouping. The deployment of the police must be done to achieve these objectives by the most rapid and direct means of law and order.

Policemen on riot duty should be provided with full protection. The proper use of police manpower is very important. Every police officer has to be warned of the danger of improperly distribution of his force. Long hours of duty under stress will tire out the police.

During the riots the police force is utilized for a large number of duties. It is suggested that home guards should be utilized for such work and the police could assist them without dissipating its energy for

main task of restoring order. One more important factor is to keep up their morale. Foodstuffs should be stored for emergency. Otherwise police has to make their own arrangements for supply of cooked food. That will divert them from their aim.

Operations:

The pattern of rioting has undergone a considerable change in the recent past and still police force is using the same old equipments. Instead of that ultra modern equipments should be used. Recent police performance in riots and terrorist's attacks in Mumbai indicate that they are still largely untrained resulting in poor police operations.

Command:

A senior police officer should be earmarked for looking into,

1. Mobilisation of the force.
2. Deployment of the police force on various duties.
3. Supply of riot control equipment, tear smoke shell, canes, lathis, bulletproof jackets, mobile phones, wireless sets, modern and conditioned vehicles arms and ammunition, loud speakers and cameras etc.

Public Relations:

A senior police officer should deal directly with the press. The public and the press must be satisfied that the police are acting within the powers conferred upon them by the laws of the land, and that they give reasonable information of/about their activities.

Police Conduct:

Police officers on riot control duty must maintain an impartial, tactful and patient attitude regardless of community, caste or creed. Complaints of police excesses in dealing with rioters have often been made and especially against the lower ranks. An individual misconduct or brutality on the part of one policeman may expose other policemen and the entire operation.

In a riot situation a real worth of a police officer and his influence on the force comes to the force and this is the time when he is really tested as regards his experience, ability and knowledge of men and affairs. Where officers are weak, hesitant or prone to panic a stage is reached where there is large scale rioting, and a firm decision is required to replace those that have failed. Thus officers of courage and imagination are needed. They have to take decisions, when the mobs are most threatening, vulnerable, and desperate and violent. Leadership in the true sense is needed among the officers at this stage.

The last stage is the after march of the riot. Police have to register and investigate cases and conduct searches and attacks. At the same time complaints against police for their misconduct should be received, investigated and disciplinary action taken.

It is also necessary for the chief of the police to conduct the inquiry after every riot to find out;

1. What happened,
2. why did it happen,
3. What can be done to prevent it from happening again?

The success of the police in controlling riots must ultimately be judged not by the speed, with which a riot is controlled, but by the manner in which explosions are detected and prevented. The most effective method of preventing riots and mob violence is to eliminate conditions, which might lead to friction and misunderstanding and ultimately to violence and disorder. The police can play an important role in this direction.

An IPS officer Mr. S.A. Khopade, has given an interesting description in this regard in his book named, 'Police Prashasanachya Navya Disha'. According to him, the police act in riot situation is like a Fire Brigade. That the officers in Fire Brigade are always to be ready and alert and should wait for the phone call, they immediately take an action and with full capacity they try to achieve their target; and again they wait for another phone call. But they do not take any preventive action before the incidence occurs. According to S.A. Khopade, the present role of police force regarding riots is like a Fire Brigade. Police force is not taking any preventive action. And in present situation that is more important. Prevention is always better

than cure.

Mr. Khopade has himself done such an experiment in Bhivandi after the Bhivandi riot in 1984. Instead of waiting for an incidence to occur he found out the causes of riots in Bhivandi. Bhivandi is the most sensitive city in Maharashtra, where Muslims constitute 52% of total population as per the 1991 census report. Some major communal riots have taken place in Bhivandi in 1960, 1965, 1970, and in 1984. Mr. Khopade studied the situation in which the riots took place. To eliminate the riot prone situation he established the 'Mohalla Committees'. Those committees consisted of the local people of the particular areas including The Hindus, The Muslims and the police officers also. The 'Mohalla Committees' were established almost in all Mohallas in Bhivandi. The interaction between the members of these committees and the police officers has been increased. The committee members were from all classes such as shopkeepers, teachers, rikshaw walas, weavers and businessmen. Their meetings were held every month. This helped the police force a lot in maintaining law and order. Such as,

1. The increased interaction between police and public helped to improve the image of police in public.
2. The members of the committee started giving the information about the offenders and misbehaviour of any person, which may lead to riot situation.
3. Hindus and Muslims came in contact with each other, which helped to get rid of misunderstandings between two communities.
4. Police force got the sources of information.
5. The committee members started behaving secularly.

Ultimately this helped police force to maintain law and order in such a sensitive area. After these efforts police were able to take preemptive actions, and after 1984, there is not even a single incidence of communal riot in Bhivandi. Even after the bomb blasts in Mumbai, in 1991, Bhivandi remain peaceful. Such kind of efforts should be taken by the police officers.

In addition to this, police officers, public and the Government should realise that the policemen are human beings. Thus to develop their skills, patience and a high morale needed in riot situation, they should be trained properly. There are hardly any changes in content of the syllabus of police constables since last 50 years. They are still learning the same old techniques. They should be taught communication skills and latest technology required to perform their duty efficiently. They should be aware of society and social problems up to some extent. It would be helpful to improve the capacity and ability of police force. Every policeman should realize that he is the agent of peace and he should be confident enough about his ability to maintain law and order in society.

It is also important to understand that, maintaining peace and order is not only the responsibility of police force and other security forces but the citizens of the country also are equally responsible for it. Every responsible member of society owes the obligations towards our country. Bhivandi pattern became successful because of public participation, involvement and their cooperation to police force in maintaining peace.

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