

Executive Summary

BACKGROUND

Panchayat Raj Institutions (PRIs) have developed with powers from the state whereas the police have remained as a closed institution in India. The Gandhian concept of village autonomy and self-sufficiency and the political will and commitment during in the form of enactment during the post independent period have cumulatively helped to emerged PRIs as powerful, popular and participatory institutions at village level. Nevertheless, the police as an institution developed during the British colonial rule for the purpose of suppressing people; thereby ease the colonial administration, thus remained more or less the same.

The institution of police continued its nature of oppressions that results in greater alienation of people from this institution. This alienation of people is induced by the fear and stereotypes that capture the collective memory. It continues to induce and sustain fear, torture and inaccessibility among the people to the institution of police. The worst suffers are those who belong to historically marginalized groups such as tribes, dalits, poor and illiterate peasants, women and children, since these institutional barriers considerably reduce their access to justice system (Cherayi, 2015). As a result, this study is a systematic effort to explore and examine the functional relationship between Gram Panchayat and Local Police in rural policing, thereby explore the ways to strengthen the rural citizen's access to justice.

METHODOLOGY

Using qualitative research method, the present study examined the Rural Policing System and explored functional relationship between local police stations and Panchayats. This study has multiple sources of observation and data collection, which included semi-structured in-depth interviews, focused group discussions, case studies and document reviews. The combinations of these primary data collection methods are typical for in-depth qualitative inquiry. The present study collected data from diverse samples, which included three units of observations. We used diverse data collection methods such as

case study method and interviews to study the Janamaithri Suraksha Project and Jagratha Samithi and two Gram Panchayats in Kerala.

For two cases studies, the researcher purposively selected the projects viz., Janamaithri Suraksha Project and Jagratha Samithi. All project related information have been collected from the project cell/concerned department for project related documents. Further, respective project staff were consulted for semi-structured interviews. The gram panchayats were purposively selected for the study while the staff and elected representatives were randomly selected for the semi-structured interviews. The police personnel were selected randomly for semi-structured interview. We selected 40 police personnel from local police station alongside with 40 people's elected representatives/panchayat staff, thus constituting 80 semi-structured interviews.

We used thematic content analysis for data analysis. The thematic analysis is a data reduction and analysis strategy in which the qualitative data are segmented, categorized, summarized and reconstructed from the data sets. It helped to draw meaningful inferences and conclusions.

Findings form Document Review

The review revealed that existing police system is considerably alienated from the rural mass. It continues to produce fear and inaccessibility in time of need. Commissioned studies suggested to ensures professionalism in police, public participation in policing, insulating the police from undue pressure and interference, pro-active policing and empowering the lower functionaries. There exists an asymmetry in the decentralization pattern because the panchayats are more decentralized compared to police. Thus, emphasizing study found the need for creating a functional positive police-politician interface for public order maintenance by reworking police system by taking all possible relationship with the Panchayathi Raj institutions into account.

It is in the background that India has a considerable amount of people at the social margins; who experience socio-economic marginalization and alienation from institutions like police. The police is insulated from new development in the market and

technological spheres, failure of ad hoc administrative reform measures to motivate the lower level officers and lack of political will in implementing the suggestions from the national commissions.

The study highlight the need for innovative strategies for action are often required to tackle problems that could not be dealt with in existing procedures. Some of such suggestions include setting apart some of police modernisation funds for awareness programs, especially in terms of the projects/welfare schemes of the panchayat, for which a committee at the local level with adequate representation of panchayat members and local police officers is required to be formed. There should be one police station per panchayat in order to have a better working relationship and sharing of budget and other schemes between these two institutions at the local level. Further, conducting classes related to traffic, law-and-order and legal issues with the participation of both panchayat and police station.

Moreover, considering the strength of the police, its jurisdiction over a wider area covering many panchayats and for better delivery of public service, it is necessary to increase the number of police personnel in local police station. The strength of local police station could be increased in Kerala, if the Armed Reserve and Local Police are merged and integrated. This brings about an increase in 20% more police at the cutting edge, dealing with people. This increase in police personnel at local police stations could be utilized to divide the workload effectively and respond to Kerala Panchayat Raj Act and associated responsibilities.

Governance is concerned with a network of relationship between the state and civil society. It is the networks between two institutions (i.e., panchayat and police station) and; thereby a network of relationship between the state and its citizen is established.

The roles, duties, powers and responsibility of the police need to be re-defined with refreshingly new and innovative strategies both at the individual and at the organizational level. Kerala Panchayat Raj Act in its section 252 defines the responsibilities of the local police officers. The police should convey the complaints of violation of any of the

sections of the Act to the President and Secretary of the panchayat without any delay. The police officer is also responsible for giving proper legal aid, if the panchayat president or secretary or any panchayat officials/members requests for the same. If the police officer is not providing, then he will be considered as a violator of the law according to section 41 of the existing Kerala Police Act 1960.

FINDINGS FROM CASE STUDIES

This study is based on three cases studies viz., Janamaithri Suraksha Project (Community Policing), JagrathaSamiti (Vigilance Committee) and two Gram Panchayats. First, we provided key inferences derived out of the case study of Janamaithri Suraksha Project. It increased the utility, access and performance rate of police as per the perception of responses from the people. The results reveal that the more number of interaction between police and people, better the perception of people about police. The result substantiates the need for better functional relationships between the police and panchayat. About 80% of the people knew about the project due to direct contact with Janamaitri personnel whereas 10% of the awareness is through media. People perceive that JM personnel are courteous while the programme is rated as useful. The result shows that people have adequate access to project related services. Most people rate the performance JM personnel at the high level, implying that where JM programme is implemented the performance of the police is rated as high.

The study examined whether JM programme influenced the care and courtesy of police towards people. The project improved people's access to the police and improved people's perception to the performance of police, thus bringing police closer to people. The results shows that 73 percent of local panchayats involved in the programmes of policing while there is 27 percent did not participate in any activities of police. About 97 percent of the police officials feel the need for a change in their roles and responsibilities from the present situations.

The conventional notion of police stations needs significant change since it is no longer the symbols of a foreign power or an alien form of government imposed on local communities. Hence, police stations should transform into visual personification of the guarantee by a government of the people to individuals and local communities under the

democratic legal system. The life, property and dignity of citizens will be made secure and that the rule of law will be carried out with a steady hand. The police stations are the centers of hope for citizens who aspire for safety and security. As a result, a police station is expected to deliver this right of security to the people and transform into centers of justice, where citizens may enter with confidence to demand that their rights of citizenship be secured. For this, a policing system needs to be designed in such a way that interacts directly with the people. Evidently, Kerala Police initiative of Janamaithri Suraksha Project is a preliminary effort towards this direction, which ushers effective people-police cooperation.

SUGGESTIONS

- ⇒ The accountability of the local police and panchayats needs to be redefined by having an effective mechanism between the two for proper check and balance.
- ⇒ Policing is required to be oriented in terms of the demand from its citizens.
- ⇒ Police is arguably dysfunctional because of over centralization. Hence, there is a need for decentralization and it should be through the effective participation of civil society.
- ⇒ There is a need for outsourcing the functions of service of summons, escort and such general duties to appropriate agencies. There is also an urgent need for increased involvement of local government in the functioning of the police.
- ⇒ The police functions such as traffic control and solving minor law and order problems should come under local self governments. It needs transfer of most of the police functions along with the personnel to the local self governments over a period of time.
- ⇒ Enough steps should be taken to ensure the local population is represented adequately in the police.
- ⇒ The possibility of having an amendment to the constitution for mandatory relationship between the local police station and the local panchayat, for effective delivery of public service to its citizens, should be further looked at.

CONCLUSION

Evidently, there are limitations in governance and policing. Evidence based practices are the gold standard to overcome these barriers. However, comprehensive review of literature and future research are further needed for robust understanding of the interactions of these institutions. We need strong political will and government initiatives to ensure effective implementation of the recommendations of the various committees and commissions, while taking into consideration the views of all the stakeholders to ensure a democratic functioning of our civic institutions.

Case Study 1: Janamaithri Suraksha Project

In this study, cases (Janamaithri Suraksha Project and Jagratha Samithi) are *selected with a purpose to understand the structural relationship between the two institutions as practiced through a project by Government of Kerala* and the selection of the two panchayats, was to understand in-depth, the dynamics that is being played at the local level, keeping in mind the polar types of these two panchayats. The *Adat Gram Panchayat of Thrissur District was selected as the best Panchayat of the State in 2006* (Swaraj Trophy) and at the National level, Adat Panchayat had received Nirmal Gram Puraskar Award in 2008. This Panchayat also had pioneered various schemes/projects which were taken as the model for the Kerala State like (a) Waste Disposal Scheme (b) E. M. S. Bhavana Nirman Padhathi and (c) Medical Insurance for all BPL (Below Poverty Line) families. The governance of this Panchayat is by a political party which is at present opposing the ruling party in the State. The other panchayat, Pananchery Panchayat has been selected because it is the only Panchayat in Kerala, where Jagratha Samithi (Vigilance Committee) of Gram Panchayat is being run smoothly for the past two years. *Pananchery is also one of the largest panchayat* in Kerala as well as it is governed by the present ruling party of the State. This study explores the possibilities of relating policing to the Panchayati Raj Institutions. This study is primarily an overview of the concurrent interrelationship between the Panchayati raj institutions and policing. This study highlights the practical and functional correlations between the local panchayat institutions and police stations.

Though local self-government includes the Panchayat at three levels viz; Gram Panchayat, Block Panchayat and District Panchayat, **this study is tried to look only at**

the relationship of Gram Panchayat and the Police Station, though it had observed some of the initiatives of community policing are at the urban level also. Thus this study focuses on the Rural Policing System and explores the possibility of a functional relationship of the local police station with the Panchayat in its Jurisdiction.

Janamaithri Suraksha Project: A Community Police Initiative by Kerala Police

Community Policing is a sustained collaboration between the police and the community that identifies and solves community problems. Depending on the needs and responses of the communities involved, community policing strategies may vary. When Sir Robert Peel established the London Metropolitan Police, he set forth a number of principles one of which could be considered the backbone of community policing: "... the police are the public and the public are the police." It is very clear that without a strong tie-up with the community, police may not have access to pertinent information from people that could help solve or deter crime. Helpful information will be forthcoming from community members only when police have established a relationship of trust with the community they serve. Moreover, when community members believe the police are genuinely interested in community perspectives and problems, only then they begin to view the police as being a productive and essential part of that community.

Janamaithri Suraksha Project: The Objectives

The objectives of the Janamaithri Suraksha Project are: prevention of crimes, furthering co-operation and mutual understanding between Police and the Community, and furthering Security-related mutual co-operation among Citizenry.

In every Police Station, there is a 'Janamaithri Suraksha Samithi'. The Samithi will endeavor to undertake and implement the 'Janamaithri Suraksha Project' within the limits of the respective Police Station. With the help of the Station House Officer, the Circle Inspector will suggest the names of persons to be included in the Samithi. The Sub-Divisional Police Officer will examine such names and such list of names will be submitted to the District Police Superintendent. After due consideration and such consultation as he may deem proper, the District Police Superintendent will constitute the

Samithi and inform the concerned. Those who are involved in any criminal case should not be included in the Committee.

A local area which includes around 500 houses will be considered as a Janamaithri Beat Unit. A Police Station jurisdiction will be divided into as many 'Janamaithri Beats' as required. One Beat area should not exceed 3 Square Kilometers. A Beat Officer should be able to cover a 'Janamaithri Beat' within a few hours' time. For example a Post Man is able to cover his beat area daily. Similarly a Beat Officer also should be able to cover his beat area completely during a day's duty.

Projects which are suitable for a particular locality can be selected by the Station House Officers and Beat Officers can place before the Janamaithri Samithi. Suitable projects can be selected after consultation and discussion in the Janamaithri Samithi meetings.

Case Study: 2 Jagratha Samithi (Vigilance Committee of Panchayat)

Vigilance Committee (VC) is a redressal mechanism for women's issues, functioning decentralized manner through local governments with gender perspective. It aims to ensure security of women and girls, enhance their status, and to protect them from atrocities and violation of rights.

The major activities of the Vigilance Committee are the following: receive complaints from women and girls and redress them, take necessary steps to prevent the atrocities and violation of rights against women and girls, provide legal aid and advice to the women and girls, and initiate programmes for the empowerment of women and girls etc.

Jagratha Samithi has played a very important role in Pananchery area with regard to empowerment of women, gender sensitization, redressal of women's problems, free legal aid etc. It enjoys a close integration with other women's bodies like Kerala Women's Commission etc. This led to a *more comprehensive approach* in solving the issues that arose. In this context it becomes important to understand how the above mechanism could be replicated in all other panchayats, with cooperation of the respective local police station.

Case Study 3: Two Gram Panchayats

Two Gram Panchayats – Adat Gram Panchayat and Pananchery Gram Panchayat of Thrissur District in Kerala.

For the third case study of the two panchayats (Adat and Pananchery), random sampling was done for selection of the various stake holders, like (a) Police Officers at the Local Police Station (40), Panchayat Officials/Elected Representatives from the two Panchayats (40).

From the study so far, we have seen that it is required to have new ways of looking at the old problem of policing civil society. We have seen that innovative strategies of action are often required to tackle problems that could not be dealt with in existing procedures. Some of these include : setting apart some of police modernisation funds for awareness programs especially in terms of the projects/welfare schemes of the panchayat, for which a committee at the local level with adequate representation of panchayat members and local police officers is required to be formed. There is already shortage of police personnel's at the local police station level and then considering the jurisdiction of the police station and the new additional role of functional association with the panchayat, there needs to be an increase in the number of police personnel's in the local police station. The strength of local police station to give service to the people could be increased in Kerala, if the Armed Reserve and Local Police are merged and integrated. This brings about an increase in 20% more police at the cutting edge, dealing with people¹. This increase in police personnel's at the local police station, could be utilized to divide the workload effectively. Once the shortage of personnel's at the local police station is addressed, then the local police station as well as the police officers will be in a position to deal with the responsibilities in relation to Kerala Panchayat Raj Act and to have a better working relationship between these two institutions at the local level. Other strategies that should be considered essential include conducting classes related to traffic, law and order and other legal issues, with the participation of both panchayat and police station.

¹ Proposal for integration of Local Police and AR(Armed Reserve) police into civil police in Kerala, submitted by Dr. Alexander Jacob, IPS dated 22/10/2009 to the DGP of Kerala.

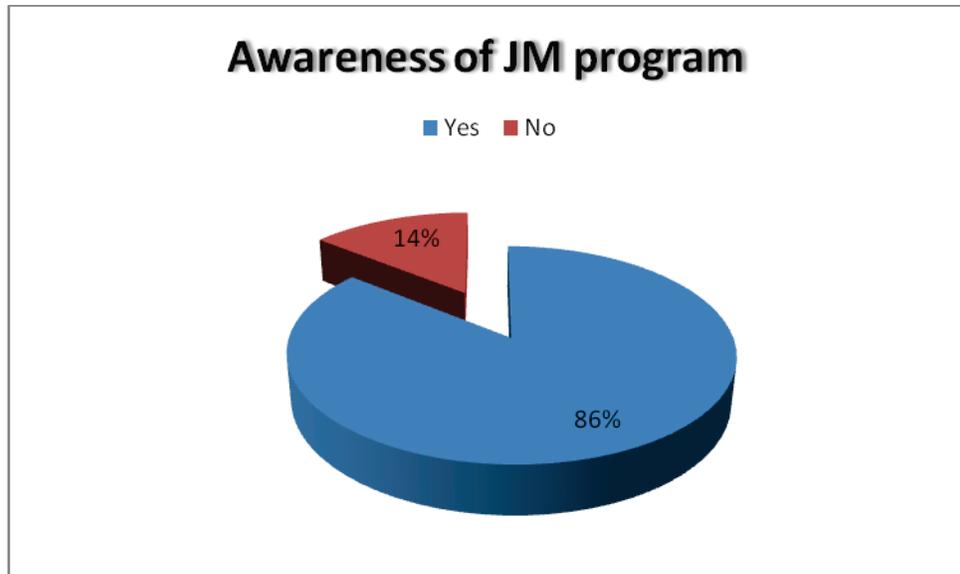
This study clearly points out that there is required to be an effective functional relationship between the local police and the Panchayat. It also points out that the roles, duties, powers and responsibility of the police need to be redefined with refreshingly new and innovative strategies both at the individual and at the organizational level. *The Kerala Panchayat Raj Act () in its section 252 defines the responsibilities of the local police officers. It held that, the police should convey the complaints of violation of any of the sections of the Act to the President and Secretary of the panchayat without any delay. The police officer is also responsible for giving proper legal aid, if the panchayat president or secretary or any panchayat officials/members requests for the same. If the police officer is not providing, then he will be considered as a violator of the law according to section 41 of the existing Kerala Police Act 1960.*

The Draft Model Panchayat and Gram Swaraj Act in its Chapter 23, Section 362 defines the powers and responsibilities of the Police in respect of offences and assistance to the panchayats. *Every police officer shall give immediate information to the panchayat of an offence coming to his knowledge which has been committed against this act or any rule or by-law made there under and shall assist all the members, officers and servants of the panchayat in the exercise of their lawful authority (Draft Model Panchayat and Gram Swaraj Act, 2009)*

The major observations of the study are:

- The Janamithri Sureksha project has increased the utility, access and performance rate of police as per the perception of responses from the people.
- From the impact study of Janamithri Sureksha project², it has come to the conclusion, that the more number of interaction of police and people, better the perception of people about police, this substantiate the need for better functional relationship between the police and panchayat.

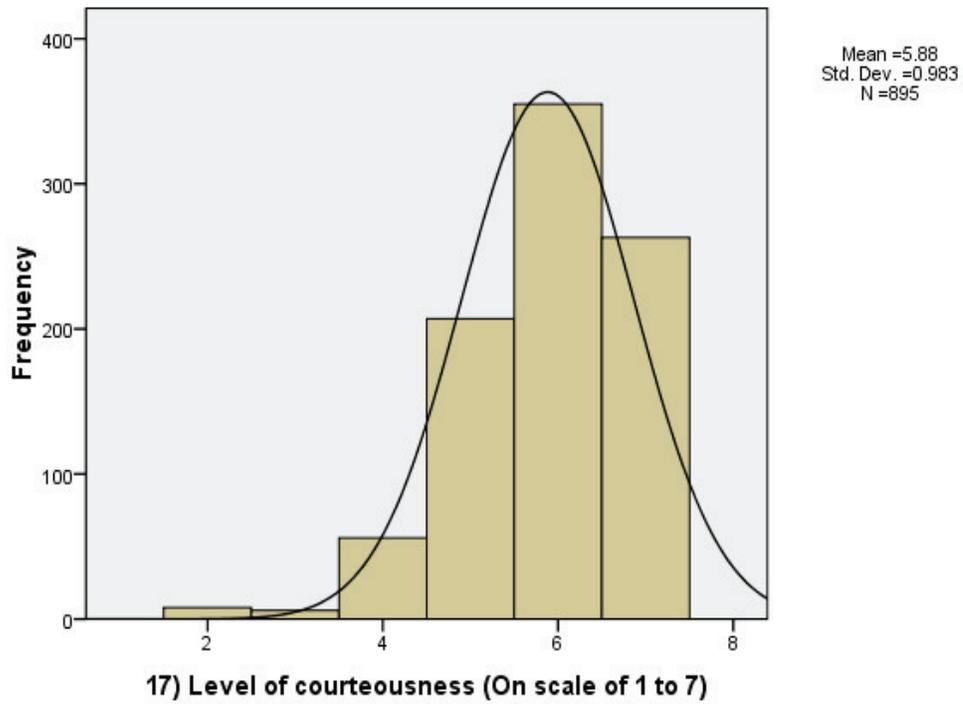
² Study conducted by Kerala Police and Calicut University



- Of the people aware of the program, 80% of the awareness is due to direct contact of Janamaitri personnel with the people.
- 10% of the awareness have been through knowledge generated through media coverage.

Opinion of people regarding courteousness of JM Police personnel

Histogram

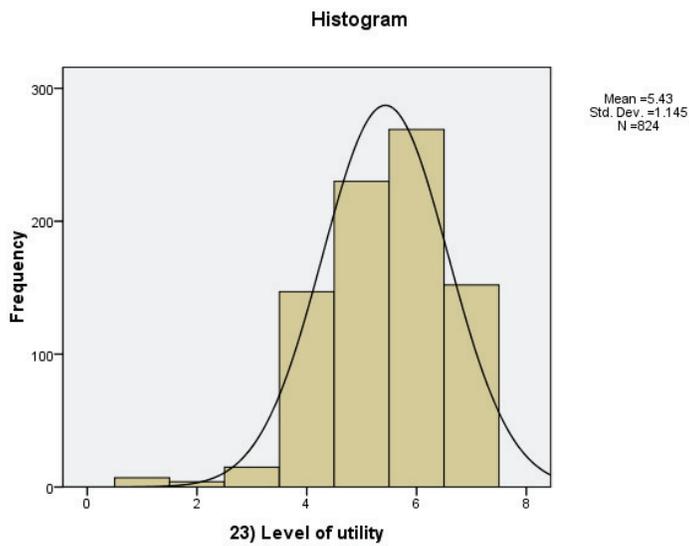


Conclusions

The JM personnel are perceived to be very courteous

Opinion of JM Program- Utility

Level of utility of JM program on a scale of 1 to 7

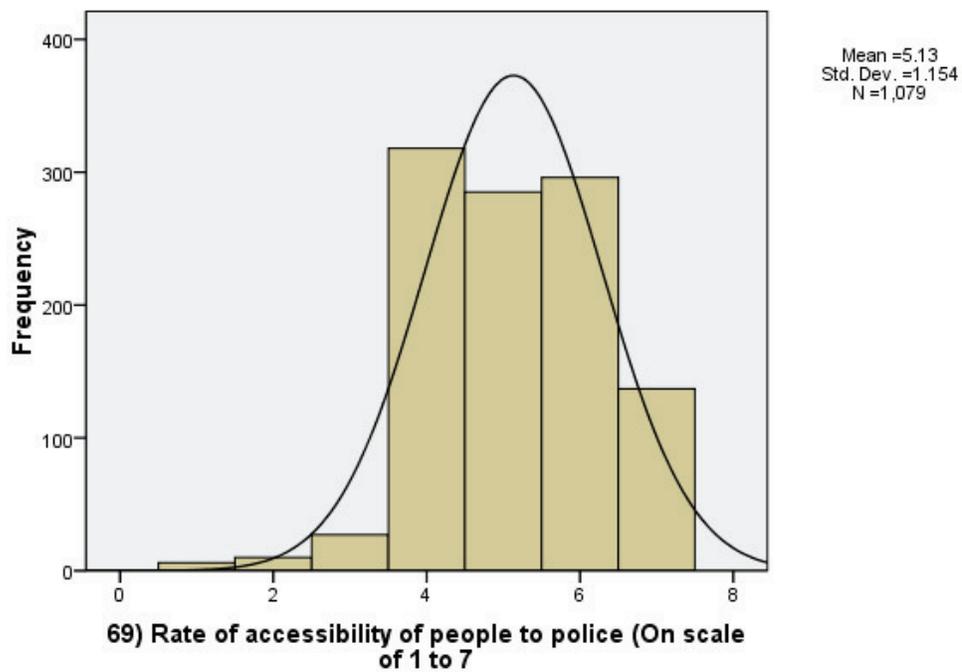


Conclusions

The program is seen to be of high utility by the people with most people giving it a rating of above 4 out of 7

Rate the accessibility to Police on a scale from 1 to 7

69) Rate of accessibility of people to police (On scale of 1 to 7

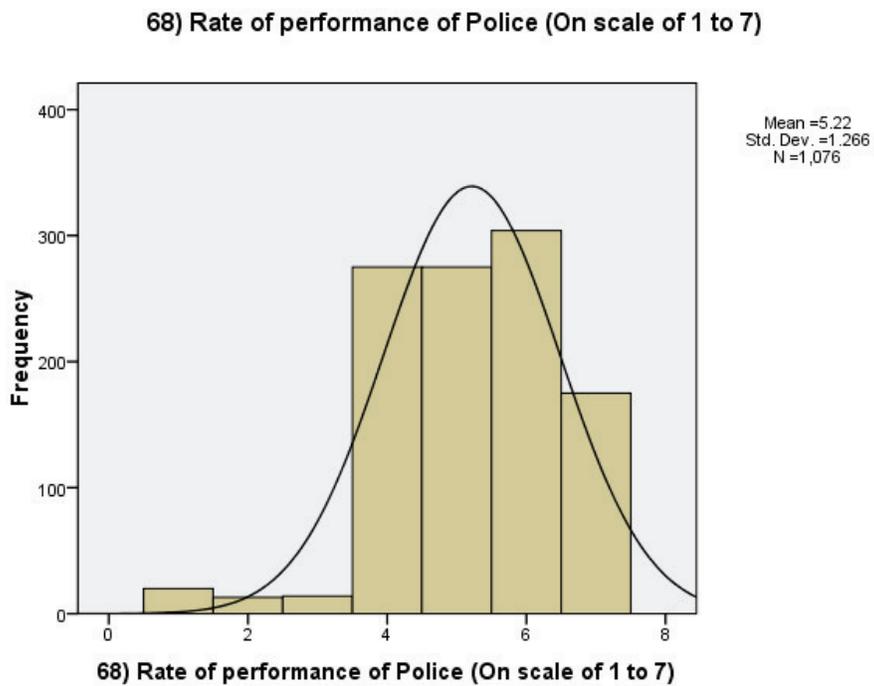


Conclusion

- Most people rate the accessibility at the higher levels of 4 and above

- This does show that at least where there is JM program being implemented there is sufficient accessibility of public to police.

Rate the performance of Kerala Police on a scale from 1 to 7



Conclusion

- Most people rate the performance of the police at the higher levels of 4 and above.
- This does show that at least in places where JM program is being implemented the performance of the police is rated high.

Correlation between number of JM meetings, duration and change in perception of police

		Number of interaction	Duration of interaction	Nature of correlation
Positive change in Perception of police after interaction with JM personnel	Pearson's correlation	.053	.100**	Positive Correlation
	Sig (1 tailed)	.059	.002	

** Correlation significant at 0.01 level.

This reveals that more the number of interaction and longer the interaction better the perception of people regarding police.

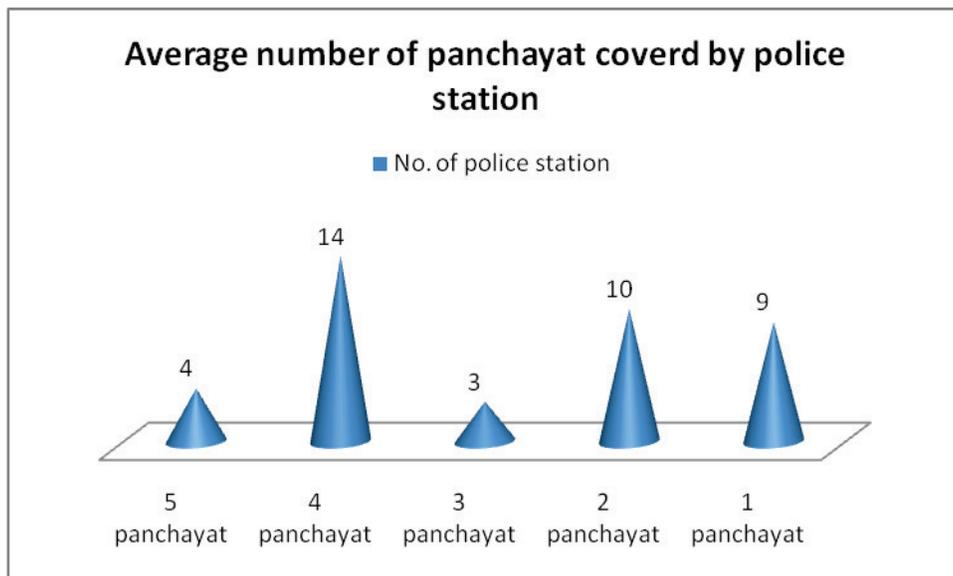
Conclusion

- The JM program has been executed to show care and courtesy by the police towards the people.
- The program has succeeded in improving accessibility of the police to the people. The program has therefore succeeded in bringing the police closer to the people.
- There is better perception of police performance by the people.
- The JM program has been executed to show care and courtesy by the police towards the people.
- The program has succeeded in improving accessibility of the police to the people. The program has therefore succeeded in bringing the police closer to the people.
- There is better perception of police performance by the people.
- Integration of Local Police and Armed Reserve (AR) in Kerala needs to be done at the earliest, so that an additional of 20% more of the police will reach the cutting edge in dealing with people.

Police District	No. of Police Stations	No. of personnel that can be redeployed to <u>each police station</u>
Kasaragod	16	11
Kannur	32	10
Wayanad	14	5
Kozhikode Rural	20	10
Kozhikode District	16	9
Malappuram	32	8
Palakkad	32	12
Thrissur	37	11
Ernakulam Rural	30	7
Ernakulam City	23	12
Idukki	26	11
Kottayam	31	5
Alappuzha	31	12
Pathanamthitta	20	5
Kollam	31	11
Thiruvananthapuram Rural	34	6
Thiruvananthapuram City	21	35

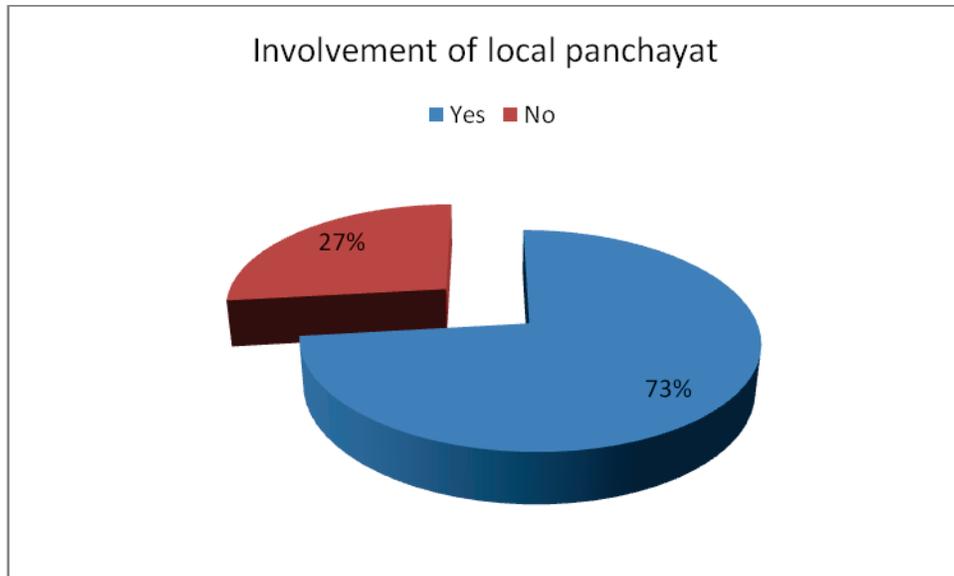
Above is the data³ that clearly spells out the increase in number of police personnel, just by re-deployment from Armed Reserve to Local Police

The figure below shows that about 14 police stations cover 4 panchayats each while only 4 police stations cover 5 panchayats each. Similarly 3, 10 and 9 police stations cover 3, 2 and 1 panchayats respectively.

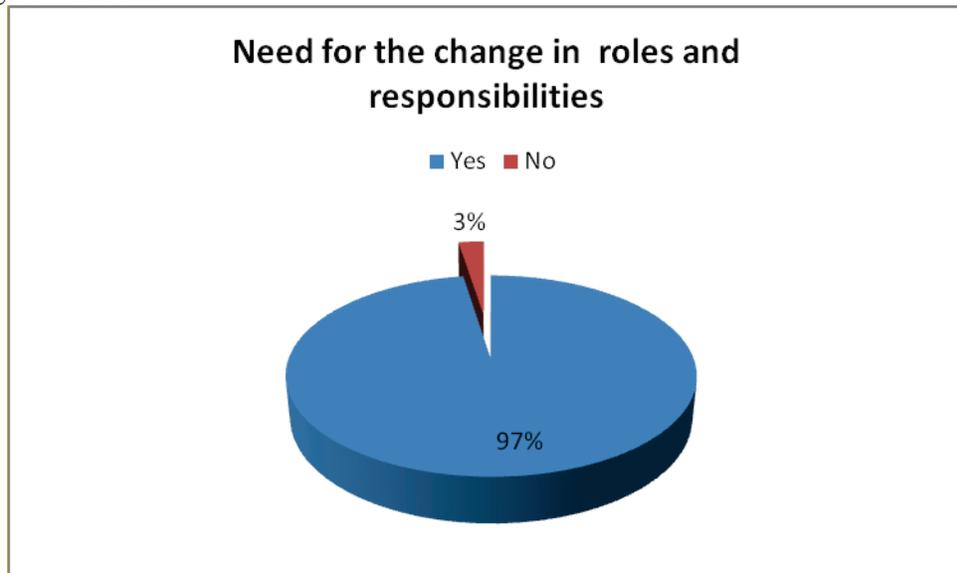


The pie chart below shows that there is about 73 per cent of involvement/participation of local panchayat in the programmes of policing, while there is 27 per cent non participation of local panchayats in any of the activities of police.

³ From the proposal submitted by Dr. Alexander Jacob IPS to DGP Kerala for integration of local and AR, dated 22/10/2009.

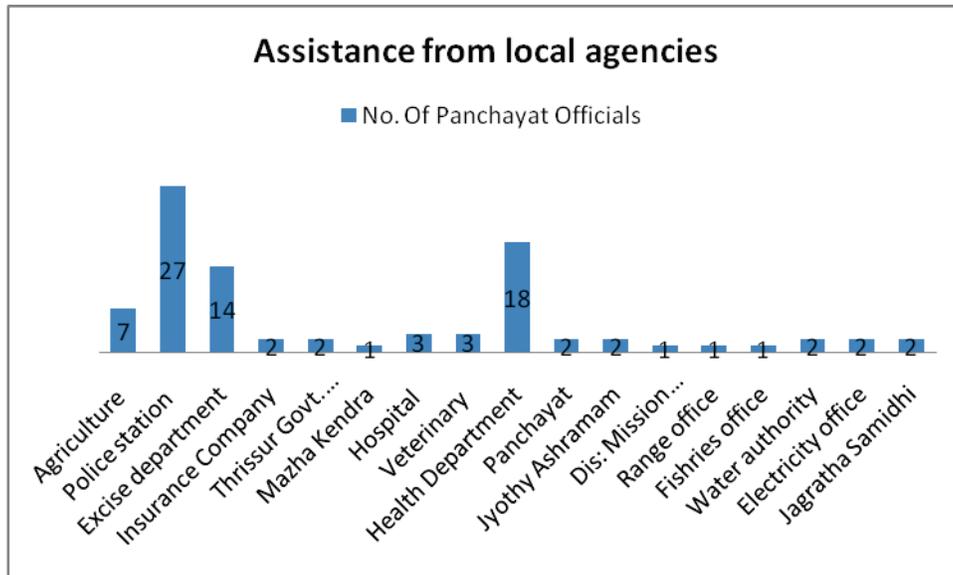


The pie chart shows that about 97 per cent police officials feels that there is a need for the change in their roles and responsibilities from the present situation while 3 per cent of them do not agree with this.



It is seen that there are various welfare programmes implemented by the Panchayat for the last one year but the graph below shows the need of assistance from other local agencies for implementing those programmes. 27 panchayat officials are keen to involve

police in the implementation of the programmes while 18 officials think that health department should give assistance. Excise department (14) and agriculture department (7) are other two agencies which are expected by many panchayat officials to assist panchayat.



- The accountability of the local police station and panchayats is required to be redefined by having an effective mechanism between the two for proper check and balance.
- Policing is required to be oriented in terms of the demand from its citizens.
- Police is arguably dysfunctional because of over centralization. So there is a need of decentralization and it should be through the effective participation of civil society.
- There is a need for outsourcing the functions of service of summons, escort and such general duties to appropriate agencies. There is also an urgent need for increased involvement of local government in the functioning of the police.
- The police functions like traffic control and solving minor law and order problems should come under local self governments. It needs an ultimate transfer of most of the police functions along with the personnel to the local self governments over a period of time.

- Enough steps should be taken to try and ensure that the local population is represented adequately in the police.
- The possibility of having an amendment to the constitution for mandatory relationship between the local police station and the local panchayat, for effective delivery of public service to its citizens, should be further looked at.

Here we have seen the limitations in the present scenario of governance and policing. Research has been done into overcoming these, however even more ground has to be covered in reviewing the existing literature and in further research endeavours. The need of the hour is for the Government to ensure an effective implementation of the recommendations of the various committees and commissions, taking into consideration the views of all the stakeholders, to ensure a truly democratic functioning of our civic institutions.