



# IPJ

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## Editorial Board

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**T**raining is key feature, rather essential aspect of human resource management. In policing and internal security, training and training intervention attains added importance as it keeps police leadership and force in state of readiness, to face daunting challenges of policing in general and that of democratic policing in particular.

It has been observed that lack of proactive human resource management usually leads to failure in achieving the aims and objective of an organization, including police. To implement effective training programmes, the leadership must devise comprehensive training intervention programmes, to ensure that all objectives and charter of duties are successfully completed. As an eminent security expert has rightly maintained that training programmes are a basic feature of all Police forces' organizational approach, with training used not only to induct new officers and ranks and files into the profession, but as a strategy of reform in cases when a force is not up to the expected standard of professionalism.

It is at the stage when force is unable to meet expected standard of professionalism that training interventions are required. Training interventions are the concerted involvements with force to modify its given state of affairs. It is designed to target attitudes, behaviour and skill related to policing in general and democratic policing in particular. The role of police as supporting institution of a democratic state has received academic attention, apart from getting due consideration from policy makers and political actors. Accordingly, the police force is slowly and steadily streamlining its service delivery and operations in such way that the values and principles of democracy are upheld without affecting its operational capability.

According to an expert on police training, democratic policing puts premiums on strategies. The competing demands made in contemporary multi-cultural societies are responded to in ways that sustain, rather than undermine consideration for equity and democracy. In this respect, training intervention with democratic inputs such as respect for human rights, citizen rights, gender sensitivity, dialogue, persuasion, and minimum use of force can usher in the sea-change in the way policing is done in a democratic society.

Training interventions are often aimed to affect the attitudes as a way of honing up the skills and behaviors crucial to policing in general and democratic policing, which is based on dialogue and persuasion, observing the principle of equality and justice in service delivery, sensitivity to human rights, gender, minorities, other socially and economically disadvantageous section, etc, in particular.

It is for this reason the Ministry of Home Affairs, Govt. of India, under the Plan Scheme of Bureau of Police Research & Development (BPR&D) has initiated the training intervention programmes. It proposes to undertake training interventions for police forces for bridging the gaps and deficiencies. So that police personnel are able to discharge their duties more effectively. Accordingly for effective training of the Police forces, appropriate training interventions were planned by BPR&D, as plan scheme for implementation in 11th Plan, with objective of improving the effectiveness, outreach and content of training inputs. The same have been continued in the 12th Plan.

In this issue of Indian Police Journal (IPJ), April – June 2012, we have made an attempt to discuss some of the issue related with training and training intervention.

We hope that our esteemed readers would like this and help us in this endeavour by providing us with their invaluable suggestions and feedback.



**(Gopal K.N. Chowdhary)**  
Editor

# An Ideal Trainer

Sankar Sen\*, IPS

## Keywords

Trainer, Ideal, IPS Officers, Inadequacies, CPTC, NPA, Indoor Section, Outdoor Section, Police Administrators, Dumping Ground, Training Curriculum, Fundamentals, Firmness, Fairness

## Abstract

*Today, many of the Police Training Institutions are in a bad shape and some of them are just crumbling. We need outstanding committed officers like Stracey to head these institutions and impart to their dry bones, the Promethean spark of life.*

## Introduction

**M**OST of the Police Training Institutions all over the country today are in a poor state of health. Besides inadequacies of infrastructural facilities, they have become dumping grounds of inefficient and often discredited officers and men, who command little respect from the trainees. Many of them, instead of motivating the trainees, spread the message of frustration and cynicism. However, there are some refreshing exceptions - some titans among the minnows. One such was E.L. Stracey, who was Deputy Commandant of the Central Police Training College (CPTC), Mount Abu, where we had undergone our police training after joining the Indian Police Service.

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CPTC was a makeshift institution hurriedly set up after Independence. Training facilities were inadequate, if not poor. In the training curriculum, there was overemphasis on drill, parade, horse riding and physical exercises. To many probationers, CPTC was indeed an acronym for Constant Physical Torture College. Many of the trainers in both indoor and outdoor sections were inadequately equipped to train IPS Officers and many suffered from various limitations and complexes.

But one person, who stood tall and commanded respect and awe, was the then Deputy Commandant E.L. Stracey, an IP Officer from Tamil Nadu cadre. Smart, handsome and ramrod-straight, Stracey was an inspiring model; one of those ideal trainers, who took joy in imparting training to the budding leaders of the Indian Police Service. He took this training assignment with almost a missionary zeal and imparted to it some rare grace and flavour.

### Ideal Trainer

Stracey was a stickler for correct etiquettes and manners and took great pains in teaching the raw probationers how to hold correctly forks and knives at the dining table, how to greet a lady and how to salute smartly in uniform. We used to call E.L. Stracey as *Etiquette Loving Stracey*. He could be stiff and blunt at times, but always sought to inculcate among the probationers, officer-like qualities. He had an eagle eye and was quick to detect the lapses of the probationers at the parade ground and malapropisms in the classroom. He would teach us how to salute properly and how to conduct ourselves befittingly on and off the parade ground. Colour of the socks not matching the shoes and trousers, hastily shaven cheeks and loose tie knots will not escape his eyes. We learned from him many a social grace and nicety. Though punctilious, he was never a heartless martinet. Behind the apparently tough exterior, there was warmth and concern for the well-being of the trainees. Once he noticed that one of the probationers was lowering his head too much while taking soup, he advised him not to do so and humorously added that horses do like that.

He used to take classes on Police Administration. He was not very sound on rules and procedures of Police Manuals or sections of the Indian Penal Code, but clear on fundamental ethical issues concerning policing. He always emphasized that short-cut extra-legal methods are impermissible and counter-productive and sully the image of the police hampering good and efficient policing. After nearly four decades,

when I had the privilege to join as the Director of the National Police Academy, Hyderabad, Stracey was my inspiring role model.

At the entrance of the National Police Academy's office building on the black piece of marble, the following lines are inscribed:

"Michelangelo was once asked, 'How do you produce statues that are so full of life?' Michelangelo said, 'It is just a matter of extracting them. The rough marble already contains the statue.' There is already a fine officer in you. Help us to chisel it."

Whenever, my eyes fall on those lines inscribed on the marble I think of Stracey. We heard from Stracey the vicissitudes of his service career and the sea of troubles he faced for not being a pliant officer. But ultimately, he reached the summit of police profession as the Director-General of Police, Tamil Nadu. He has narrated in his book, "*Odd Man Out in Indian Police*", the high and low watermarks in his service career, the difficulties he encountered for crossing swords with the politicians. He narrates all this with no sense of rancour.

### Firmness and Fairness

So far work is concerned, he would not spare anyone who would not pursue. Streaks of sadism and vindictiveness, which we have witnessed in many senior officers, were conspicuously absent in him. He would tick off not only the probationers, but also the instructional staff and even the senior officers coming for training in advance courses. He pulled up a senior officer (who, later on, became a Member of Parliament) for coming late as a player in the cricket field for setting up a bad example before the junior officers and chastising senior outdoor trainers for using swear words in the parade ground. However, he also made it clear that the IPS probationers would have to follow the discipline of the parade ground and unquestioningly obey the directions of the field trainers. Once admonishing some errant probationers he said that sometimes we have to be cruel in order to be kind. Firmness and fairness should go side by side.

Our training in Mount Abu also included a programme of *Bharat Darshan* to enable us to catch fleeting glimpses of the different parts of the country and understand its bewildering diversities and the underlying thread of unity. Our *Bharat Darshan* programme included a visit to Delhi and calling on the Home Minister Pandit Govinda Bhallav Pant. A stalwart of the freedom struggle, Pant was a venerable and powerful leader, enjoying a position only second to Nehru in the Central Government. During the interaction session, Pantji with his

shaking hands (an after-effect of the blows received in the lathicharge by the police during the British rule) expounded to us the new role of police in Independent India. In the course of the discussion, Stracey raised before him the question that political masters want quick results against crime and criminals and thus, indirectly pressure the police to adopt short-cut and quick-fix methods. Pantji, however, misunderstood the burden of this valid poser. He upbraided Stracey and called him an officer of the old school. The meeting ended in a sour note. We came out sadder, but not wiser.

## Living Legend

Nearly twenty years later, when I was serving as a DIG Western Range at Rourkela, I received a letter from M.I.S. Iyer, the then Dy. Director of the National Police Academy mentioning that Stracey's sword would be kept in the Central IPS Mess. He asked me to suggest some appropriate lines to be included in the brass below the sword. I wrote to Iyer that Stracey has become a living legend and will occupy a place of honour in the annals of the Indian Police Service. I suggested the following lines of Shakespeare to be inscribed on the brass below the sword:

*“Be just and fear not.  
Let all the ends then aimst at  
be thy country's,  
thy God's and truths.”*

I sent a copy of the letter to Stracey, who was then Director-General of Police, Tamil Nadu. Stracey wrote back that “the compliments you pay are very touching; all the more because they are sincere. I only hope I deserve them”.

## Conclusion

I shall always recollect Stracey as the role model of a trainer. His handsome appearance, dignified bearing, graceful movements, eye for details, total commitment for training and unremitting endeavour to improve an institution set him apart as an ideal head of a training college. Today, many of the Police Training Institutions are in a bad shape and some of them are just crumbling. We need outstanding committed officers like Stracey to head these institutions and impart to their dry bones, the Promethean spark of life. Unfortunately, many of these institutions are headed by people, who are singularly unfit for the job and only mar their time and think of shifting to greener and more lucrative pastures. ■

# A Study of Career Drivers of IPS Officer Trainees

Ms. Avantika\* & Dr. A.K. Saxena\*\*

## Keywords

Career Drivers, Inner Imperatives, Material Rewards, Status, Power, Influence, Security, Search for Meaning, Expertise, Creativity, Affiliation, Autonomy

## Abstract

*A career driver is an inner force, which determines what you want and what you need from your working life. They emerge from within a person and provoke action. They are a form of self-expression, which says 'yes' to life. People informally understand the notion of career drivers; they have heard them described as 'interests' or 'concerns'. These do not appear to be chosen consciously, but to derive from the individual's personality, abilities, values and self-image; they are revealed rather than selected.*

## Introduction

CAREER Drivers are inner imperatives mobilizing people and shaping their careers. A career driver is an inner force, which determines what you want and what you need from your working life. They emerge from within a person and provoke action. They are a form of self-expression, which says 'yes' to life. People informally understand the notion of career drivers; they have heard them described as 'interests' or 'concerns'. These do not appear to be chosen consciously, but to derive from the individual's personality, abilities, values and self-image; they are revealed rather than selected. Slowly, adults learn who they are and what excites and fulfils them.

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Career drivers are the unseen hand, which guides personal decision-making.

Career drivers prove to be an invaluable diagnostic device for understanding the patterns revealed by respondents in the Richmond Survey. Only personal criteria could be used to judge the worth and validity of career choices, so a good career can be defined as the extent to which the total experience meets individual wants and needs. Conscious appreciation of our particular career drivers helps us to take initiatives, which really suit us. We are more able to follow the advice: ***“to thine own self be true”***.

Identifying career drivers is to illuminate the inner forces, which shape the career, clarity about which career driver energizes, give:

- Long-term perspectives (careers are lifelong, so you need to raise your eyes from immediate preoccupations).
- Clarity (having a better knowledge of who you are, helps you decide between ‘yes’ and ‘no’).
- Strength (bold statements release inner energy).
- Distinctiveness (identifying your own drives enable you to stand out from the crowd).
- Coherence (the career driver concept organizes factors, which are otherwise apparently disconnected).
- Protection (reduces the risks of haphazard decisions).
- Stimulation (provokes a different view of yourself).
- Monitoring (gives criteria to assess career progress).
- Common language (provides a framework for dialogue and enables you to discuss your career with colleagues, friends and family).

## Objectives of the Study

The Investigator defined the following objective of the study:

- To identify the dominating career driver of each officer trainee.
- To prepare the career drivers profile of the trainee group.

## Description of Questionnaire

Career Drivers Survey Questionnaire developed by Francis (1985) was used for data collection. It has 36 pairs of statements. Respondents are required to evaluate the relative importance of the statements within each pair and allocate three points – no more, no less.

Distribution of points between the two items in the first pair, would be as follows:

- Choice one : A = 3 points    B = 0 point  
Choice two : A = 2 points    B = 1 point  
Choice three : A = 1 point    B = 2 points  
Choice four : A = 0 point    B = 3 points

### **Sample item:**

C It is important to me that my work makes a positive contribution to the wider community.

F Close relationships with other people at work are important to me.

## Definitions of Nine Career Drivers

- **Material Rewards:** Seeking possessions, wealth and a high standard of living

### ***The Key Concern of this person is wealth.***

Material rewards are defined as tangible asset, including money, possessions, quality of housing, and other material possessions.

People with material rewards as a career driver take decisions about future work life primarily to enhance their material well-being. They seek roles, which provide a high income, and they take on tasks, which may be unfulfilling or uncongenial, but which provide a high income or other material rewards. For example, they may move house or even emigrate only for material advantage.

- **Power/Influence:** Seeking to be in control of people and resources

### ***The Key Concern of this person is dominance.***

Power/influence is defined as wanting to be dominant and to have others behave in subordinate roles. Also connected is wanting to take decisions about policy and how resources are expended.

People, who have power/influence as a career driver, take decisions primarily to increase the extent of their personal control over people and situations. They attempt to move towards the centre of organizations and gain both formal and informal power. They get satisfaction from deciding what should be done and who should do it, and they are often uncomfortable in subordinate roles.

People with power/influence as key driver seem to gravitate towards managerial or political roles. They are proactive (initiating), they use personal power, and they have high self-confidence and clear ideas about what should be done. They are concerned with impact.

- **Search for Meaning: Seeking to do things which are believed value for their own sake**

***The Key Concern of this person is contribution.***

Search for meaning is defined as being motivated to do things considered to be a contribution to something bigger, finer or greater than the individual according to religious, emotional, moral, social or intellectual criteria.

People with the search for meaning as a career driver will take decisions, which are explicable only in the context of their personal beliefs and values. This may take the form of helping others rather than helping themselves. Personal fulfilment is the ultimate pay-off, and they make considerable sacrifices in order to follow their inner beliefs.

- **Expertise: Seeking a high level of accomplishment in a specialized field**

***The Key Concern of this person is mastery.***

Expertise is defined as specialist knowledge, skills, know-how, competence and capacity to perform unusual, difficult or specialized activities.

People with expertise as a career driver work hard to gain a depth of competence in limited but specified fields and will strive to maintain their specialist capability. They dislike going outside their defined area. One of their primary sources of satisfaction is being valued as an expert. The expertise may be mechanical, craft, intellectual, scientific or practical. So, both a blacksmith and an accountant probably have expertise as a career driver. Professional manager can be included in this category, especially those with formal training in management sciences.

- **Creativity: Seeking to innovate and be identified with original output**

*The Key Concern of this person is originality.*

Creativity is here defined as devising something new, which bears the name of the originator. This may be a work of science, art, literature, research, architecture, an entrepreneurial activity or even a form of entertainment.

People with creativity as a career driver do things, which are distinctly different from those which other do, and they want to own the results. The individual's name is closely associated with his or her products. Genuine innovation is very highly prized.

- **Affiliation: Seeking nourishing relationships with others**

*The Key Concern of this person is closeness.*

Affiliation is defined as striving to be close to others, enjoying bonds of friendship and being enriched by human relationships.

People, who have affiliation as a career driver, take initiatives to develop deep and fulfilling relationships with others. These bonds become extremely important to them. They put their feelings for others above self-aggrandizement and preserve continuity in important relationships. They may continue with unsatisfactory or unfulfilling jobs because of the quality of their relationships with others. Their commitment is to people, not to task, position or organizational goals.

- **Autonomy: Seeking to be independent and able to make decisions for oneself**

*The Key Concern of this person is choice.*

Autonomy is defined as taking personal responsibility for the structure, processes and objectives of daily life.

People with autonomy as a career driver act to increase the amount of control they have their own working lives. They resist attempts by organizations to put them in boxes. They identify and then fight, constraints. People like this often fail to cope well with bureaucracy and seek to become their own masters. They enjoy feeling 'I did it all' and they prefer to work along with a small team which they lead.

The desire for independence is very influential in autonomy-driven individuals. They do not like to be directed by others. They experience the procedures, systems, conventions and protocols of others as irritants. Restrictions evoke hostility or fury and their response is to create environments where the individual set his or her rules.

- **Security: Seeking a solid and predictable future**

***The Key Concern of this person is assurance.***

Security is defined as wanting to know the future and avoid being exposed to unpredictable risks.

People with security as a career driver take decisions, which help them to feel relaxed about their future. Their primary goal is high predictability, rather than high income. They see life as a journey to be undertaken by the safest routes with the best maps and guides available.

This type of person chooses employers after careful consideration of their stability and record of looking after employees. They may associate security with membership of blue-chip companies or institutions.

- **Status: Seeking to be recognized, admired and respected by the community at large**

***The Key Concern of this person is position***

Status is defined as wanting the esteem of others, and to be highly regarded. Status is demonstrated by symbols, formal recognition and acceptance into privileged groups.

People with status as a career driver undertake whatever actions are needed in order to enhance their prestige. This includes making personal contacts with influential people, taking responsible assignments and self-publicizing. They may seek positions of power and authority, but their desire is for the prestige of the position rather than the exercise of control.

Status is not directly related to social class. For example, some people value being recognized as an authority on art or as a person with outstanding fashion sense. The person is motivated by a desire to impress others and be acknowledged as worthy or special.

### Sample

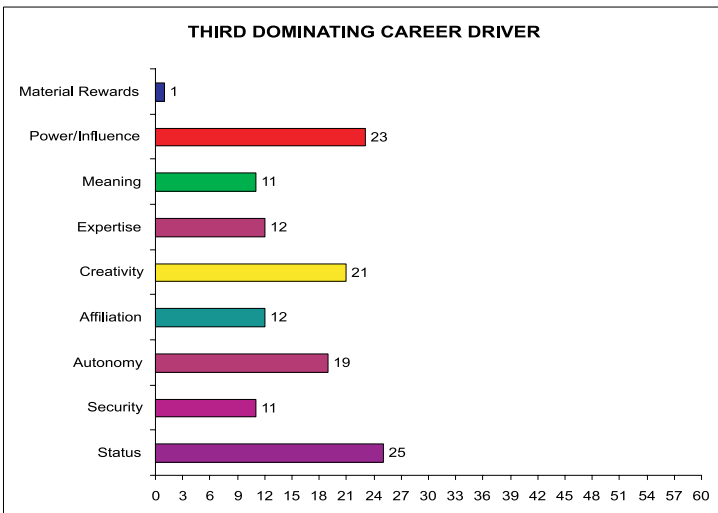
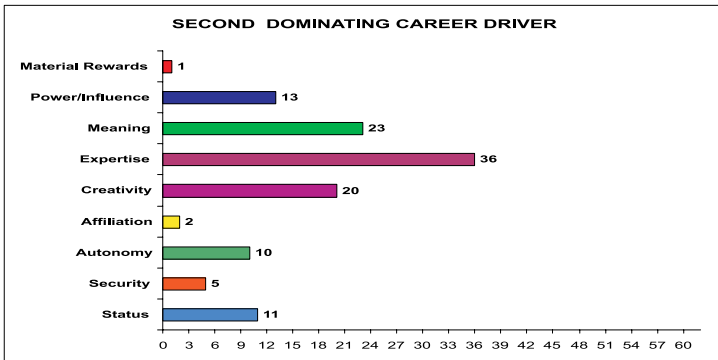
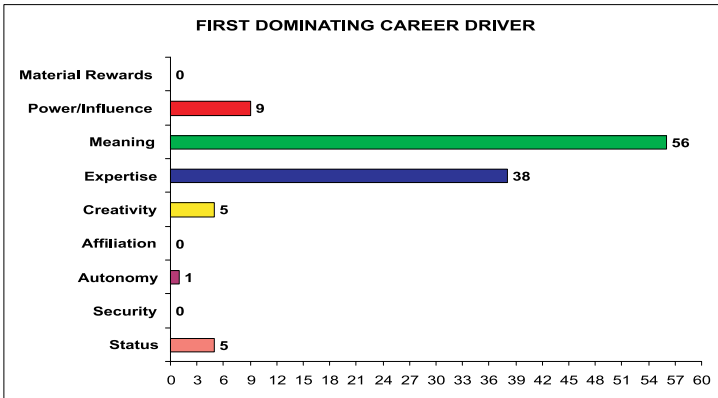
110 IPS Officer Trainees undergoing training in the Academy (2008-2009).

### Analysis and Interpretation of Data

Hand scoring was done. The results are presented in *Table 1*.

**Table 1: Career Drivers Profile of Trainee Group**

Career Driver	First Choice (I)	Second Choice (II)	Third Choice (III)
Material Rewards	0	1	1
Power/Influence	9	13	23
Meaning	56	23	11
Expertise	38	36	12
Creativity	5	20	21
Affiliation	0	2	12
Autonomy	1	10	19
Security	0	5	11
Status	5	11	25



It can be inferred that the trainee group had the following most dominating career drivers:

- **Meaning**

*Search for meaning is defined as being motivated to do things considered to be a contribution to something bigger, finer or greater than the individual according to religious, emotional, moral, social or intellectual criteria. People with the search for meaning as a career driver will take decisions, which are explicable only in the context of their personal beliefs and values.*

- **Expertise**

*Expertise is defined as specialist knowledge, skills, know-how, competence and capacity to perform unusual, difficult or specialized activities. People with expertise as a career driver work hard to gain a depth of competence in limited but specified fields and will strive to maintain their specialist capability.*

Police Organization is found to be blessed with the IPS Officer Trainees, who have career drivers, viz., 'Meaning' and 'Expertise' beyond career drivers like material rewards, power/influence, security and status.

National Police Academy through its training will have to further reinforce these career drivers, so that these become the values for the IPS Officer Trainees to guide their professional journey towards excellence. ■

## BIBLIOGRAPHY

1. Lawler, E.E., "Pay and Organisational Effectiveness", Mc-Graw Hill, New York, 1971.
2. Skinner, B.F., "Science and Human Behaviour", Free Press, New York, 1953.
3. Taylor, F.W., "Scientific Management", Harper and Brothers, New York, 1911.

**(Material Rewards)**

4. McClelland, D.C., "Power, the Inner Experience", Irvington, New York, 1973.
5. Richard, E. Boyatzis, "The Competent Manager", Wiley, New York, 1982.



6. Winter, D.G., "The Power Motive", Free Press, New York, 1973.  
**(Power/Influence)**
7. Argyris, C., "Personality and Organisation", Harper and Row, New York, 1957.
8. Levison, D., "The Seasons of a Man's Life", Alfred Knopf, New York, 1978.
9. Maslow, A., "Toward a Psychology of Being", Van Nostrand Reinhold, New York, 1968.

**(Search for Meaning)**

10. Ford, R.N., "Motivation through the Work itself", American Management Association, New York, 1969.
11. Klemp, G.O. & Spencer, L.M. Jr., "Job Competence Assessment", Addison-Wesley, Reading Mass, 1983.

**(Expertise)**

12. Cleveland, D.C., "The Achieving Society", Van Nostrand, Princeton, 1961.
13. Hertzberg, F., "Work and the Nature of Man", World Books, New York, 1966.

**(Creativity)**

14. Atkinson & Feather, N.T., "A Theory of Achievement Motivation", Van Nostrand, New York, 1966.
15. Cleveland, D.C., "The Achieving Society", Van Nostrand, Princeton, 1961.
16. Walton, R.E., "How to counter Alienation in the Plant", Harvard Business Review, November/December, 1972.

**(Affiliation)**

17. Maslow, A., "Motivation and Personality", Harper and Row, New York, 1970.
18. Mintzberg, H., "The Nature of Managerial Work", Harper and Row, New York, 1973.
19. Schein, E., "Career Dynamics", Addison-Wesley", Reading Mass, 1978.

**(Security)**

20. Vroom, H., "Work and Motivation", Wiley, New York, 1964.
21. Tannenbaum & Schmidt, "Social Psychology of the Work Organisation", Wadworth, Belmont, California, 1966.

**(Status)**

22. Francis, Dave, "Managing Your Own Career", Fontana/Collins, 1985.



# Criminal Profiling and Crime Scene Assessment: A Scientific Aid to Law Enforcement Agency

Asha Srivastava\*, Aman Yadav\*\* & Rakam Singh\*\*

## Keywords

Profiling Offender, Criminal Profiling, Psychological Profiling, Violence

## Abstract

*Within the justice system, there appears to be a growing demand for experts in the field of behavioural science, who can help law enforcement solve peculiar and unusual cases. As the crime rate grows in the country and the criminals are more complicated, the investigative tools of the experts are required to be more sophisticated. There are multiple factors and precursor events that are involved in a crime. These factors and events include the intent, the plan, the type of criminal, the type of victim and the crime scene. The manner in which a crime is performed expresses the psychological pattern, make-up, and expression of the individual performing it. Criminal profiling is not a new concept, but at present, it has emerged as a very effective tool in the area of crime investigation in general and specially in the case where a series of serious crimes [rape/murder/arson/violent crime] have occurred and it has not been possible to identify the perpetrator. Criminal investigative analysis, or criminal personality profiling, examines and identifies the delicate habits, psychological traits, and personality variables associated with criminal activity. These variables and traits are used to develop personality and behavioural descriptions of an offender who often commits heinous crimes, such as serial homicide, sex crimes leading to criminal homicide, arson, bombings, ritualistic crimes that include torture, child abduction, kidnapping, child molestation, and bank robbery. Criminal profiling is the process of investigating and examining criminal behaviour in order to help identify the type of person responsible. Criminal profiling has become a standard weapon for law enforcement today and has evolved into a special science of law enforcement.*

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## Introduction

**C**RIMINAL Profiling is the process of developing “profiles” or descriptions of characteristics and traits of unknown perpetrators in criminal cases. Criminal profiling is often used in cases where Law Enforcement Officers have no suspects for a crime. Criminal profiling, also known as offender profiling, criminal personality profiling, criminal investigative analysis, criminological profiling, and behavioural profiling, should not be confused with psychological profiling. Criminal profiling can be described as a forensic technique, which aims at providing the Investigating Agencies the specific information, which will help focus attention on individuals with personality traits compatible with the traits of other perpetrators of similar offences. In other words, criminal profiling is a process of identifying personality traits, behavioural tendencies and demographic variable of an offender based on the characteristics of the crime.

Criminal profiling consists of analyzing a crime scene and using the information to determine the identity of the perpetrator. While this doesn't directly give the perpetrator's name, it is very helpful in narrowing down suspects. For example, a profile based on a crime scene provides information that may include the perpetrator's personality, sex, age, ethnic background, and possible physical features, such as disfigurements or height and weight. This information can then be used to identify possible suspects, depending on who fits the profile. Personality is one of the most important parts of a criminal profile. Criminal profiling is the process of using psychological and criminal principles to create profiles of offenders. These profiles can then be used to find the person responsible for the crime. Criminal profiling has been used for over a hundred years, but it was made famous by the FBI during the 1960s and 1970s. During this time, top FBI profilers developed a step-by-step method to use profiling to apprehend criminals. This process also explains how criminal profiling works.

The crime scene provides ample clue to the personality characteristics of the criminal. Criminal profiling is a process that begins with a careful analysis of physical evidence available at the individual crime scenes. Criminal profiling is to use information gathered from the scene of crime, witnesses and victims in order to formulate a specific biographical sketch of the perpetrator of the crime. By compiling typical offender characteristics observed in similar previous crimes,

the Investigator of any crime may be more focused in one particular direction and resources may be diverted to more pinpointed direction. The deliberate analysis of physical evidence at individual crime scenes may be used in explaining the behaviour and motivations of specific offenders involved in those specific crime scenes. Criminal profile represents a form of expert opinion that is provided by one party to another party, who seeks an opinion concerning the likely perpetrator(s) of a crime or series of crimes. The process of profiling generally involves seven steps:

1. Evaluation of the criminal act itself;
2. Comprehensive evaluation of the specific of the crime scene(s);
3. Comprehensive analysis of the victim;
4. Evaluation of the Preliminary Report;
5. Evaluation of the Medical Examiner's Autopsy Report;
6. Development of profile with critical offender characteristics; and
7. Investigative suggestions predicted upon construction of the profile.

**Criminal profiling is an investigative technique that uses crime scene characteristics to generate probable descriptive information about the behaviours and the personality of an offender, narrowing the field of suspects, and aiding in apprehension efforts.**

Profiling may use a mix of Psychological, Sociological and Socio-legal theories and concepts to try and establish something of the characteristics of the offender. Criminal profiling is an investigative technique that is based on the analysis of the nature of the crime committed and the manner in which it was done.

## Types of Profiling

Three types of profiling should be carefully distinguished among others:

- **Crime Scene Profiling:** Uses information from the scene of the crime (physical and other evidence) to generate a full picture of the unknown offender. Crime scene profiling is specifically based on the techniques developed by the FBI's Behavioral Science Unit, which has evolved into the Profiling and Behavioral Assessment Unit.

- **Psychological Profiling:** The use of standard personality tests together with interviewing in order to assess the extent to which the individual fits the known personality template of a certain type of offender, such as child sex abusers. Psychological profiling involves investigating an offender's behaviour, motives and background in an attempt to further guide an investigation. Research shows that offenders that repeatedly rape or kill are driven by a heightened public fear for their actions and Media attention, which could eventually lead to their arrest. Analyzing the criminal's habits and rituals allows Investigators to trace similarities between previous crimes. When these details of their lifestyle are made public, friends, neighbours and colleagues may recognize them. Psychological profiling may be described as a method of suspect identification, which seeks to identify a person's mental, emotional and personality characteristics.
- **Offender Profiling:** The collection of empirical data in order to collate a picture of the characteristics of those involved in a certain type of crime. **Offender profiling**, also known as **criminal profiling**, is a behavioural and investigative tool that is intended to help Investigators to profile unknown criminal subjects or offenders.

Psychological profiling will tend to use the expertise of a professional Psychologist, who will draw on his knowledge of personality theory to attribute personality traits to the offender. Criminal profiling will tend to use Crime Scene Analysis as the base for drawing conclusion about the offender. While offender profiling will use a mix of all available information, be it from Crime Scene Analysis or from a Psychiatrist. Terminology is not always rigorously applied in this field and other terms are used to refer to much the same type.

### Purpose of Profiling

Profiling needs to be able to provide the Law Enforcement and Criminal Justice Systems with a psychological assessment of the offender. This assessment should contain information concerning the social and psychological attributes of the offender, and must consider such things as race, age, gender, employment type, religion, marital status and education. The profile can help reduce the scope of any police investigation by helping the police towards a successful resolution,

and by attempting to predict future attacks and possible victim types and locations.

The profile should also provide an evaluation of belongings kept by the offender. These include souvenirs kept by the offender from previous attacks, which may include items of clothing, photographs, personal belongings and on occasions, even body parts - all these acting as a reminder of the attack. By attempting to predict the offender typology, the profiler may also be able to suggest other items in the possession of the offender, such as pornography, and/or weapons and so on.

Profiling can also help the investigation by suggesting effective ways of interviewing, in relation to specific offender typologies. Not all offenders or suspected offenders will react to questioning in the same way. What is an effective way of questioning for one person may be totally inefficient for another, it is understood that not all serial killers kill for the same reason, equally they need different strategies towards interrogation. In summary:

- The main purpose of profiling is to assist the Criminal Justice System in the fight against crime.
- The criminal profiling can add to the thought process of the Investigator(s) and help in supporting or rejecting a particular hypothesis, while investigating a crime.
- The profiling can give the police a new or different direction in their attempt to catch the offender.
- The basic purpose of criminal profiling is to provide a description of the probable(s), which will help in unfolding the facts and facets of the crime by focusing investigative resources in one particular direction.
- The criminal profiling in conjunction with other investigative process can lead to the eventual identification of the offender.
- The criminal profiling can help in inferring offenders motivation from the reconstructed crime scene behaviour as all behaviours are motivated and aim at fulfilment of a need. One single behaviour may have much potential motivation. A careful analysis may point out the motivation behind a particular crime scene behaviour.

- Criminal profiling is best viewed as a resource that can be used to assist a criminal investigation when conventional methods employed have stalled or even failed to identify the perpetrator.

## Application of Profiling

Criminal profiling is used in many branches of the Criminal Justice System. It has been found to be of particular usefulness in crimes, such as serial sexual homicides. These crimes create a great deal of fear because of their apparently random and motiveless nature, and they are also given high publicity. Consequently, Law Enforcement personnel are under great public pressure to apprehend the perpetrator as quickly as possible. At the same time, these crimes may be the most difficult to solve, precisely because of their apparent randomness.

Profiling is traditionally used in serious cases of assault, sexual crimes, and murder, particularly where the police believe the offence to be part of a series. Many serial rapists or killers tend to plan their crimes well, so leaving fewer clues at the crime scene than the more opportunist offender.

Although cases involving missing or abducted children may often use a profile. Basically, the more violent the crime the more likelihood that a profile will be used. In summary, criminal profiling is most applicable in:

- (1) Sex-related assaults and homicides;
- (2) Unique homicides, such as those involving torture, mutilation, evisceration, and ritualistic violence;
- (3) Assassination;
- (4) Child molestation and abduction;
- (5) Fire setting, arson and bombing; and
- (6) Extortion.

## Method of Profiling

Criminal profiling methods seek to compile a profile of a perpetrator that may include the age, sex, ethnic and economic background, possible professions, personality traits and even physical characteristics. During an offender analysis, various aspects of the suspect's personality composition are determined from choices the individual made before, during and after the crime. This information is pooled with other relevant physical evidence and details and then compared with the

characteristics of known anomalous traits and mental abnormalities to develop a working description, or profile, of the suspect.

Profiling may be achieved through inductive or deductive reasoning. Inductive reasoning is observing a set of characteristics based on a premise of broad generalizations and statistical analysis, which leads to the development of a hypothesis. Deductive reasoning is observing a set of characteristics that may be reasoned from a convergence of physical and a behavioural actions or patterns within an event or a series of events such as a crime or series of crimes.

## Inductive

Inductive profiling involves the analysis of characteristics of other criminals (e.g., serial murders) and assumes that all serial murderers have similar characteristics. Primary users of the inductive method include the Federal Bureau of Investigation (FBI), Psychologists and Criminologists. Inductive profiling involves broad generalization or statistical reasoning. An inductive criminal profile is a set of offender characteristics that are reasoned, by correlation, experiential and statistical inference, to be shared by offenders, who commit the same type of crime. An inductive profile is best understood as an average. It is the product of statistical or comparative analysis and results in educated generalizations, hence, the use of the term "inductive". It is very much like a syndrome in its construct. The result of inductive profiling is often a boilerplate: an average profile consisting of generalization about the characteristics of a certain type of criminal that those who use inductive profiling techniques believe, can be accurately inferred to unknown offenders.

## Deductive

Deductive profiling, on the other hand, involves the construction of a criminal's characteristics based on the analysis of the forensic evidence acquired at the crime scene(s) of the offender's criminal activity. Primary users of the deductive method are those Police Officers, who actually investigate the crime scene. Deductive reasoning in criminal justice includes looking at a set of characteristics of the offender that are reasoned by the convergence of all of the physical evidence in the case as well as the behavioural evidence patterns within that case or series of related cases and crimes. A Deductive Criminal Profile is one that is deduced from the careful forensic examination and behavioural reconstruction of a single offender's crime scene(s).



After the offender's behaviours have been reconstructed, the crime scene characteristics are analyzed, and the victim characteristics are analyzed. From those combined characteristics, a profile with the characteristics of the individual, who could have committed that specific offence(s), with that specific victim(s) under the conditions present at that specific crime scene(s) is deductively inferred. It is a forensically and behaviourally contained process. The process of deductive profiling is most appropriately termed *Behaviour Evidence Analysis*, and depends on the Analyst's abilities to recognize patterns of behaviour within a single offender to deduce meaning. Offender emotions during the offence, individual patterns of offensive behaviour, and offender personality characteristics are deduced from that particular offender's crime scene behaviour and Victimology only. Assumptions of the Deductive Criminal Profiling method include:

- No offender acts without motivation.
- Every single offence should be investigated as its own unique behavioural and motivational existent.
- Different offenders exhibit the same or similar behaviours for completely different reasons.
- Given the nature of human behaviour, no two cases are really ever alike.
- Human behaviour develops uniquely, over time, in response to environmental and biological factors.
- Criminal MO behaviour can evolve over time and over the commission of multiple offences.
- A single offender is capable of multiple motives over the commission of multiple offences, or even during the commission of a single offence.

The multi-disciplinary Deductive Profiling method, though more time-consuming in the investigative end, will prove to be more effective because of its usefulness as an investigative guide, its competency at linking crimes, and because of its very high probative value in terms of thoroughly establishing signature and motivation. In short, the Deductive Profiling method encourages deliberation, competency, thoroughness, and requires a high degree of intra- and

extra-departmental cohesiveness and communication. The Inductive Profiling method encourages egocentricity, investigative short-cuts, and has been used in the past to replace a competent forensic investigation into fact.

## Different Phases of Profiling

### 1. Antecedent

- The antecedent phase is the first step in criminal profiling.
- Investigators or Criminologists normally try to read through the mind of the offender what plan did the offender have in place before the act?
- What triggered the murderer to act some days and not others?

### 2. Method and Manner

- The profilers may establish that the suspect used a knife or he used a gun.
- What type of victim(s) did the murderer select?  
What was the method and manner of murder?
  - Shooting
  - Stabbing
  - Strangulation
  - Other

This stage allows Investigators to create a link between the technical aspects of the crime and the motive behind the crime

### 3. Body Disposal

- The third phase; Body disposal, involves an analysis of how the offender got rid of the body if the crime under investigation is a murder.
- Did the crime and body disposal take place all at one scene?
- Multiple scenes?

### 4. Post-offensive Behaviour

- The post-offence phase involves analyzing the criminal's behaviour after committing the crime.

- Is the murderer trying to inject himself into the investigation?

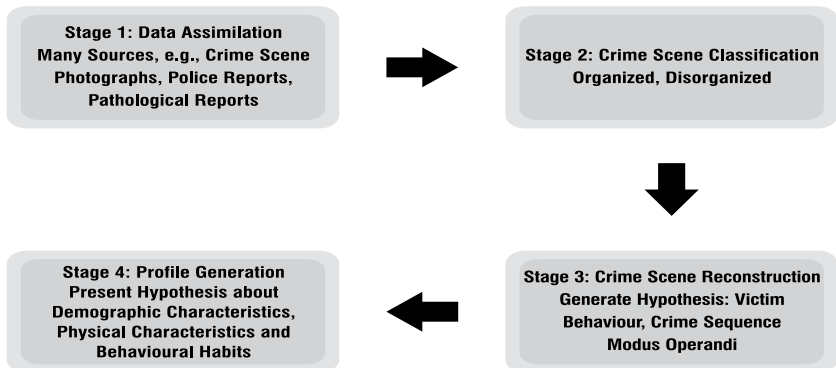
By:

- Reacting to Media reports.
- Contacting Investigators.
- Contact the police directly through mail or through phone calls.

Criminologists assert that these four phases lead to two categories of criminals, i.e. the organized and the disorganized criminals.

### Different Approaches of Profiling

Criminal profiling is not one specific type of technique. Two major types of criminal profiling, Crime Scene Analysis (CSA) and Investigative Psychology (IP), have developed rather independently albeit employing somewhat similar procedures. Crime Scene Analysis, made popular by the Behavioral Science Unit of the FBI in their efforts to solve particularly violent crimes, such as serial murders, rapes, and child molesting cases in the 1970s is what most people probably think of when they hear of criminal profiling. Law Enforcement Agencies that desired a criminal personality profile from the FBI had to meet certain criteria for a case to be analyzed. The case had to involve a crime of violence, the offender had to be unknown, and all major investigatory leads had to be exhausted. There are several stages in a Federal Bureau of Investigation profile.



### Stage 1: Data Assimilation Stage:

The earliest stage of FBI Profiling involves the collection of a variety of information. A crime usually has a variety of associated documentary materials: for example, the Pathologist's report about the medical circumstances that led to death, photographs taken at the crime scene, witness statements and police reports and so forth. This information may not appear at first sight. There is always the potential for unpromising materials to be crucial in terms of the ultimate profile.

### Stage 2: Crime Scene Classification:

Profilers developed a dichotomy to describe two characteristic crime scenes - the *organized* and the *disorganized* crime scenes.

- **Organized: Evidence of planning**
- **Disorganized: Chaotic**
  - **Organized Crime Scene:**
    - Body is hidden.
    - Weapon is removed from scene.
    - Appears to be well-planned.
    - The victim is specifically targeted.
    - Restraints often used.
    - Aggression takes place before death.
  - **Disorganized Crime Scene:**
    - Body not hidden.
    - Weapon is present.
    - Appears to be spontaneous.
    - Victim may be an acquaintance.
    - Aggression or sex post-mortem.

The two types of Crime Scenes reveal different aspects of the psychology of the offender.

- **Organized Crime Scene suggests an Offender:**
  - Average or above average IQ.

- ❑ Employed, usually quite skilled.
- ❑ Socially competent.
- ❑ Uses alcohol in commission of crime.
- ❑ Uses car to drive to crime scene/hunt for victim.
- ❑ Obsessed with Media coverage of his crimes.
- ***Disorganized Crime Scene suggests an Offender:***
  - ❑ Below average IQ.
  - ❑ Unstable employment record, unskilled.
  - ❑ Socially isolated.
  - ❑ Lives close to crime scene.
  - ❑ Strict discipline as a child.
  - ❑ Extremely anxious.

### **Stage 3: Crime Scene Reconstruction:**

The crime scene is not a simple fixed event. It is the result of a complex set of circumstances. Consequently, there are aspects of the crime scene that cannot be understood unless attempts are made to understand the events as a dynamic process, involving a minimum of two people—offender and victim. There may be witness, actual or potential, to consider. The information collected in Stage 1 is essential to the reconstruction. Inference and deduction are involved. The purpose of the reconstruction may be to clarify the offender's modus operandi. Knowing this may help tie the crime to other crimes.

### **Stage 4: Profile Generation:**

Hypotheses about the profile of the offender are drawn together. These hypotheses are not necessarily psychologically in nature and may include aspects, such as demographic features [social class, type of work, employment/unemployment], lifestyle [such as living alone, being in a relationship], behavioural habits and personality dynamics. In FBI offender profiling, there are a number of possible functions of the profile. Offender profiling can be used to help answer questions of links between crimes and the possible number of offenders. Being able to link crimes and offenders in this way, may lead to information and resources being pooled by teams investigating different crimes.

## Some Examples of Serial Killers in India

- Haryana's Satish, was allegedly a serial killer. He was arrested in 1998 from Bahadurgarh, on the Haryana-Delhi border, for abducting, raping, and strangling to death about 12 girls aged 5-10 years between 1995 and 1998, according to Police Reports.
- Mangalore: Eighteen young women aged 22 years were the victims of teacher turned serial killer, Mohan Kumar. His area of operation spanned the bus stations. His modus operandi was to prey on young unmarried women luring them with a promise to marry them, have sex with them, and kill them by making them take cyanide.
- 57-year-old Sadashiv Sahu, a local cloth merchant, who has confessed to killing 22 men living in this town in the State of Uttar Pradesh over the past four years.
- Noida businessman and his cook - Moninder Singh Pandher and Satish - who were arrested under kidnapping, murder, destruction of evidence, criminal conspiracy and rape charges.

## Current Methods of Crime Scene Analysis

### ● Profiling Inputs

The profiling inputs stage begins the criminal-profile-generating process. Comprehensive case materials are essential for accurate profiling. This is basically a collection of all evidence, including anything found on the scene (i.e. fibres, paint chips, etc.) and anything derived from the crime scene (for example, photographs, Investigator notes, measurements, etc.). In homicide cases, the required information includes a complete synopsis of the crime and a description of the crime scene, encompassing factors indigenous to that area to the time of the incident, such as weather conditions and the political and social environment.

Complete background information on the victim is also vital in homicide profiles. The data should cover domestic setting, employment, reputation, habits, fears, physical condition, personality, criminal history, family relationships, hobbies, and social conduct.

Forensic information pertaining to the crime is also critical to the profiling process, including an Autopsy Report with Toxicology/Serology results, autopsy photographs, and photographs of the cleansed wounds. The report should also contain the Medical Examiner's findings and impressions regarding estimated time and cause of death, type of weapon, and suspected sequence of delivery of wounds. Crime scene sketches showing distances, directions, and scale, as well as maps of the area are also required. The profiler studies all this background and evidence information, as well as all initial Police Reports.

- **Decision Process Models**

The decision process starts with the organizing and arranging of the inputs into meaningful patterns. Seven key decision points, or models, differentiate and organize the information from Stage 1 and form an underlying decisional structure for profiling.

In this second step, evidence is arranged to locate any types of patterns, such as whether or not the crime is part of a series of crimes, what the victims have in common, etc.

- **Crime Assessment**

The Crime Assessment Stage in generating a criminal profile involves the reconstruction of the sequence of events and the behaviour of both the offender and victim. Based on the various decisions of the previous stage, this reconstruction of how things happened, how people behaved, and how they planned and organized the encounter provides information about specific characteristics to be generated for the criminal profile. Assessments are made about the classification of the crime, its organized/disorganized aspects, the offender's selection of a victim, strategies used to control the victim, the sequence of crime, the staging (or not) of the crime, the offender's motivation for the crime, and crime scene dynamics. The evidence has been organized, the crime scene is reconstructed. Investigators use patterns to determine what happened in what order, and what role each victim, weapon, etc. had in the crime.

- **Criminal Profile**

The fourth stage in generating a criminal profile deals with the type of person, who committed the crime and that individual's

behavioural organization with relation to the crime. Once this description is generated, the strategy of investigation can be formulated, as this strategy requires a basic understanding of how an individual will respond to a variety of investigative efforts. Included in the criminal profile are background information (demographics), physical characteristics, habits, beliefs and values, pre-offensive behaviour leading to the crime, and post-offensive behaviour. It may also include investigative recommendations for interrogating or interviewing, identifying, and apprehending the offender. The combined first three steps are used to create a criminal profile incorporating the motives, physical qualities, and personality of the perpetrator. The Investigators use this information to decide on the best way to interview the suspects based on their personality.

- **The Investigation**

Once the congruence of the criminal profile is determined, a written report is provided to the requesting agency and added to its ongoing investigative efforts. The investigative recommendations generated in Stage 4 are applied, and suspects matching the profile are evaluated. The profile is given to Investigators on the case and to organizations that may have data leading to the identification of a suspect. The profile may be reassessed if no leads are found or if new information is learned.

- **The Apprehension**

This stage only occurs in about 50% of cases. When a suspect is identified, he/she is interviewed, investigated, compared to the profile, etc. If the Investigators have reason to believe that the suspect is the perpetrator, a warrant is obtained for the arrest of the individual. When an apprehended suspect admits guilt, it is important to conduct a detailed interview to check the total profiling process for validity.

## **Guidelines for Investigating Officers**

To begin profiling, a criminal profiler needs to examine all of the evidence from the crime scene, including pictures, sketches, witness testimony, autopsy results and any other relevant information. The only thing that profilers do not want to know about is possible



suspects to prevent any influence on the profiling process. Profile of a criminal is generally developed on the basis of the clues left at the crime scene, victim's description of the criminal and his behaviour and witness account of the crime scene perpetrator. The crime scene behaviour is a reflection of the whole personality of the perpetrator and reveals the psychodynamics process, producing a particular overt crime scene behaviour.

### **The followings items are necessary to create a profile:**

1. Complete crime scene photographs.
2. Neighbourhood racial, ethnic and social data.
3. Complete Medical Examiner's Autopsy Protocol.
4. Map of the victim's travels prior to death/attack/kidnapping.
5. Complete investigation of the incident.
6. Complete background of the victim.

When a profiler summarizes a profile, there are several steps involved:

- ◆ An evaluation of the criminal act.
- ◆ An evaluation of the crime scene.
- ◆ An analysis of the victim.
- ◆ An examination of Police Reports.
- ◆ An evaluation of the Autopsy Reports.
- ◆ Development of a profile with UNSUB's (unknown subject) traits.

## **Conclusion**

Criminal Profiling is a crime-fighting tool that employs behavioural and psychical trait to profile suspects. Some investigations have led to identification of suspects. However, there are times when this may not succeed. The field has solicited a lot of controversy due to the tactics utilized. **Criminal Profiling** is the task of inferring demographic and personality details of an offender from his or her crime scene actions - is a well-practiced and reliable investigative technique. Criminal Profiling is a multi-disciplinary forensic practice. It requires

applied knowledge in criminalities, medico-legal death investigation and Psychology. It can be a supplement to, or a method of, criminal investigation. Criminal Profiling is an integral part of solving a crime and bringing the perpetrator to justice. The Police Department uses the profile to narrow down the amount of possible suspects in order to find the perpetrator. There are several rules that should be followed relating to Criminal Profiling in order to ensure a positive outcome:

- Evaluate the crime.
- Study the crime scene.
- Gather information.
- Assemble the information.
- Create the written report.

It has also been observed that a criminal profiler does not stick to any one method, but uses many methods, depending upon the requirement of the situation, the type of crime, the Crime Scene Analysis, etc. Each expert uses a method to provide best interpretation to the whole profile and way for investigation leading to apprehending the criminal. On the whole, Criminal Profiling has become a standard weapon for law enforcement today and has evolved into a special science inside of law enforcement. ■

## REFERENCES

1. Alison, L.J., Bennell, C., Mokros, A. & Ormerod, D. (2002). "The Personality Paradox in Offender Profiling: A Theoretical Review of the Processes involved in deriving Background Characteristics from Crime Scene Actions", *Psychology, Public Policy and Law*, **8**, pp. 115-135.
2. Annon, J.S. (1995). "Investigative Profiling: A Behavioral Analysis of the Crime Scene", *American Journal of Forensic Psychology*, **13** (4), pp. 67-75.
3. Ault, R.L. Jr. & Reese, J.T. (1980). "A Psychological Assessment of Crime Profiling", *FBI Law Enforcement Bulletin*, **49**, pp. 22-25.
4. Canter, D.V., Alison, L.J., Alison, E. & Wentink, N. (2004). "The Organized/Disorganized Typology of Serial Murder: Myth or Model?" *Psychology, Public Policy and Law*, **10**, pp. 293-320.
5. Cook, P.E. & Hinman, D.L. (1999). "Criminal Profiling: Science and Art", *Journal of Contemporary Criminal Justice*, **15** (3), pp. 230-241.

6. Douglas, J.E. & Burgess, A.E. (1986). "Criminal Profiling: A Viable Investigative Tool against Violent Crime", FBI Law Enforcement Bulletin, **55** (12), pp. 9-13.
7. Federal Bureau of Investigation (1985b, August). "Crime Scene and Profile Characteristics of Organized and Disorganized Murders", FBI Law Enforcement Bulletin, pp. 18-25.
8. Geberth, V.J. (1981, September). "Psychological Profiling", Law and Order, pp. 46-49.
9. Richard N. Kocsis (2006). "Criminal Profiling: Principles and Practice", Humana Press.
10. Turvey, Brent E. (1999). "Criminal Profiling : An Introduction to Behavioral Evidence Analysis".
11. Vimla Veeraraghavan (2009). "Handbook of Forensic Psychology", published by Selective & Scientific Books.
12. Wilson, P., Lincoln, R. & Kocsis, R. (1997). "Validity, Utility and Ethics of Profiling for Serial Violent and Sexual Offenders", J. Psychiatry, Psychology and Law, **4**, pp. 1-12.



# Effects of Emotional Competency on the Occupational Stress Level amongst the Police Personnel in India

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## Keywords

Occupational Stress, Emotional Competency, Stress Management

## Abstract

*Occupational stress is an increasingly prevalent and damaging aspect of modern working life. The present study was undertaken to find out the relation between emotional competency and organizational stress. The study included 20 Police personnel from rank of Constable to Sub-Inspector (SI) with the age between 30 to 40 years. They were assessed through Occupational Stress Index by Srivastava and Singh and the Emotional Competency (EC) Scale by Sharma and Bhardwaj. The group survey method of research following Pearson's Product Moment Correlation Method and the intercorrelation matrix indicated that certain dimensions of occupational stress and emotional competence have significant relationships with each other. People having low emotional competency are more prone to stress as compared to the persons having high emotional competency. It was also found out that Indian Police personnel have average emotional competency. Personnel having high job profiles (Inspectors and Sub-Inspectors) are more stress-prone as compared to the personnel having low job profiles (Constables).*

## Introduction

**W**ITH advance strategies, workplace stress management programmes have now become an integral part of various organizations to improve the work effectiveness. But still,

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there are some organizations, especially the Government Organizations, where such types of concepts are missing. In the workplace, how a person is facing day-to-day stress is an important question of applied research. To avoid psychological pressure in workplace, some people resort to drugs, alcohol, etc. In other cases, workplace stress are manifested through irritation, antisocial behaviour, conduct problems, crimes and even suicides. According to the DHSSPS (2003) Ireland, there is evidence to suggest that people, who are socially or economically disadvantaged, may be somewhat reluctant to report mental health complaints to health care workers. In this context, Mahakud (2004) viewed that stress may result due to indecisive situation or failure to cope with the situation. In their study, Lazarus and Susan Folkman (1984, p.19) viewed that stress is the “particular relationship between the person and his environment, that is appraised by the person as taxing or exceeding his or her resources and endangering his or her well-being”.

The sources of stress vary from person to person. Some stress is of high frequency in nature, whereas some are of low frequency. Some high frequency stresses like hassles in daily life are less severe than the low frequency stress like sudden workload in workplace, support in social life (DeLongis, Folkman & Lazarus, 1988, Kenner *et al.*, 1981 and Lazarus *et al.*, 1985).

Most of the occupational stressors are cognitive in function. Therefore, the research finding of Halahan *et al.*, 2004 suggest that “coping strategies mostly depend on the cognitive and behavioural components of the person to manage his/her stressful condition or associated emotional distress”. There are various types of coping strategies involving cognitive behavioural components as discussed by Mahakud (2004) to cope with various situations of stresses in day-to-day life.

Emotion plays a vital role in the manifestation of the individual's behaviour. Whether it is pleasant or unpleasant, it always sustains activity, which either maintains or enhances the organism. In the workplace setting, factors, such as intellectual, emotional and physical competencies play vital role to acquire skill, knowledge and after all to survive in the competitive work environment and for occupational growth also (Goleman, 1970; Maslow, 1970). Goleman (1996, 1998) affirmed that Emotional Competency (EC) is the factor, which influences the person to respond in a desired way. Emotional competency has two abilities, one is empathy and the other is social skills, where empathy involves to read the feeling of others, and social

skills allow to handle those feelings artfully. Number of studies have been conducted on the field of emotional intelligence, emotional competency and occupational stress. There are few studies relating to either occupational stress or emotional competency amongst Police personnel (Bhasker, 1986 and Geetha *et al.*, 1998), but very few studies have focused on the relationship between occupational stress and emotional competency (Orme *et al.*, 2002), especially of the Police personnel. Therefore, the present study was planned out and the rationale was to find whether there exists any relationship between emotional competency and occupational stress of Indian Police personnel. If the relationship between them is found to be significant, then it can be said that by fostering emotional competency, we can reduce organizational stress level of the employee.

**Objective:** This study was based on three objectives, such as:

- (a) To find out the emotional competency level of the Police personnel;
- (b) To find out the occupational stress of the Police personnel in their day-to-day life; and
- (c) The third objective of the study was to find out the relationship between the emotional competency level and the occupational stress among these personnel.

**Hypothesis:** A null hypothesis is formed to study the relation between the emotional competency and the occupational stress.

**Sample:** 20 Police personnel from the Assistant Sub-Inspector (ASI) and Sub-Inspector (SI) rank participated in this study. The age-groups of these personnel were between 30-40 years.

**Materials:** The study included Occupational Stress Index by Srivastava and Singh and the Emotional Competency (EC)-Scale by Sharma and Bhardwaj.

**Settings:** The study was conducted in a calm and peaceful environment with proper lighting. All the participants were instructed to relax properly before the study and they were assured that all the data would be kept confidential.

## Procedure

At the initial session of the study, the informed consent of the Police personnel were taken by assuring them that the data would be kept confidential. Then, the Researcher provided them with two

questionnaires, one related to Emotional Competency and other related to Occupational Stress to read them properly. Then, the Researcher asked them whether they had any problem in giving any information for the items asked in the questionnaires or if any of the items of the questionnaires disclosed their secrecy, it would be taken out from the questionnaire. Then, the Occupational Stress Index was given to all the personnel and was instructed that “against every statement, there are five alternative answers, tick any of the alternative answers, which you feel correct. You have to attempt all the statements”.

For the EC-Scale, the participants were instructed that “there are some incomplete statements in this questionnaire. Every incomplete statement can be completed with the five alternatives mentioned against each incomplete item. There is no time-limit for both the questionnaires, but try your best to complete as fast as you can”. The present study followed group survey method of research. The results of the study were analyzed by using the Pearson’s Product Moment Correlation Method of technique.

## Results

### Personnel profile on the variables of Occupational Stress (OS) & Emotional Competency (EC)-Scale

Table 1: OS Scores

Sl. No.	Sub-scales	Scores
1.	Role Overload	30
2.	Role Ambiguity	18
3.	Role Conflict	19
4.	Unreasonable Group	19
5.	Political Pressures	13
6.	Under-Participation	11
7.	Powerlessness	7
8.	Poor Peer Relations	17
9.	Intrinsic Impoverishment	17
10.	Low Status	13
11.	Strenuous Working Conditions	17
12.	Unprofitability	9
	<b>Total</b>	<b>190</b>

Table 2: EC-Scales

Sl. No.	Sub-scales	Raw Scores	Z-Scores
1.	Adequate Depth Feelings	11	39
2.	Adequate Expression and Control of Emotions	22	58
3.	Ability to function with Emotions	13	39
4.	Ability to cope with Problem Emotions	24	62
5.	Encouragement of Positive Emotions	16	44

## Results and Discussion

For the study of relationship between the various dimensions of emotional competence and occupational stress, the data were analyzed by using Pearson's Product Moment Correlation Method and all the intercorrelations were analyzed by intercorrelation matrix, which is mentioned in *Table 3*.

The overview of intercorrelation matrix reveals that the variable of overload shares a significant relationship with the variable of unreasonable group ( $r = 0.61$ ). The variable of adequate expression and control of emotions (AEC) shows significant positive relationship ( $r = 0.54$ ) with the variable of role overload. A very high positive correlation ( $r = 0.73$ ) between role ambiguity and role conflict reveals that there is a direct and significant relationship between the two variables. Higher the role of ambiguity, more are the chances of employees getting into role of conflicts. There is a significant correlation ( $r = 0.50$ ) between the variable of role ambiguity and political pressures. There is positive relationship ( $r = 0.51$ ) between the ambiguity and political pressure persons. Further, the variable of role ambiguity has significant relationship ( $r = 0.54$ ) with the variable of powerlessness.

Variable of role ambiguity reveals negative correlation with the variable of ADF ( $r = -0.39$ ) and ( $r = -0.41$ ) with the variable of ability to function with emotions (AFE). These results indicate that there is significant relationship between the emotional competence and perception of role ambiguity. The variable of role conflict is negatively correlated ( $r = 0.55$ ) with the variable of under participation. Further, the negative correlation ( $r = -0.42$ ) between the variable of role conflict and ability



to function with emotions suggests that more a person perceiving a state of role conflict, there are more chances of emotional imbalance.

The variable of unreasonable group shows significant positive correlation ( $r = 0.49$ ) with the variable of powerlessness. Further, the variable of unreasonable group is associated with the variable of ability to cope with problem emotions in a positive manner ( $r = 0.71$ ) and it is also revealing a significant positive correlation ( $r = 0.56$ ) with the variable of encouragement of positive emotion (EPE). There is significant relationship ( $r = 0.57$ ) between the variable of unprofitability with under-participation. The above-mentioned findings indicate that more a person under-participates, lesser he/she perceives job profitability. The positive correlation ( $0.60$ ) between the measures of political pressures and under-participation shows that if a person scores high on under participation, there are more chances of scoring high on political pressures. The ( $r = 0.44$ ) correlation between political pressures and the variable strenuous working condition reveals that working conditions have threshold importance as a determinant of occupational stress. Further, working conditions are also associated with the variable of powerlessness ( $r = 0.40$ ). Strenuous working conditions also hamper the individuals' ability to cope with emotional problems. The positive correlation ( $r = 0.49$ ) between the measures of strenuous working conditions and ability to cope with problem emotions and a correlation ( $r = 0.46$ ) between intrinsic impoverishment and the variable of unprofitability show that strenuous working conditions and intrinsic impoverishment are the contributing factors for occupational stress. A high positive correlation ( $r = -0.63$ ) between the measure of intrinsic impoverishment and adequate depth of feeling (ADF) reveals that emotional competence is significantly associated with variable occupational stress. Further, the variable of intrinsic impoverishment shows negative correlation ( $r = -0.32$ ) with the variable of ability to function with emotions (AFE).

Further, the measure of low status reveals positive significant correlation ( $r = 0.56$ ) with variable of unprofitability that can be explained in terms of perception of job status, which is associated with the variable of profitability. Strenuous working conditions are also associated with the perception of unprofitability ( $r = 0.38$ ). Further, strenuous working conditions also provide the opportunities to develop the ability to cope with problem emotions. The variable of adequate depth

of feelings (ADF) shows a very high significant positive correlation ( $r = 0.74$ ) with the variable of ability to function with emotions (AFE). The variable of adequate expression and control of emotions (AEC) is not having any significant relationship with other variables of emotional competency (EC). This reveals the independent structure of this variable. The variable of ability to function with emotions (AFE) is positively associated with the variable of encouragement of positive emotions (EPE). The analysis of above intercorrelations explained that some dimensions of occupational stress and emotional competency are significantly associated with each other. Therefore, here the null hypotheses regarding the emotional competence and occupational stress are rejected on the basis that certain dimensions of occupational stress and emotional competence have significant relationships with each other. Some significant relationship among the measures of occupational stress are justified in the context that all dimensions measure the level of occupational stress. The above-mentioned results explain the rationale of the problem regarding the relationship between emotional competence and occupational stress.

## Limitations

The first specific limitation of the study is the small sample size, which has limited the generalization effect of the study. Still some specific correlations are observed and the more important are the directions of the intercorrelations. Thus, to further study the relationship between emotional competency and occupational stress in a more appropriate way, a large sample is required. The specific implications of this study are that emotional competency of a personnel is a threshold variable for consideration at work settings. Secondly, for the growth of individual and organization, it is essential to study and manage the occupational stress. So, it can be said that interventions for the participants in the area of stress management and development of emotional intelligence would have made the study more effective.

## Conclusion

The way in which Emotional Intelligence Competency improves employee's well-being, is being now-a-days clearly evidenced by research. Even though, this evidence is not enough yet to make strong affirmations, because the term 'Emotional Intelligence' has been only

15 years being significant since Goleman wrote his famous book in 1996. Emotional Intelligence Competencies enhance the understanding of oneself and that of others. Subsequently, managing our emotions and those of others, we can build paths to go forward. The results of the study also indicated that subjects having very high stress levels in the spheres of role overload, role ambiguity, unreasonable group, political pressures, poor peer relations, intrinsic impoverishment, low status, strenuous working conditions and unprofitability are vulnerable to stress, especially in the area of the role conflict. Persons having low emotional competency are more prone to stress as compared to the persons having average or/and high emotional competency. It was also found that Indian Police personnel have average emotional competency. Personnel having high-profile jobs (Inspectors and Sub-Inspectors) are more stress-prone as compared to the personnel having low-profile jobs (Constables).

So, by fostering emotional competency, we can reduce the stress level. Since emotional intelligence is the emotional awareness and emotional management skills, which provide the ability to balance emotions and reasons so as to maximize long-term happiness. Once this EQ is fostered amongst the workers, it can help in dealing with the stress in the most optimal way. This can enhance the psychological well-being and the health of the workers in future. To make companies more emotionally intelligent and competent, the interventions need to be holistic and tailored solution, gaining the buy-in from the employees as a first step. ■

		Measures of Occupational Stress														Measures of Emotional Competence					
		RO	RA	RC	UG	UP	PPP	PL	PPR	II	LS	SWC	UJPF	ADF	AEC	AFE	ACPE	EPE			
Measures of Occupational Stress	RO	1.000	0.400	0.433	.608*	-0.301	0.050	0.091	0.046	0.024	0.005	0.004	0.166	0.148	.539*	0.040	0.149	0.026			
	RA		1.000	.734***	0.333	-0.506	.538*	0.107	0.311	0.206	0.274	-0.104	-0.394	-0.194	-0.410	0.089	-0.209				
	RC			1.000	0.257	-0.550*	0.262	0.301	0.140	0.134	0.031	0.030	-0.388	-0.208	0.036	-0.424	-0.016	-0.244			
	UG				1.000	-0.039	-0.412	.498*	0.125	0.224	0.236	0.455	0.275	0.195	0.418	0.212	.710**	.563*			
	UP					1.000	-0.155	-0.164	0.089	0.288	0.214	0.375	.568*	0.057	0.407	0.115	0.319	0.093			
	PPP						1.000	.595	-.278	0.233	0.215	0.445	-0.132	-0.213	-0.400	-0.195	0.133	0.081			
	PL							1.000	-0.065	0.083	0.236	0.404	0.034	-0.315	.146	-0.353	0.408	0.191			
	PPR								1.000	0.130	0.484	0.169	0.413	0.149	0.212	0.093	0.211	-0.125			
	II									1.000	0.334	0.472	0.456	-0.626**	-0.133	-0.317	0.103	-0.077			
	LS										1.000	0.108	.564*	-0.132	0.193	-0.263	0.117	-0.207			
SWC											1.000	0.383	-0.315	0.063	-0.090	0.494	-0.073				
UJPF												1.000	-0.257	0.338	-0.057	0.311	-0.021				
ADF													1.000	0.474	.738**	0.201	0.466				
AEC														1.000	0.253	0.271	0.173				
AFE															1.000	0.410	.511*				
ACPE																1.000	0.455				
EPE																	1.000				

**Note:** RO - Role Overload; RA - Role Ambiguity; RC - Role Conflict; UG - Unreasonable Group; UP - Under-Participation; PPP - Political Pressure Persons; PL - Powerlessness; PPR - Poor Peer Relations; II - Intrinsic Impoverishment; LS - Low Status; SWC - Strenuous Working Condition; UJPF - Unprofitability; ADF - Adequate Depth of Feeling; AEC - Adequate Expression and Control of Emotions; AFE - Ability to Function with Emotions; ACPE - Ability to cope with Problem Emotions and EPE - Encouragement of Positive Emotions.

## REFERENCES

1. Bhaskar, S. (1986). "Investigation into Relation between Job Stress and Personality Factors among Police", Ph.D. Thesis, University of Delhi, Delhi.
2. Cooper, C.L., Philip, J.D. & O'Driscoll, M.P. (2001). "Organisational Stress", 1st Ed., Sage Publications, Thousand Oaks, London.
3. Cushway, B. & Lodge, D. (2001). "Organisational Behaviour & Design", 1st Ed., Kogan Page India Pvt. Ltd., New Delhi.
4. Delongis, A., Folkman, S. & Lazarus, R.S. (1988). "The Impact of Daily Stress on Health and Mood: Psychological and Social Resources as Mediators", *Journal of Personality and Social Psychology*, **54**, pp. 486-495.
5. Department of Health and Social Security Policies Schemes DHSSPS (2003:20), "Promoting Mental Health Strategy and Action Plan, 2003-2008".
6. Edwards, D.C. (1999). "Motivation & Emotion", 1st Ed., Sage Publications, Thousand Oaks, London.
7. Goleman, D. (1996). "Emotional Intelligence ", Bantam Books, New York.
8. Geetha, P.R., Subba Krishna, D.K. & Channabasavanna, S.M. (1998). "Subjective Well-being among Police Personnel", *Indian Journal Psychiatry*, **40** (2), pp. 172-179.
9. Halahan, C.J., Roger, J.D. & Moos, R.H. (2004). "Stress, Encyclopedia of Applied Psychology", 1st Ed., edited by Charles, D. Spielberger, Vol. 3, pp. 485-495.
10. Hellriegel, D., Slocum, J.W. & Woodman, R.W. (2001). "Organisational Behaviour", 9th Ed., South Western College Publishing Thomson Learning, Ohio.
11. Kenner, A.D., Coyne, J.C., Scafer, C. & Lazarus, R.S. (1981). "Camparison of Two Modes of Stress Measurement: Daily Hassles and Uplifts versus Major Life Events", *Journal of Behavioral Medicine*, **4**, pp. 1-39.
12. Lazarus, R.S., Opton, E.M., Nomikos, M.S. & Rankin, N.O. (1985). "The Principle of Short-circuiting of Threat: Further Evidence", *Journal of Personality*, **33**, pp. 622-635.
13. Luthans, F. (1998). "Organisational Behaviour", 7th Ed., Tata McGrawHill, London.

14. Mahakud, G.C. (2004). "Stress Management: Some Simple Techniques", *Journal of Research and Application in Clinical Psychology*, VII (I&II), pp. 55-60.
15. Robbins, S.D. (2001). "Organisational Behaviour", 9th Ed., Prentice Hall of India Pvt. Ltd., New Delhi.
16. Seaward, B.L. (1999). "Managing Stress", 1st Ed., Jones & Bartlett Publishers, Sudbury, Massachusetts.
17. Sharma, H.C. & Bhardwaj, B.L. (1995). "Manual for the Scale of Emotional Competency", Agra: Mapan.
18. Singh, D. (1999). "Emotional Intelligence at Work", 1st Ed., Sage Publications, Thousand Oaks, London.
19. Srivastava, K.K. & Singh, A.P. (1981). "Construction and Standardization of an Occupational Stress Index: A Pilot Study", *Indian Journal of Clinical Psychology*, **8**, pp. 133-136.



# Public Views of Police and their Performance: A Study to understand Police Image in Tirunelveli City

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## Keywords

Police Image, Executing Duties, Role of Police, Criminal, Criminal Relationship, Public Relationship, Political Relationship

## Abstract

*The Indian Criminal Justice is rated as one of the best in the world. The security (internal), crime detection and prevention, enforcement of law and order are maintained by police; it should be effective as well as prompt and shall maintain good relationship with public for effective policing. The effective policing should carry good police image in democracy, it means effective policing and police image should match. Police are entrusted with maintenance of law and order at State level. Tamil Nadu Police is one among the best police in India and renowned for investigation worldwide. For smooth functions of the police, it is necessary to check, recheck and understand the police image and public views continuously. When it comes to the image of police, it is a million dollar question in a Democratic State. In general, the image of the police depends upon the duties executed by the official versus attitude and positive reception of the public. To understand and estimate the image of police, it is better to understand the police-public relationship. This paper is an empirical attempt to understand police image, police-public relationship and suggest measures to improve the image of police in the city of Tirunelveli.*

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## Introduction

INDIA is gifted with all natural resources and culturally bonded with its tradition, one of the peaceful countries in the world, also the fastest growing economy. The criminal justice of the country has long tradition. The current system is colonial, but amended and shaped to the needs of the society. Though, the system is charming, police are the protectors, detectors and custodians in maintenance of law and order. The word “police” is derived from the Greek word “polis” meaning State. Apparently, the police were so called because of their being the external manifestation of power of State. The role and functions of police of a country are determined by the nature of State. In the words of Smt. Indira Gandhi: “The police are guardians of the poor and their success depends on their ability to win the confidence, respect and cooperation of the public.” They are not a force, but a service to the public. Police in India are large units by virtue in every State and also, centrally established than any other public servant in India mostly in pyramid structure. Furthermore, they interact with large number of citizens on a daily basis.

## Principles of Policing

The present police system is developed on the basis of the Police Act of 1861 of the Colonial Government and continued then onwards until date. The police have a vital role in ensuring the democracy in a country for which they must win the public confidence. In the words of Ayyanarappan (1992), the principles of police in a free, permissive and participatory democracy may be summarized as follows:

- To contribute towards liberty, equality and fraternity in human affairs.
- To help and reconcile freedom with security and to uphold the Rule of Law.
- To uphold and protect human rights.
- To contribute towards the creating of awareness in the community.
- To strengthen the security of persons and property.
- To investigate, detect and activate the prosecution of offenders.



- To facilitate movements on highways and curb public disorder.
- To deal with major as well as minor crimes to help those who are in distress.

## The Police Image - A Glimpse

The police are the only organization in society that will answer any call for help - anywhere at any time. The answer about police image is given by a celebrated Police Officer: If you want to know, what is the real image of the police? Ask an experienced Police Officer, and he will tell you that in the case of police, it is not one image; it is a film of images. It is like a photomontage effect. "One success, there is a bright picture; One failure, there will be a dark one." But, at micro-level, it means many things to many people and it depends on one's visualization or thinking capacity. It is a familiar scene to shut the mouth of a weeping baby or control mischievous young children by either declaring the arrival of ghosts and if that gimmick fails, to call the police for putting the weeping child on a hold! Children still continue to play 'cops and robbers' theme and they get thrilled with the climax depicting robbers as heroes and cops as villains. Cinemagoers laugh at the late arrival of the police after the hero had assassinated the notorious law-breaker villain in movies.

It may be stated that the police image is not a fixed and tangible object that can be erected as a visible monument to police service. Instead, it is the image that each member or the public visualizes real or imagined as being the police, Because of this, the police image is many things to many people and it is a changing image that can be buffered by a hostile press, tarnished by dishonest members, dulled by inefficiency and enhanced by professional members of integrity. Amarnath (2008) writes 3 decades ago Pandit Jawaharlal Nehru said, "The special feature of the police work is that it has a relation with the public." Police work can be discharged well only when public cooperation is available or when there is good relationship between the police and the public.

## Some Reviews

The literature related to the present study was reviewed and are given in ascending order to contemplate study. Paramaguru (1973) felt that in a democratic set-up, the maintenance of smooth police-public relations is a vital necessity. A better rapport between the

police and the public becomes essential in a democracy, where all functions of the Government are guided by the wishes of the people. To Mohan (1973), police image is that of an old enemy rather than a new friend. Srivastava (1975) observed that the image of police very much depends upon how well they redress these grievances of the common man of course with the help and assistance of the people and their voluntary organizations. While submitting the report of the First National Police Commission (1979) to the then Home Minister Dharma (1979), Chairman of the Commission, has observed: From what we have seen and heard already, we felt very much distressed and deeply concerned about the **increasing intensity of public complaints of oppressive behaviours and excesses by police**. In the perception of the people, the egregious features of police are politically-oriented partisan performance of duties, brutality, corruption and inefficiency, degrees of which vary from place to place and person to person.

Iqbal (1981) reported that spontaneous police-community relations have a critical bearing on law and order and hardly be gainsaid. Nevertheless, in recent times, police-community relations have been reported to be far from being satisfactory. Diaz (1984) observed that educated young people perceive serious crime seriously, but the perceptions differ primarily according to the nature of the crime and secondarily according to the sex. Under these circumstances, it is essential that the police should sharpen their perception and shape their attitudes in such away, that they are in a position to improve their performance level to a mark acceptable by the public. The maintenance of law and order and combating crime are indeed the responsibility of entire society. Nonetheless, the major share of the responsibility has to be and is shouldered by the police; and in this the police heavily depend upon the cooperation of the public (Khan and Krishna, 1985). At the same time, the nature and extent of the public cooperation with the police hinges upon the image of the police. It is hardly necessary to state that the police image in public is in turn, determined by the attitude of the public towards the police. Saha (1990) opined that the Police Organization needs to be reorganized in the context of development. A positive police image among the public will ensure the effective policing. Ghosh and Rustamji (1994) argued that ideally, students should have nothing to do with the police and vice versa. This is, however, not the case at present. Student-police confrontations often take place sometimes

with disastrous consequences. It is the duty of the police to maintain law and order and if students are involved in extreme discipline or worse, then the police have to intervene. The major weakness of the police is: The police are not fair and impartial, while dealing with the public in its attitudes, behaviour mindset and investigation of crimes (Joginder, 2002). The general impression among the public is that it only takes care of the interest of the political and social elite. It is also believed that it is a tool subject to the manipulation by the party in power; there is also feeling of prevalence of rampant corruption at various levels in the department and no case is ever registered without pressure or recommendation. The Indian Police are seen to serve the interests of the ruling elite, unfortunately, little is known about the Police Organization and the reasons for its poor image (Arvind and Subramanian, 2007). However, the problems of the Indian Police run deep the design; structure, culture and leadership are all equally responsible for the present state of affairs. This remains hidden due to a lack of understanding about the nature and functions of the police in the country.

Aditya (2009), in his essay wrote the following comments on image of police; the image of the police today is not that of a protector of the innocents, but as a perpetrator of excesses, colluder with criminals and one of the most corrupt arms of the Government. The major public complaints against Police personnel are: They are brutal and lawless; highly corrupt; partisan and politicized: and lack professional competence.

## Operational Definition - Police Image

As per this study, police image is defined as ***“the outer reflection of the standing of the Police Department based on its performance and service. It is the reaction, which emanates from the public and which is based on the public’s expression of confidence executing the duties, commitment and respect for the police”.***

## Methodology

### Objectives of the study

- To understand the public views on police and factors damaging the police image.

- To understand the public expressions and issues in police and public relationship.
- To suggest measures to improve police image.

### Research Methods

The current research is basically a quantitative analysis. The study was conducted with sample from three set of public, namely, students, skilled workers and unskilled workers. The sampling techniques adopted in the study was simple-random of non-probability sampling. The study was conducted with 240 respondents. (i.e. 80 from each sect). Universe of the study was the city of Tirunelveli. Tamil Nadu is the southernmost State in India and Tirunelveli is southernmost corporation in Tamil Nadu. The respondents were mainly from the local of Tirunelveli within city frame. Data for the study was collected using a questionnaire framed by the Researchers, a Pilot Study was conducted with 30 samples and questionnaire was finalized after obtaining expert advice. The data thus obtained was analyzed and simple statistics was applied. The results of the study are as follows:

**Table No. 1: Respondent’s income per month (household), religion and knowledge of roles and duties of police**

Options	Frequency	Per cent	Options	Frequency	Per cent
<b>Income per month (household) in Rupees</b>			<b>Police execute their roles and duties (General view)</b>		
1,000-10,000	116	48.3	Agree	72	30.0
10,001-25,000	90	37.5	Disagree	50	20.8
Above 25,000	34	14.2	Undecided	118	49.2
<b>Religion</b>			<b>Respondents have a good relationship with police</b>		
Hindu	182	75.8	Yes	94	39.2
Muslim	10	4.2	No	146	60.8
Christian	44	18.3	<b>What kind of relationship</b>		
Other (specify)	4	1.7	Friend	44	18.4
<b>Aware of roles and duties of police</b>			Family member	36	15.0
Yes	146	60.8	Official	12	5.0
No	94	39.2	Through F.O.P.	2	0.8

**Table No. 2: Police service, commitment, fear of police, and respondent's experience of crime in their locale of residence**

Options	Frequency	Per cent	Options	Frequency	Per cent
<b>Police are committed to their work</b>			<b>Service rendered by the police is good</b>		
Agree	118	49.2	Agree	106	44.2
Disagree	60	25.0	Disagree	72	30.0
Undecided	62	25.8	Undecided	62	25.8
<b>People are afraid of police (General view)</b>			<b>Afraid of police and responses (Respondents)</b>		
Agree	186	77.5	Yes	80	33.3
Disagree	40	16.7	No	160	66.7
Undecided	14	5.8			

**Table No. 3: Police-public relationships and respondent's opinion**

Options	Frequency	Per cent	Options	Frequency	Per cent
<b>Women police are necessary</b>			<b>Police treat the public mannerly</b>		
Agree	188	78.4	Agree	104	43.3
Disagree	38	15.8	Disagree	94	39.2
Undecided	14	5.8	Undecided	42	17.5
<b>Police-public relationship is good</b>			<b>Police performance is public satisfactory</b>		
Agree	108	45.0	Agree	104	43.3
Disagree	74	30.8	Disagree	98	40.8
Undecided	58	24.2	Undecided	38	15.8
<b>Respondents faced problem with police</b>			<b>Likeness of police and responses</b>		
Yes	76	31.5	Yes	160	66.7
No	164	68.5	No	80	33.3

**Table No. 4: Police performance and respondent's experience of complaining to police**

Options	Frequency	Per cent	Options	Frequency	Per cent
<b>Respondent's complaint to the police (as a victim of crime)</b>			<b>Police intermediation is necessary in the contemporary society</b>		
Yes	66	27.5	Agree	56	23.3
No	6	2.5	Disagree	118	49.2
Undecided (not a victim of crime)	168	70.0	Undecided	66	27.5
<b>The police are misusing their power</b>			<b>Police involve in intermediation</b>		
Agree	114	47.5	Agree	120	50.0
Disagree	64	26.7	Disagree	74	30.8
Undecided	62	25.8	Undecided	46	19.2

**Table No. 5: Corruption, media and police**

Options	Frequency	Per cent	Options	Frequency	Per cent
<b>Police demand bribe from public (General view)</b>			<b>All the police are not corrupt (General view)</b>		
Agree	172	71.7	Agree	180	75.0
Disagree	32	13.3	Disagree	50	20.8
Undecided	36	15.0	Undecided	10	4.2
<b>Respondents ever been demanded for bribe</b>			<b>Cinema portray, police as torturing public</b>		
Yes	74	30.8	Agree	152	63.3
No	166	69.2	Disagree	52	21.7
<b>People are afraid of police (General view)</b>			Undecided	36	15.0
Agree	170	70.8	<b>Cinema police and the real police are same</b>		
Disagree	28	11.7	Agree	38	15.8
Undecided	42	17.5	Disagree	158	65.9
			Undecided	44	18.3

**Table No. 6: Police, criminal and politician's relationship and respondent's opinion on policing**

Options	Frequency	Per cent	Options	Frequency	Per cent
<b>Police neglect crime by politicians</b>			<b>Police have a good relationship with politician</b>		
Agree	152	63.2	Agree	170	70.7
Disagree	38	15.8	Disagree	38	15.8
Undecided	50	20.8	Undecided	32	13.3
<b>Sincere to public</b>			<b>Sincere to politician</b>		
Excellent	10	4.2	Excellent	86	35.8
Good	70	29.2	Good	84	35.0
Neutral	102	42.5	Neutral	64	26.7
Bad	52	21.6	Bad	2	0.8
Very bad	6	2.5	Very bad	6	2.5
<b>Dedication towards their work</b>			<b>Police have a relationship with criminals</b>		
Excellent	12	5.0	Agree	132	55.0
Good	86	35.8	Disagree	42	17.5
Neutral	110	45.9	Undecided	66	27.5
Bad	26	10.8			
Very bad	6	2.5			

**Table No. 7: Policing and public interest**

Options	Frequency	Per cent	Options	Frequency	Per cent
<b>Investigation of crimes</b>			<b>Aware of friends of police</b>		
Excellent	26	10.8	Yes	126	52.5
Good	110	45.8	No	114	47.5
Neutral	72	30.0	<b>Interested to join friends of police</b>		
Bad	30	12.5	Yes	70	29.2
Very bad	2	0.8	No	170	70.8
<b>Neglect crime by politician is inevitable while policing</b>			<b>Experience of crime in locale of residence</b>		
Agree	136	56.6	Yes	86	35.8
Disagree	16	6.7	No	154	64.2
Undecided	88	36.7	<b>Respondents as victims of crime</b>		
<b>Maintaining law and order</b>			Yes	72	30.0
Excellent	24	10.0	No	168	70.0
Good	88	36.7	<b>Police performing their work fast (General view)</b>		
Neutral	94	39.2	Agree	100	41.6
Bad	28	11.6	Disagree	88	36.7
Very bad	6	2.5	Undecided	52	21.7

## Major Findings and Discussion

### Table No. 1

In a democracy, any citizen is expected to know the duties of the public servant, especially the police. Most of the respondents (39.2%) were unaware of the roles and duties of police and basic laws, even some literate respondents were unaware. Majority of the respondents do not know the limitation of the police and their rights. It is now the immense duty of the Government and Police Department as whole shall entertain awareness among the public on the duties and ways to approach police, until then it is impossible to blame public on unreporting crimes. Most of the respondents (60.8%) do not have relationship with police. About 39.2% of the respondents have relationship with police and among them, most don't fear of police. They were the closely link/associated with the police as friends, family members, officially and contact through friends of police. Only of these reasons, the respondents frequently meet and maintain the good relationship with police.

### Table No. 2

In India, the greatest strength in the public service is commitment. Police are committed at their work, was agreed by 49.2% of the respondents, 25.8% of respondents could not decide and 25% of respondents disagreed. Most of the respondents (77.5%) felt that people are afraid of police, among these respondents, most of the respondents (66.7%) had never fear of police. The major reasons for the fear of police are as follows as given by the respondents:

- The respondents have a fear from their childhood.
- On an occasion, police should have not treated public poorly in front of the respondents, so that the respondents have a fear of police.
- Impact of movie is one of the reasons.
- Police are empowered; sometimes they misuse their powers, is one of the major reasons why respondents have a fear of police.

### Table No.3

During last few decades, women in India have been empowered and are playing vital role in public service. The majority of the respondents



(78.3%) felt that women police are necessary in their society. The women police will try to understand the problem of the women (both as criminal and victim), deal effectively in case of domestic violence or in any other cases. Male police may not handle the women in a proper manner. About 31.5% of the respondents faced problem with police for one or the other reasons. Some respondents have argument with police against corruption and the police treated the respondents unmannerly. For instances, majority of the respondents (66.7%) (160 respondents) liked police for the following reasons (**Percentage may cross 100 as it was a multiple-responses**):

- Police perform their duty for public (112 respondents).
- Police treat the public mannerly (80 respondents).
- Police maintain the law and order (120 respondents).
- Police are friendly with public (80 respondents).
- Police protect society from social enemies (132 respondents).
- Police control violent crime by Goondas (128 respondents).
- Police recovering theft items and give it to the victims properly and promptly (98 respondents).

About (33.3%) (80 respondents) did not like police for the following reasons:

- Police are corrupt (62 respondents).
- Police do not perform their work properly (62 respondents).
- Police do not treat the public mannerly (66 respondents' personal experiences).
- Police supports politicians (66 respondents).
- Police do anything for politicians, not for the public.
- Fear of police (38 respondents).
- Police are not friendly with public (54 respondents).

#### **Table No. 4**

When we want to know the views of public on a issue, it is better to test our research with public, who have little experience on the issue, but in case of views on image necessarily doesn't require such

a knowledge. The majority of the respondents (70%) have not been a victim of crime and 30% of the respondents have been a victim of crime. Among the respondents, 27.5% of the respondents have complaint to the police, among the complainant, 15.8% of the respondents were not treated mannerly and 11.7% of the respondents treated mannerly. The major reason for the non-reporting of the respondents is the fear of reverse action and unmannered treatment of the police against the respondents. Police intermediation is the process against the Criminal Justice System, but 50% of the respondents felt that the police involve in intermediation using their power. If it is not curtailed, it shall lead to failure of Criminal Justice System. At the same time some respondents (23.3%) agreed the police intermediation is good and favourable to victims. Police intermediation is another reason that damages the image of police, is also a process against the Criminal Justice System. 50% of the respondents felt police involve in intermediation during their work using their powers.

#### **Table No. 5**

The image of an issue may be interpreted strongly when the same is connected with corruption. The majority of the respondents (70.8%) responded police are corrupt. At the same time, the majority of the respondents (75.0%) did not accept all the police are corrupt. Of the responses we can conclude that few of the public still have faith in police. Corruption is playing a vital role in damaging the police image. The majority of the respondents (71.7%) felt police are demanding bribe from the public. The respondents gave the bribe for the following major reasons to the police:

- Most of the private/personal vehicles used by public are less maintained with proper document when caught, they want to avoid the courts and procedures. So, public entertain the bribe. It has gradually increased; now police are used to it, so that any vehicles stopped for check are seldom left without any payment. It is one other reason adding fuel to the fire Criminal Justice System as corrupt department. At the same time, some respondents (23.3%) like the police intermediation.
- First Information Report is the vital document for continuing the proceeding of the cases. Sometimes, the police have to be paid even for filing the cases. Some of the respondents have experienced, also one of the major issues that damage the image

of police. Police should avoid corruption in any form, including the caste and community favours (Nepotism).

The Media play a vital role in society. For majority of the respondents (63.3%) cinema portrayed as if police torture public. At the same time, it was unwitnessed by majority of the respondents (65.8%), they did not accept the cinema police as the real police and vice versa.

### **Table No. 6**

About 55% respondents felt police have good relationship with criminals, which may be witnessed by anyone who approaches police for filing a case against the criminals or informs the criminal's involvement in a case. They get money from criminals and release them or give them clues for escape from the clutches of the law. This is one other major reason that damages the image of police. The majority of the respondents (70.8%) felt that police have a good relationship with politicians, and for 63.3% of the respondents, police did not mind crime by politicians. At the same time, for 56.7% respondents, police never mind crime by politician and are inevitable. In India, police depend on Home Ministry for anything, under their respective Governments (both State and Central). They seldom act against the politicians. If they act against the politicians, then they face many problems. So, they don't mind the crime by politicians, unless and until it is a heinous crime. In this view, it is recommended that police may be made autonomous as that of Election Commission of India so as to make them autonomous and accountable.

### **Table No. 7**

Most of the respondents (52.5) are aware of friends of police. The Researcher made aware 47.5% of the respondents on the concept of friends of police to fix the interest towards joining the FOP. About 70.8% were not interested to join FOP, including those who were aware of, the simple reason cited was police are undependable personalities. The police should make weekly or monthly meetings with the local people, so that they can maintain good relationship with public and reduce fear and frustration of the public in the long run. It recommended for regular meet of police-public. The public have an interest to make a relationship with police, but they have a fear and some misconception/understanding of police. It is due to the lack of awareness of the police attitude and public-friendly approach by the law enforcement.

## Suggestions to improve the Image of Police

### Police

- The police should handle the law with compassion and execute their power to protect the victims/complainant without bias.
- The police should treat the public in a friendly manner (as of Bobby Police of London).
- The police should treat the public/complainant or anybody entering the Police Station mannerly.
- The police should maintain physical fitness in order to strengthen the hopes of public.
- The police shall conduct a meet with public on a weekly basis or monthly as frequent as possible and invite public to participate in community policing/friends of police.
- The police shall show adverse behaviour towards corruption and unentertain the public or any other of such an act.
- The police should avoid any bad habits in front of the public. It shall reduce negative image of the police.
- If a politician or criminal in society commits a crime, Police Officers should act faster than in any other cases, in order to win the confidence of public.

### Public

- Public should follow the rules and regulations of the Governments and they should cooperate police during investigation and lead disciplined life.
- Public in general, and youth in particular as well as students shall join the friends of police or community policing and help the police maintain law and order, and reduce crime instance also act as bridge between police and public.
- Youth may be entertained by parents and family members to join the FOP or community policing for effective and prompt policing.

## Government

- The police are the organization working for the public 24 × 7 hours. They are working continuously. They don't have proper interval or break and it will create frustration/break-up against their work. So, they will not work with full interest. So, they may develop bad habits or become addict to forget their problems. Policy-makers shall keep in their mind, while amending the Police Act, 1861 or substitute with suitable regulations on the issue.
- Police do not have a proper interval in their work. They do not have a time to spend and enjoy time with their family. So, they develop some bad habits like smoking and drinking, etc. Government shall prepare schedule/manual with time interval.
- Police work 24 × 7 hours, but they get nothing in terms of incentives. It is another vital reason for getting bribe from public. So, the Governments shall reasonably increase the pay and perks.
- Police should be trained and updated every year for a month in order to make use of advantages in policing and rest from policing.
- Criminology students have a basic knowledge of investigation. The police shall involve Criminology students for their investigation, and the Government should make an opportunity for Criminology students to work for Criminal Justice System wings.
- Student shall be involved in policing for better public friends of police.

## Conclusion

The police continue to hit the headlines in India, generally for all the wrong reasons, seldom for good reasons. India must be one of the few democratic countries where citizens do not trust the police, an important administrative organ of the elected Government, and feel intimidated by them. Corruption plays a major role in damaging the image of police. Smoking and drinking at public place also act as adding fuel to the fire. Police are working for public, they have to follow the rules and regulations and help in maintaining orderly

society. Though, they have number of limitations in executing their duty and still the burden shouldered by them has not reduced. The police-public relationship should be good. It plays a major role, while maintaining the peace of a society. It will create good image about police and may be useful to maintain peace and order of the society. Necessary changes need to be made in the Police Act, 1861 and the Police Manual with a view to promoting better management with proper training and the use of modern equipment and techniques the Police Organization would be able to give better service to the people. Only then, public image would improve and there would be added efficiency in terms of maintenance of law and order and the prevention and detection of crime and good public-police relationship. Researcher conclude that police-public relationship in city is moderate and need to be improved. ■

## REFERENCES

1. Aditya, C.S., "An Essay from Whither Police Reform in India?" Retrieved on 2-12-2009 from <http://www.indiapolice.in/images/Whither%20police%20reform%20in%20india.doc>.
2. Amarnath, M. (2008). "The Image of Police among the Victims and the Non-Victims of Crime in Thiruvalluvar District - An Empirical Analysis", an unpublished P.G. Dissertation submitted to University of Madras, Chennai.
3. Arvind, V. & Subramanian S. (2009). "A Textbook of Understanding the Police in India".
4. Ayyanarappan (1992). "Police vs. Public- A Comparative Analysis of Attitude towards Law Enforcement", an unpublished P.G. Dissertation submitted to University of Madras, Chennai.
5. Conclusions of the Study of State Governments, B.H.U. Varanasi, published in the Society Journal, pp. 243-263.
6. Diaz, S.M. (1984). "University Students Perceptions of Serious Crime", Indian Journal of Criminology, Vol. 12.
7. First Report of the National Police Commission, February 1979. p. 7.
8. Ghosh and Rustamji (1994). "Encyclopedia of Police in India", (Vol. 1-2), APH Publishing Corporation.
9. Iqbal. M. (1981). "Police-Community Relations: A Study in Image", Indian Journal of Criminology, Vol. 1.

10. Joginder (2002). "A Text book of Inside Indian Police".
11. Khan & Krishna (1985) as cited in Amarnath (2008). "The Image of Police among the Victims and the Non-Victims of Crime in Thiruvalluvar District: An Empirical Analysis", an unpublished P.G. Dissertation submitted to University of Madras, Chennai.
12. Mohan, R. (1973). "Image of the Police in a Changing Society", The Indian Police Journal, Delhi, October, pp. 13-18.
13. Paramaguru (1973). "Police and the Society", Indian Journal of Criminology, Vol. 1.
14. Saha (1990). "Police and the Environment", Indian Journal of Criminology, Vol. 3.
15. Shri Dharma Vira (1979). "First Report of the National Police Commission", February, p. 7.
16. Srivastava, S.P. (1975). "Police-Public Co-operation in the context of Crime Prevention and Investigation".

*The Internal Security, Peace, Law and Order are maintained by the State Police, which are vital organs in the administration of the criminal justice of the country.*



# Need of the Hour Decisive COIN Policy to tackle LWE

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## Keywords

Decisive, Counter-Insurgency, Strategy, Administrative Vacuum, Rule of Law, Guerrilla Warfare, Symbolic Government, Control, Alliances, Asymmetrical Warfare

## Abstract

*The present initiatives, especially the joint command and control of four States for tackling Naxalism, is praiseworthy, but is essentially part of the ongoing strategy of containment. With intelligence-sharing and better coordination, the Security Forces will definitely be better placed than before, however the strategy remains the same and the cyclical reverses and revivals the extremist groups undergo, will not yield any permanent solution.*

## Introduction

THE events of April 6, 2010 (henceforth referred as Dantewada massacre) - a insurgent attack of unprecedented savagery carried out by an organization operating with impunity with tentacles spread over more than six States of this country, does not augur well, especially after the Government at the highest level has repeatedly identified Naxalism as the biggest threat to the Internal Security of the Nation. The Dantewada massacre and subsequent violence and the apparent inability of the Government to tackle the grave threat of Left-Wing Extremism (LWE) makes it pertinent to revisit the ideology that is fuelling this insurgency and fanning the flames of violence in the heartlands; prejudge the direction of this insurgency; discuss policy

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issues; and analyze the efficacy of the Counter-Insurgency (COIN) strategy and the role of the Police Forces deployed to tackle the LWE.

## Administrative Vacuum and LWE

What is LWE? A wide range of disparate and divided opinions exists about Naxalism. For most, the LWE are Maoist. Some have labelled them as misguided ideologues, others have extolled their virtues, while for many they remain unscrupulous extremists, who have taken advantage of the disaffection among the tribals and other inhabitants to unleash a reign of terror with the objective of exploitation and extortion.

There are vast tracts of areas in the LWE-affected States, where only symbolic governmental control exists and the various Government agencies responsible for ushering social and economic growth, including the Rule of Law, have failed miserably. The present state of affairs is a result of the erosion of democratic governance institutions and the increasing dominance of corrupt practices, crony capitalism and criminal neglect. The system has been subverted with the emergence of a holy nexus of willing and corrupt Government servants, Contractors, Politicians and Enforcement Agencies. This has led to adoption of questionable and exploitative procedure, which are contrary to accepted norms of governance.<sup>1</sup>

The LWE have thus been given a fertile ground to breed and foster. They have established their dominance over these areas with the support of the very persons responsible for erosion of Government authority. Support has been ensured by instilling fear in them and in many cases, by extending patronage to illegal activities. Thus, we are witness to very peculiar situation of contractors, businessmen freely accessing areas, which are challenging to even well-equipped Security Forces. Guerrillas need the support of the local people as fish need water. The administrative vacuum and the exploitative practices have provided the conditions ideal to the Naxalites. They are assured of shelter, food and secrecy. They can plan and launch attacks with impunity as long as they can get the support of the local population, who unless they are given reasons to believe that the Government will provide security, will not oppose or dare to expose the extremists.

<sup>1</sup> Ajai Sahni, 'Naxalism' The Retreat of Civil Governance.  
Available at: <http://www.satp.org/satporgtp/publication/faultlines/volume5/Fault5-7asahni.htm> - Accessed on 20-7-2010.

The Annual Report of Ministry of Home Affairs reiterates the same:

*Left-Wing Extremists operate in the vacuum created by functional inadequacies of field level governance structures, espouse local demands, and take advantage of prevalent dissatisfaction and feelings of perceived neglect and injustice among the underprivileged and remote segments of population.<sup>2</sup>*

### Present Situation

Despite the Government of India identifying Naxalism as the greatest threat to our Internal Security<sup>3</sup>, the strength, reach and capacity of the Naxal groups is on the rise as is evident from the following statistics retrieved from the Annual Reports of MHA:

#### Left-Wing Extremist Violence in India from 2004 - 2009<sup>4</sup>

Sl. No	Year	Incidents	Deaths
1	2004	1533	566
2	2005	1608	677
3	2006	1509	678
4	2007	1565	696
5	2008	1591	721
6	2009	2258	908

The Naxals have organized themselves and have to a certain degree acquired the support of people, who have nothing to look forward to from the local governance structures and functionaries. They have achieved a level of internal political unification with the merger of the PWG and the MCC in 2004 into the CPI (Maoist)<sup>5</sup>. They have developed training bases and acquired the latest weapons and equipments. The

<sup>2</sup> Annual Reports of Ministry of Home Affairs, Government of India, for the years 2009-2010.

<sup>3</sup> Hon'ble Prime Minister of India Dr. Manmohan Singh, addressed to the Conference of Chief Ministers on Internal Security in New Delhi on 7th February, 2010.

<sup>4</sup> Annual Reports of Ministry of Home Affairs, Government of India, for the years 2008-2009 and 2009-2010.

<sup>5</sup> Annual Reports of Ministry of Home Affairs, Government of India, for the years 2009-2010.

recent acts of violence – including the killing of EFR personnel at Silda on February 15, the derauling of the Rajdhani Express on March 23, the massacre of CRPF personnel on April 6 and the blowing up of a bus on May 17 in Dantewada are proof of their increasing ability and capacity to engage Security Forces in direct combat.<sup>6</sup> The Railway freight operations have been severally affected by LWE. South-Eastern Railways (SER), East-Central Railways (ECR), East Coast Railways (ECR) and South East-Central Railways (SECR) - which account for bulk of Railway freight – are among the Zonal Railways badly hit. The volume may be down by as much as 9.47%.<sup>7</sup> These are part of a well-thought of strategy to galvanize their cadres; infuse them with strength and fervour; and at the same time, demoralize the enemy (Government Agencies).

Their strategy is based on alertness, mobility and attack. They have adjusted to the Government Security Forces, terrain, communication lines, weather and the support of the local people. They have identified the vulnerable parts of the Security Agencies tactics and are gunning for it. The aim is to harass, exhaust and inflict fatalities on the Security Forces. At the same time, they are focusing on the Railways, bridges and other infrastructure in the regions dominated by them.

Guerrilla warfare in the Mao's conceptualization was only one in a series of merging of the revolutionary struggle. Phase one was a preparatory stage when regional bases are organized and consolidated. Guerrilla attacks, limited to small actions in the first phase, were stepped up in Phase two. At the same time, political activities were expanded to increase the area of influence and support. Phase three is the decisive stage, where enemy is engaged through orthodox Military operations.<sup>8</sup> In my opinion, the Naxal operations have now moved into Phase two of the classic Mao's conceptualization of guerrilla warfare. The fact that they have reached this stage speaks volumes about their tenacity and organizing ability. The Naxalite leadership continues to pursue their plan to wage protracted people's war through the armed struggle to capture political power. In the recent past, Naxalite groups seem

<sup>6</sup> Prakash Singh, "Hearts and Minds", The Times of India, dated 24-6-2010.

<sup>7</sup> Rakhi Mazumdar, "Naxal Strikes bleed Railways", The Economic Times, 6th August, 2010.

<sup>8</sup> S. Kalyanraman, "Conceptualisation of Guerrilla Warfare, Strategic Analysis", Vol. 27, No. 2, April-June 2003.

to lay greater focus on organizing along Military lines. They are also acquiring contemporary weapons. Their constant effort is to upgrade technology and sophistication of their weaponry and techniques.<sup>9</sup>

The Naxals on their part, while adopting the strategies of Mao's guerrillas, have no qualms in entering into partnerships with the sole intention of selective exploitation of the natural resources. Unlike Mao's guerrillas, they are tolerant towards exploitative individuals and agencies, who pander to their designs of furthering their control and resources. The Naxalites are collecting protection fee from traders, forest contractors, industrialists and mining companies for exploiting the resource-rich region. They are also collecting protection money from ordinary people working in the private/Government sector. There are also reports of Maoists extending support to candidates during elections on financial considerations.<sup>10</sup>

In my opinion, the future will see the LWE, morphing into a more amorphous, potent and dangerous movement. We can prejudge the shape and form of the LWE in the near future, if a coherent and effective COIN strategy is not formulated. The LWE are likely to—

- Enter into alliances with other insurgent groups in India, especially in the turbulent North-East.
- Seek relations with hostile neighbouring countries for sanctuaries and for uninterrupted supply of expertise, weapons, equipment and finances.
- Increase the intensity of attacks on Security Forces and vital installations for demoralizing the Security Forces and infusing their cadres with pride and strength.
- Establishing more bases for operations against newly-inducted Security Forces.
- Escalate violence to the extent that it spills over to urban centres that were till now left untouched.
- The emergence of other dispersed groups espousing the ideology of the LWE in hitherto unaffected regions and drawing inspiration from the core movement.

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<sup>9</sup> Status Paper on the "Problem of Left-Wing Extremism in India", tabled in Parliament on 13th March, 2006.

<sup>10</sup> Divijai Singh, "Rethink Counter-Maoist Strategy", Economic Times, Delhi, 14th April, 2010.

LWE future agenda will include the spreading of its tentacles in other parts of the country by fanning the discontent in the local population of those regions. Their ideology will radiate outward from their leaders' secure hideouts to affiliates and networks throughout the country. The predominantly rural areas will be most vulnerable in this regard.

## COIN

The COIN strategy has to take into account the asymmetric nature of the engagement between the LWE and the State. For students of strategy, the importance of these wars lies in the fact that the simplistic, but once prevalent assumption - that conventional Military superiority necessarily prevails in war - has been destroyed. What is also interesting is that although the Government forces did not win militarily, neither were they defeated militarily. Indeed, the Military defeat of the Government forces is impossible since the insurgents lack the capability to take on the Government. In every case, the success for the insurgents arose not from a Military victory on the ground - though such successes may have been a contributory cause - but rather from the progressively attrition of their opponents political capability to wage war. In such asymmetric conflicts, insurgents may gain political victory from a situation of stalemate or even defeat.<sup>11</sup>

In asymmetrical warfare, the dependence on only security infrastructure for dealing with the insurgents is totally misplaced. Armed reprisal by the Government is inevitable and necessary. It is equally important to understand that this alone is not sufficient to succeed against the LWE. We have countless examples in the world, where a strategy dependent primarily on use of Security Forces has failed. This is even more so in a democratic set-up, where the Government forces have to function within the broad parameters of law irrespective of the wanton and brutal tactics of the insurgents.

The strategy should be aimed at disengaging the LWE from the support they enjoy from the locals. This will be a gigantic task that requires, both vision and a vast, sustained and coordinate effort by all agencies of the Governments of each of the affected States. The administrative vacuum in vast areas of the affected States, which are presently under the grip of the LWE and their associates (contractors, forest officials, etc.), need to be brought under control of the Government. This is

<sup>11</sup> A. Mack, "Why Big Nations Loose Small Wars", *World Politics* 27, 2(1975), p. 177.

a prerequisite for winning back the hearts and minds of the local people.

The approach should not be primarily police-centric. Instead, the Government should employ a comprehensive strategy encompassing civil, police, paramilitary and psychological programmes - all within the context of a firm Rule of Law and steady progress toward transparent and inclusive governance, which will rob the LWE of much political appeal, the primary focus and emphasis should be on breaking the LWE links with their popular base. The carrot and stick policy should be adopted in targeted areas.

The development agenda will have to be dovetailed with the security initiatives for the affected regions. This will require very close ground-level coordination between the Security Agencies and the agencies responsible for ushering in development. This is easier said than done as Government Departments are known to function within strict departmental hierarchies and are not amenable to such initiatives. All this is possible by establishing an effective civil-police command structure. In areas where the presence of civil administration is severally depleted, the police/paramilitary authorities should take the initiative in this regard.

The Counter-insurgency efforts should be managed by a network of committees extending from the very top to the ground level. The establishment of such empowered committees under civilian control at the Tehsil, District and State level would go a long way in synergizing the efforts of the different Government Departments involved in the effort to tackle LWE. The present viable and time-tested politico-administrative structure should be shrewdly exploited. Such measures will also naturally and immediately attract strong retaliatory action from the extremists. These should be taken up block by block in selected districts.

## Police Role

State action in the context of Internal Security has to be based on the constitutional framework, conventions of governance on relations between the Centre and States, the Rule of Law and Justice, and free discourse. The present situation is very complex. With law and order being State subject, the responsibility constitutionally rests with the State Government. However, the extent and severity of the problem demands that the Central Government plays a crucial role in tackling this threat.

In my opinion, the cardinal principle to be followed by the Security Forces should be: *no more force shall be applied than the situation demand*.<sup>12</sup> Use of armed action should be effective, contained and within the parameters of law. Mindless violence by Security Forces would reinforce the appeal of the extremist in the eyes of the local people, who will leave no opportunity in publicizing the action taken by the Government forces.

The solution lies in giving the primary role of combating LWE to the State Police Forces and rolling out security for the local people. This would entail expansion of the existing State Police Forces. Emphasis should be on training of the Police personnel and the restoration, strengthening and extension of the Police Station. The Police Station remains the first and most visible element in the restoration of the State's authority. The capabilities of each such Police Station, moreover, would have to be strengthened. not only to confront the Naxalite terror, but to deal with the whole range of law and order problems, conflicts, disputes and complaints that arise within its jurisdiction. The local people should continue with normal day-to-day life. This entails a high ratio of Security personnel with outposts in all affected villages and hamlets. The Central Forces should assist the Police Stations and not substitute them. There is an urgent need for revamping and strengthening the police intelligence systems. They should be vested with the responsibility of feeding intelligence to all the forces operating in the region. The Paramilitary Forces can supplement this by collecting intelligence about the extremists and their movements in the areas in which they are deployed. This is especially relevant for regions, where the Paramilitary Forces have had continuous presence since years.

The Security Forces should not respond in conventional manner as was seen at Dantewada, but exhibit extraordinary tactical flexibility. They are required to adopt a decentralized approach depending on small units and with subordinates briefed about the political aspects of the insurgency and given authority to adapt to local conditions. Intelligence-backed, result-oriented, targeted operations, especially against the core Military leadership of the LWE, should be a priority.

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<sup>12</sup> Thomas R. Mockaitis, *British Counterinsurgency, 1919-1960*, The Macmillan Press Ltd., 1990, p. 25.

Asymmetrical warfare requires a different mindset and innovative tactics to match the guerrilla tactics, who are trained to avoid direct engagement. The bulk of the forces may be deployed for protecting the populated areas and clamping down on the flow of supplies and recruits to the insurgents. At the same time, small-unit operations to destroy or drive back the insurgents into remote areas will play an indispensable role.

## Policy Issues

The surrender and propaganda policy should also be revamped as SEPs (Surrendered Enemy Persons) play a very important role in intelligence collection and effective Counter-insurgency operations. Propaganda is an important tool for disseminating information about the Government policies and educating the local people about the tyranny and exploitative nature of Naxalism. This ideological hypocrisy, the gap between their professed ideology and their actions on the ground needs to be exploited to discredit them in the eyes of the local people.

In the affected areas, the various laws relating to forest rights mining rights, etc. will need to be amended to benefit local population. This legal infrastructure has to be put in place at the earliest. Very powerful lobbies with well-entrenched vested interests will have to be confronted and discarded. These steps are required to reduce the trust deficit between the local tribal population and the Government agencies.

## Conclusion

The LWE are by no means misguided ideologues. On the contrary, there is extreme clarity and unanimity of thought within the CPI (M). Their actions belie their professed ideology. Having lost the opportunity of tackling LWE during its organization and subversion stage, the balance of policy stance of the Government has to shift decisively from *containment* to a well-thought out coordinated strategy focusing on accelerated social, economic and political reforms at the ground level accompanied with a security component summed up in three words: *location, isolation and eradication*.<sup>13</sup> The Counter-Insurgency (COIN) doctrine in dealing with the LWE should be a total effort on all fronts-

<sup>13</sup> Mao Tse-tung 'On Guerrilla Warfare', translated and with an introduction by Samuel b.Griffith, p. 32. Also see James D. Kiras, "Terrorism and Irregular Warfare" in John Baylis et al. (Eds.) "Strategy in the Contemporary World", Oxford University Press, New York, 2002, p. 220.



economic, social, political, cultural and law enforcement.<sup>14</sup> It should be a comprehensive strategy, which focuses on winning the hearts and minds of the general population, and successfully disengaging the masses from the insurgents, which are crucial for their survival. In a fast-changing and unpredictable security environment, there is a need for continuous assessment and policy action. By regularly reviewing the COIN Policy, the Central Government can provide a more realistic and faster response to developments, especially as there is a multiplicity of authorities dealing with the problem in different jurisdictions. This is crucial for retrieving the situation which, if left unchecked, will lead to anarchy and chaos in the very heart of the country.

The present initiatives, especially the joint command and control of four States for tackling Naxalism, is praiseworthy, but is essentially part of the ongoing strategy of containment. With intelligence-sharing and better coordination, the Security Forces will definitely be better placed than before, however the strategy remains the same and the cyclical reverses and revivals the extremist groups undergo, will not yield any permanent solution.

The need is for formulating a policy that pulls together a multifaceted civil-police programme for an optimum counter-insurgency response. By utilizing local, civil and police resources as much as possible, and through effective administration and unified management, the Government can achieve success at remarkably low cost. I would like to end with the quote of Thomas E. Ricks from his book, *Fiasco*:

*When you are facing a counter-insurgency war, if you get the strategy right, you can get the tactics wrong and eventually, you'll get the tactics right. If you get the strategy wrong and the tactics right at the start, you can refine the tactics forever, but you still lost the war.*<sup>15</sup> ■

<sup>14</sup> Richard Stubbs, "Hearts and Minds in Guerrilla Warfare: The Malayan Emergency 1948-1960", Oxford University Press, 1989, pp. 1-2.

<sup>15</sup> Thomas E. Ricks, "Fiasco: The American Military Adventure in Iraq", Penguin Books, London 2006, p. 195.



# The Governance and Terrorism - Some Suggestions

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## Keywords

Good Governance, Challenge, Terrorist Attack, Victim of Terrorist, Poverty, Disease & Suffering, Communal Harmony, Political Interference, Modernizing Police, Intelligence Coordination, International Meetings

## Abstract

*Terrorism is the major challenge faced by the country in the post-Independence era, more particularly recent times, has been responsible for creating hindrances in good governance. Protecting the lives of people and State property has become an important challenge for the State. People want safety to their lives.*

*Frequent terrorist attacks have become usual affair in India and every time when it happens, we strongly condemn it and forget without any substantial steps to check it. Recent times, many terrorist attacks have taken place in India. Some of the incidents, which have thrown challenge to the governance, are examples so as to understand the gravity of situation. India has been a victim of terrorism for the last 25 years and the governance has been undergoing lot of stress and strain to tackle the problem. There are many hijacking, kidnapping and striking and targeting important places, human bombs, car bombs, resorting to indiscriminate firing from sophisticated weapons have been in vogue for quite some time. Suicide squads to strike most sensitive targets are now very much in evidence.*

*The problem has become a major challenge to tackle for today's National and State governance. To solve or to contain this menace, many measures have to be taken in the administration.*

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## Introduction

**A**SIAN Development Bank in its publication defined governance as “The manner in which power is exercised in the management of countries social and economic resources for development.” Governance of a country relates to the effective management of its affairs at all levels of functioning; guaranteeing its unity and territorial integrity and security, safety and well-being of its people. Good governance contributes not only to the development, but also to the maintenance of Internal Security. Generally, many of them feel that governance refers to utilization of economic and social resources for development. But, it is very important to understand that good governance implies presence of the Rule of Law, safeguarding of basic human rights, presence of honest and efficient Government, accountability, transparency and openness. Unless conditions are peaceful in the State, it would become very difficult to implement the schemes for the development. It is the main responsibility of the State to provide peaceful atmosphere and safeguard basic human rights.

## Terrorism Menace – A Challenge to the Governance

Terrorism is the major challenge faced by the country in the post-Independence era, more particularly recent times, has been responsible for creating hindrances in good governance. Protecting of lives of people and State property has become an important challenge for the State. People want safety to their lives.

“Terrorism as a weapon of revolutionary change has pushed not only India, but also the entire world into a perilous new age of insecurity. Partly faceless, but fully focused enemy of humanity, terrorism has created such multifaceted, profound changes in the world that needs to be comprehended from different angles and different levels of viewing.”

## Frequent Terrorist Attacks in India

Frequent terrorist attacks have become unusual affair in India and every time when it happens, we strongly condemn it and forget without any substantial steps to check it. Recent times, many terrorist attacks have taken place in India. Some of the incidents, which have thrown challenge to the governance, are examples so as to understand the gravity of situation. India has been a victim of terrorism for the last 25 years and the governance has been undergoing lot of stress and strain to

tackle the problem. There are many hijacking, kidnapping and striking and targeting important places, human bombs, car bombs, resorting to indiscriminate firing from sophisticated weapons have been in vogue for quite some time. Suicide squad to strike most sensitive targets are now very much in evidence.

To quote some examples from the last 15 years back in December 1999, terrorists hijacked the plane of Indian Airlines 1C-814 flying from Kathmandu in Nepal to New Delhi. They were successful in taking the plane to Kandahar. In order to save the lives of Indian passengers, the then Government agreed to the daunting demand of hijackers and freed four terrorists imprisoned in Tihar Jail, including Mohammad Azhar. Earlier, terrorists in Kashmir had kidnapped the daughter of the then Home Minister in Central Government.

The attack on Indian Parliament on December 13, 2001 indicated that suicide squad had adopted new techniques and meticulous planning before executing the actions. The Mumbai serial blast of 1993, Red Fort attack in December 2000, explosions outside North Block area (April 4, 2001), two blasts in South Block (May 9, 2001), the grenade blast near BSF Headquarters in the CGO Complex (May 20, 2001) in National Capital, New Delhi, strikes of Srinagar Assembly in October 2002, Aksharadham Temple in Ahmedabad on September 24, 2002, Raghunath Temple in Jammu on November 24, 2002, Gokulchat, Lumbini Park, Mecca Masjid bomb explosions in Hyderabad on 18th May, 2007, August 2009 and Mumbai attacks in November 2008, which shook not only the entire India, but also its tumours were felt across the world. And, very recently, on 13th February, 2010, a bomb explosion at German Bakery in Pune killed fourteen people and injured at least 60 more. This would tell how terrorists are maintaining frequency in attacking the important public places with a view to express so-called 'movement'.

The problem has become a major challenge to tackle for today's National and State Government. To solve or to contain this menace, many measures have to be taken in the administration.

### **Eradicating Poverty, Disease and Suffering**

Any strategy for preventing terrorism can be effectively implemented when the governance seriously address the issues of poverty, disease, suffering and injustice.

## Steps to propagate Communal Harmony

The Mumbai serial blasts of 1993 were sequel to the Babri Masjid demolition. The Aksharadham and Raghunath Temple attacks can be seen as a reaction to the February, March 2002 riots in Gujarat and Gujarat riots were sequel to Godhra incident. Administration should take innovative steps to propagate communal harmony. An expert team should be appointed to suggest recommendations in this direction.

## Political Interference

Political interference in day-to-day administration has played havoc with morale and effectiveness of the police in tackling terrorism. The National Police Commission had recommended comprehensive measures to solve the problem of political influence, but even after 28 years of submission of the reports, nothing has been done in this direction.

## Polity and Constitutional Matters

The present Constitution does not contain any powerful legislation to deal with terrorism. Proper policy decisions are important to contain terrorism. A lot is to be learnt from American experience, which legislated a Federal Act after 9/11 incident. Though Government of India enacted National Investigation Agency (NIA) Act in December 2008 on the lines of Federal Bureau of Investigation of United States of America, but we should understand that the NIA is not an anti-terrorist organization and cannot prevent a terrorist incident. We have to provide more teeth to NIA in order to tackle terrorism problem.

## Reforming, Energizing and Modernizing of the Police

Police Force, more particularly, State Police should be strong enough to deal with the terrorist movement, but unfortunately, this is not the case in India with the result that Paramilitary Forces get sucked in from the start and before long even the Army is called in. Modernization of State Police and upgradation of their weaponry is very essential. This is possible only if they undergo specialized training courses and their responses would need to be regularly tested.

## Intelligence Coordination and Sharing

In the event of crisis, we are always told that there was failure of intelligence. In India, we have the Intelligence Bureau, Research

and Analysis Wing, Military Intelligence, BSF G-Branch, Revenue Intelligence, etc. However, we are not in a position to anticipate the problem exactly in advance. There should be very close coordination between the State and Central Intelligence Agencies and prompt sharing of intelligence inputs. Here, it is very important to follow the recommendations of the Second Administrative Reforms Commission appointed under the Chairmanship of Sri Veerappa Moily on 31st August, 2005. The Commission has suggested that Intelligence Agencies should develop multi-disciplinary capability by utilizing services of experts in various disciplines for intelligence-gathering and processing. Sufficient powers should be delegated to them to obtain such expertise. And, the other recommendations of the Commission in this regard, should be implemented forthwith.

### **No Overlapping in Anti-Terrorist Activity**

In India, there is an element of overlap in the anti-terrorist operations. Forces are deployed not so much according to their suitability for particular terrain or nature of operation called for, but more according to their availability.

### **Need to develop Community Policing**

An active participation of society in this matter is very essential. We should have community participation in security against terrorist attacks, for this, police also should shed their authoritarian attitude. People want effective police, but not a brutal police.

### **Upgradation of Disaster Management Schemes**

There is an urgent need to focus on Disaster Management techniques, and there is very need to upgrade Disaster Management Schemes and practice under simulated conditions.

### **Frequent International Meetings**

International level meetings should be held periodically to discuss and to take steps to curtail this menace and it is high time that an international level organization should be established exclusively, in order to tackle this problem. For this purpose, political steps have to be initiated with firm determination to sort out the outstanding problems between the countries, which have strained relationship so far as terrorism matter is concerned.

The authorities, both at National and State level must pay serious attention to the findings of experts in this area and also above suggestions need to be addressed in order to defuse the menace. ■

## REFERENCES

1. N. Vittal, "Governance for Development", Indian Journal of Public Administration, January-March 2004.
2. O.P. Tandon, "Law and Order: A Precondition for Good Governance", IIPA, July-September 1998.
3. Pravin N. Sheth, "Global Terrorism", Rawat Publications, New Delhi, 2005.
4. Kalayan Rudra, "Attack on Parliament on December 13, 2001 - Some Countermeasures against Suicide Strikers", The Indian Police Journal, October-December 2001.
5. Prakash Singh, "Tackling Terrorism : Role of International Security Forces", The Indian Police Journal, April-June 2003, New Delhi.
6. Khana Ms, "Community Participation on Security Against Terrorism", The Indian Police Journal, April-June 2004.
7. The Devasahayam, "Law - Terrorism be Electron Fodder", The Hindu, Open Page, 25-12-2001.
8. N. Krishna Swamy, "The Terrorists writing on the Indian Wall", Open Page, The Hindu, 30-10-2001.
9. Kalyan Rudra, "Attacks on the Aksharadham Temple (24th September, 2001) and Raghunath Temple (24th November, 2002) - Lessons and Countermeasures", The Indian Police Journal, April-June 2003.
10. Indian Journal of Public Administration Special Number on M. Veerappa Moily Committee: ARC, July-September 2007.
11. Dr. G. Siva Rama Sarma, "In-Service Training to Police Personnel: Some Observations", Police Professional, July-September 1998, APPA, Hyderabad.



# Crime towards a Generation A Study on Child Labour in the Beedi-Rolling Industry of Madhya Pradesh and Chhattisgarh

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## Keywords

Curse, Crime against Humanity, Child Labour Act, Beedi-Rolling Industry, Lock-Making Industry, Zarry Industry, World Labour Report, Dropout, Supplement, Family Income

## Abstract

*Child labour is a curse to our society and a crime against humanity. Children work when they are supposed to play or go to school. The sad thing is that they work under hazardous conditions. According to the World Labour Report, the child labour is considered as 'forced labour', because children are rarely in a position to give free consent to any activities performed by them as most aspects of their lives are determined by adults.*

## Introduction

ACCORDING to the Census of India, the youth segment of the population is projected to peak at 484.86 million in 2030, which amounts to about 25% of the world's labour force. Now, it's for the Government to decide, whether we want our children to be in the *Beedi* Industry or in the Educational Institutions, so that these children could contribute towards Nation-building in a better

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way. What will we do as a Nation tomorrow if today our children are hungry and unprotected without any guidance? Child labour is a universal phenomenon. Children are working in every sector of economy; especially in unorganized sector, viz., Agriculture and its allied industry, Beedi Industry, Lock-making, Zarry Industry and in Housing, etc.

Child labour is a curse to our society and a crime against humanity. Children work when they are supposed to play or go to school. The sad thing is that they work under hazardous conditions. According to the World Labour Report, the child labour is considered as 'forced labour', because children are rarely in a position to give free consent to any activities performed by them as most aspects of their lives are determined by adults.

India is the glaring example of a Nation beset with the problem of child labour. It is difficult to cite a current figure for the number of children engaged in child labour. According to the statistics given by International Labour Organization (ILO), there are about 218 million children between the age of 5 and 17 working all over the world. The figure excludes domestic labour. While the Government of India reports about 20 million children labourers, other Non-Governmental Organizations estimate the number to be closer to 50 million. Estimates cite figures of between 60 and 115 million working children in India - the highest number in the world (Human Rights Watch 1996, 1). According to the figures of Census 2001, out of the total child population of 252 million, 12.5 million children in the age-group of 5-14 years are working. As per the Census, the total number of child workers declined from 11 million in 1991 to 3.6 million in 2001. Similar decline is also evident in the NSSO results, but the estimated total number was 13.3 million in 1993-1994 and 8.6 million in 2004-2005. They constituted about 6.2% of children in the age-group 5-14 years in 1993-1994 and 3.4% in 2004-2005.

According to a draft report prepared by Regional Coordinator of the Tata Institute of Fundamental Research (TIFR), Bombay, two million kids are employed in India's deadly Tobacco Industry. They spend over 14 hours everyday at a stretch in contact with tobacco and usually work for about seven days in poorly-ventilated rooms without taking any rest, the TIFR report reveals. Despite the legislative prohibition of children below 14 years of age working in the *Beedi* Industry, the

practice continues unchecked and unabated in private homes all over the country. Children assisting their families in the home-based *beedi* work learn useful skills and can also make a little extra money. After sometime *beedi* work becomes the child's main occupation.

In India, however, there is no law, which actually provide for elimination of child labour. In the Constitution, it is stated that no child below 14 years will be employed in any factories or mines or engaged in any hazardous employment. But, nowhere does it make any mention of abolition or elimination of child labour. Although, the Child Labour Prohibition and Regulation Act of 1986 has suggested reasonable working conditions for children working in hazardous conditions, the term 'hazardous' neither been clearly defined anywhere in the Constitution, nor in different legislation proposed on child labour. Thus, the interpretation of the term 'hazardous' is ambiguous and inadequate, especially in the case of child labour.

## Objectives of the Study

- To highlight the condition of Child Labour in India particularly in *Beedi* Industry.
- To unveil the social and economic realities, which force the children to start *beedi*-rolling at any early age.

To understand the current trends in child labour in *Beedi* Industry and to find a proper explanation as to why child labour in *Beedi* Industry is growing, while it is showing, a clear-cut decline at national level as a general trend.

Keeping the above objectives in view, the Madhya Pradesh and Chhattisgarh have been chosen for the analysis of *Beedi* Industry. These two States have the highest concentration of beedi workers in India and in Madhya Pradesh, the largest concentrations of beedi workers are found. In fact, *Beedi* Industry constitutes one of the major industries of this State. One district from each State has been chosen on the basis of highest number of beedi workers. The study was carried out at Sagar District in Madhya Pradesh and Rajnandgoan District of Chhattisgarh. A partly close and open-ended questionnaire was prepared for collecting primary information and 200 beedi workers were interviewed in the States of Madhya Pradesh and Chhattisgarh. The leaders of different trade unions, members of SHGs, and NGOs

were also interviewed in connection with Child Labour problems in order to know their views on various aspects covered in the study.

### Condition of Child Labour in the *Beedi* Industry

In *Beedi* Industry, children with their nimble fingers, perform the chore of rolling, besides binding and closing the ends. Children can be found in beedi-rolling jobs as homeworkers in many States. According to an estimate, about 3.7% of the homeworkers were to be found in West Bengal, followed by Orissa (2.6%) and Bihar (0.6%). According to Haq Centre for Child Labour Right, the number involved in the different works in Madhya Pradesh is 10,65,259. Three piece-rated child workers were working as piece-rate labellers/packers on industrial premises in Madhya Pradesh for whom the average daily earnings were reported as 32.09 rupees (minimum) and 76.32 rupees (maximum).<sup>1</sup>

The dimension of exploitation of children has been difficult to analyze in the absence of adequate reports. The survey carried out by the Labour Bureau shows that children constitute only 1% of homeworkers. It is suspected that child labour is not reported because of the legal ban on the employment of child labour. The report of the same survey neither found evidence that child labourers had been noticed in labelling and packing jobs in the factories and in rolling work at homes, but their employment was neither shown on records nor admitted by the employers.<sup>2</sup>

Child labour is inefficient when used by parents as a substitute for negative bequests (to transfer income from children to parents) or, because of capital market imperfections, as a substitute for borrowing (to transfer income from the future to the present). The poor quality of primary education in the region too contributes pushing many children out of school and they have to work. Because of the possible or expected earning (or saving), complicity arises, the parents of a child are then faced with a dilemma: (i) Labour is harmful to the physical and mental development of the child and, therefore, future productivity, leading to future deprivation and poverty, whereas (ii)

<sup>1</sup> Labour Bureau (1995), pp. 92-93.

<sup>2</sup> *Ibid.*, p. 55 and p. 195. Suspicion was also roused regarding under-reporting of child labour when the estimates of this survey varied markedly from the results of an isolated case study. According to a survey in one district of West Bengal (Bagchi and Mukhopadhyaya, 1996), children constituted 15% of the total workers in the district. See Sudarshan and Kaur (1999), p. 677.

schooling deprives the parents from the immediate liquidity of the child's current income from work (Zutshi, 2002).

### The Economic Role of Children in *Beedi* Rolling Industry

The United Nation (UN) Secretary-General Mr. Kofi Annan stated, "Child Labour has serious consequences that stay with the individual and with society for far longer than the years of childhood. Young workers not only face dangerous working conditions, they face long-term physical, intellectual and emotional stress. They face an adulthood of unemployment and illiteracy."

*Beedi*-rolling is a household activity in which nearly all members of the family participate. Children below the age of 14 also regularly help in the *beedi*-rolling as a matter of routine. About 7 to 8 lakh children in the State might be regularly engaged in *beedi*-making in Madhya Pradesh and Chhattisgarh (Mahanti, 1999). According to Prepappadan, 2007, India has six million children, age 4 to 14, working full time in the *Beedi* Industry.

*Child* labour is a source of income for poor *beedi*-rolling families. It is difficult to cite a current figure for the number of children engaged as a child labour in the *Beedi*-Rolling Industry. The hazardous establishments in which most of the child labours were identified are *beedi* manufacture, slate pencil manufacture, soap manufacture and building and other construction works in Madhya Pradesh and Chhattisgarh. The largest number of child labour employed in the hazardous sector is in *beedi* manufacturing sector.

The most crucial factor to be considered is the condition of the child labour. The contractors tend to employ child labour since it is cheaper and easily available and that children could be kept as unregistered members, so that the fringe benefits accruing to them could be appropriated by them. Basic socio-economic measures are called for complete abolition of child labour. Since this is not a probable thing to happen in the present context of the society, regulation of child labour employment has to be strengthened. In the schools situated in *beedi*-rolling areas, vocational education may be imparted, whereby children could get education as well as training in and earning by *beedi*-rolling. This might apply especially to female children, who form the bulk of *beedi* child labour.

**Table 1: Distribution of *Beedi*-roller Families on the basis of taking assistance from Children**

Take assistance from Children	Name of the District		Total
	Sagar (M.P.)	Rajnandgaon (C.G.)	
Yes	41 (20.50%)	14 (7.00%)	55 (27.50%)
No	53 (26.50%)	86 (43.00%)	139 (69.50%)
Not Applicable	6 (3.00%)	–	6 (3.00%)
<b>Total</b>	<b>100 (50.00%)</b>	<b>100 (50.00%)</b>	<b>200 (100.00%)</b>

Source: Primary Survey Data, 2006.

Figures in *Table 1* show that out of 200 families, 27.5% *beedi*-rolling families are taking assistance from their children, in which 20.5% families belong to the Sagar District of Madhya Pradesh and 7% families belong to Rajnandgaon District of Chhattisgarh. 69.5% *beedi*-rollers are not taking assistance from their children and 3% families don't have children less than 14 years so, it is not applicable. More incidences of child labour are found in the Sagar District than Rajnandgaon District. A very high incidence of child labour can be found in this field area. Some organizations are claiming that 1% of the total workforce is working as a child labour. But, this survey results show something different from the other studies.

### Children's Participation in *Beedi* Rolling Process

Section 24 and Section 25 of the *Beedi and Cigar Workers (Conditions of Employment) Act, 1966* prohibit the employment of children below the age of 14 years and of young persons between the age of 14 to 18 years in any industrial premises. Section 25 also restricts the women workers working in night shifts from 7.00 p.m. to 6.00 a.m.

**Table 2: Distribution of Child Labour on the basis of Age and Sex**

Age of Children	No. of Boys	No. of Girls	Total
8	3	1	4
10	3	1	4
11	1	2	3
12	1	8	9
13	1	6	7
14	2	6	8
15	4	2	6
16	0	16	16
17	2	1	3
18	2	12	14
<b>Total</b>	<b>19</b>	<b>55</b>	<b>74</b>

Source: Primary Survey Data, 2006.

Figures in *Table 2* clearly show that children are participating in the beedi-rolling process in the beginning stage of their childhood. Total 74 children are found engaged in the beedi-rolling occupation in the 55 beedi-roller families, wherein 19 boys and 55 girls assisting. Total 35 children between 8 years to 14 years are found engaged in *beedi-rolling*. Despite the legislation prohibiting children below 14 years of age from working in the *Beedi* Industry, the practice continues unchecked and unabated in private homes all over the country. Due to home-based nature of the industry and work, more girls can be found in *Beedi* Industry. Children mostly help in counting the beedies, tide the thread to the beedies and leaf cleaning. Sometime, they go to the contractor or employer to submit beedies and to collect wages.

## Reasons of Child Labour in the Beedi-Rolling Industry

**Table 3: Reasons for the Child Labour in the Field Area\***

Reasons for Child Labour	No. of Responses	Percentage
Supplement family income	51	54.3
Pay outstanding family debt	2	2.1
Learning skills	10	10.6
Schooling is irrelevant	10	10.6
Cannot afford school fees	14	14.9
Others	7	7.4
<b>Total</b>	<b>94</b>	<b>100.0</b>

\*145 missing cases; and based on 55 valid cases.

Source: Primary Survey Data, 2006.

Table 3 shows the reasons behind children's involvement in the Beedi-Rolling Industry. There are many factors that drive the children to seek work in the Beedi-Rolling Industry. Here, 54.3% beedi-rollers said that they are taking children's assistance, because their family income is not sufficient for the livelihood of the whole family so, they are using children as a supplement of family income. 14.9% beedi-rollers reported that they can't afford school fees so, it is better if children should be engaged in productive activities. Another 10.6% beedi-rollers said that they are involving children to teach skill. 10.6% said that the education is not appropriate. The straight and simple meaning of this argument is that the faith of the children as well as their guardians in the present system of education is evaporating. They are forced to go for work as their guardians cannot afford the school fees and other expenses for education. 2.1% beedi-rollers, involving their children due to payment outstanding family debt. 7.4% beedi-rollers said others reasons like after schooling they don't have much work so, it is better if they help. There is need thus to motivate these children and their parents.

## Present Educational Status of Children working as Child Labour

**Table 4: Status of Child Labour whether attending School or not**

Attending School	Name of the District		Total
	Sagar (M.P.)	Rajnandgaon (C.G.)	
Yes	24 (12.00%)	12 (6.00%)	36 (18.00%)
No	17 (8.50%)	2 (1.00%)	19 (9.50%)
Not Applicable	59 (29.50%)	86 (43.00%)	145 (72.50%)
<b>Total</b>	<b>100 (50.00%)</b>	<b>100 (50.00%)</b>	<b>200 (100.00%)</b>

Source: Primary Survey Data, 2006.

Figures in *Table 4* reveal that out of 200 families, 55 families are taking assistance from the children. 36 families are sending their children to the school and 19 families are taking full-time assistance from the children, since children are not capable to go to school. In Rajnandgaon District, most of children are attending school as well as working in the beedi sector. Total 9.5% families have taken out their children from the school.

### Reasons for Dropout

**Table 5: Main Reasons for the Dropout of Children from School\***

Reasons for Dropout	No. of Responses	Percentage
School is too far	1	2.7
Parents cannot afford schooling	16	43.2
Family does not allow schooling	8	21.6
Poor in Studies/not interested in school	2	5.4
School not considered valuable	3	8.1
School not safe	1	2.7
Help at home	5	13.5
School teachers are not good	1	2.7
<b>Total</b>	<b>37</b>	<b>100.0</b>

180 missing cases; 20 valid cases\*.

Source: Primary Survey Data, 2006.



Figures in Table 5 show that 43.2% families reported that they couldn't afford school fees so, they have withdrawn their children from the schooling. 21.6% *beedi*-rollers reported that family did not allow schooling, especially for girl child. 13.5% *beedi*-rollers reported that they need children at home to help in *beedi*-rolling and other household chores. 2.7% reported that school is too far, school is no safe and school teachers are not good. 8.1% respondents said that school is not valuable for their children; after schooling they are not going to get any job so it will be better for the children to gain knowledge of skills.

The average number of *beedies* a child labourer rolls in a day is 1,500, for an average daily wage of Rs. 9. The working conditions are dangerous to the child's health. The long hours spent hunched over the basket of tobacco causes growth deformities, and the constant proximity to tobacco dust causes and exacerbates lung diseases; there is a high rate of tuberculosis in communities dedicated to the manufacture of *beedies*.

Child labour is a significant problem in India. Children are playing essential role in the *Beedi* Industry. There is a need to withdraw the children from the *beedi*-rolling, the high incidence of female and child workers in the *Beedi* Industry also justifies programme rationalization and integrated approaches because of the shared common goals of providing income to mothers and withdrawing child workers from the industry. Most of the workers in the focus groups were, therefore, benefiting from Beedi Workers Welfare Fund (BWVF) scholarships for their children and others hoped to do so. This has definitely reduced child labour in *beedi* work, because half the day is spent in schools. The girl children in many homes still roll *beedies* in their spare time. In other words, according to the *beedi*-rollers, their children are now doubly qualified: they are educated and skilled too, because they can roll *beedies*.

## Conclusion

At the end, it can be stated that the *Beedi* Industry is an agro-based and labour-intensive industry, which employs workers mainly from weaker sections of the society. But, the Constitution of India clearly states that child labour is a crime and that adequate measures should be taken to end this human right violation - a generational human right violation. For meeting this provision, the Government of India has

implemented the Child Labour Act in 1986 that outlaws child labour in certain areas and sets the minimum age of employment at fourteen. This Act falls short of making all child labour illegal, and fails to meet the ILO guideline concerning the minimum age of employment set at fifteen years of age.

India has Six Million Children, age of between 4 to 14, working full time in the Beedi Industry. Major finding the study is that 27.5% beedi-roller families are taking assistance from their children, Total 74 children are found engaged in the *beedi*-rolling occupation in the 55 beedi-roller families, wherein 19 boys and 55 girls are assisting. Reasons for Child Labour to supplement family income, learning skills, schooling is irrelevant, and cannot afford school fees. It is not possible to take off all children from the work, because they are contributing to the family income. What is to be needed in the present circumstances that there should be some type of arrangement to children education after or before work.

There is an urgent need to remove children from the *Beedi* Industry. How long one could wait and watch our children being exploited in this industry - either directly or indirectly? How long employer, family members, contractor, etc. will be allowed to do their criminal activities against the children? The fact is that if India wants to garner her demographic dividend, we need to eradicate child labour from the Beedi Industry. ■

## REFERENCES

1. Chandrasekhar, C.P. (1997). "The Economics Consequences of Abolition of Child Labour: An Indian Case Study", *The Journal of Peasant Studies*, Vol. 24, No. 3, pp. 137-179.
2. Current Trends in Child Labour: A Study of Beedi Industry in Bharatpur-II Block, Murshidabad District, West Bengal.
3. Government of India (1995). "Report on the Working and Living Conditions of Workers in Beedi Industry in India", *Unorganized Sector Survey, Series No. 22, Labour Bureau, Ministry of Labour, Shimla, New Delhi.*
4. Government of India (1995). "The Working and Living Conditions of Workers in the Beedi Industry in India", *Ministry of Labour, Labour Bureau, Chandigarh and Shimla.*

5. <http://www.rajputbrotherhood.com/knowledge-hub/essay/an-award-winning-essay-on-child-labor.html>  
Accessed on 8-2-2009.  
<http://www.rajputbrotherhood.com/knowledge-hub/essay/an-award-winning-essay-on-child-labor.html> Accessed on 8-2-2009.
6. ILO(2001). "Identifying Alternative Employment and Income Opportunities for Women Bidi Workers in the Pilot Area of Sagar, Madhya Pradesh India", International Labour Organization, New Delhi and Geneva, September 2001.
7. Kulshreshtha, J.C. (1978). "Child Labour in India", New Delhi, Ashish Publishing House, p. 12.
8. Mahanti, Neeti (1999). "National Child Labour Policy in India: A Report of the National Workshop on Review of Implementation of National Child Labour Policy, 1987", Inter-India Publication, New Delhi.
9. Prepappadan, Bindu Shajan (2007). "Call for Stringent Steps to Check Tobacco Abuse", Tuesday, 13th November 2007.
10. Rehman, M.M. (2007). "Operation of Welfare Fund for Beedi Workers in Madhya Pradesh Profile, Problems and Prospect", V.V. Giri, National Labour Institute, Noida.
11. Report on "Conditions of Work and Promotion of Livelihoods in the Unorganized Sector", August 2007.
12. Varma, Uday Kumar & M.M. Rehman (2005). "Tobacco, Tendu Leaf and Beedi Workers in India: Problems and Prospects", V.V. Giri National Labour Institute, Noida, Delhi, Shipra Publication.
13. Zutshi, Bupinder, Mandira Dutta & Suresh Nangia (2002). "In the Name of Child Labour: Eradication and Evaluation", Delhi, Shipra Publication, pp. 2009-2010.



# Decipherment of Indian Counterfeit Currency – Forensic Approach for A Layman

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## Keywords

S-3/MAR Features, Mahatma Gandhi Portrait, Ashoka Pillar, RBI Logo

## Abstract

*Counterfeiting of Currency is one of the biggest security threats for India. There are several Security Features, which are present in the current Indian Banknotes of Mahatma Gandhi Series, i.e. denomination of ₹ 5, ₹ 10, ₹ 20, ₹ 50, ₹ 100, ₹ 500 and ₹ 1000 as well as several Security Features are incorporated in them periodically. Still, counterfeiting is not stopping due to availability of high technology in the market. Hence, the identification of Counterfeit Banknote has become much difficult for a Layman. In this research work an approach is provided for a Layman for counterfeit detection. The approach is just based on the naked eye identification of S-3/MAR Features, i.e. Mahatma Gandhi Portrait, Ashoka Pillar & RBI Logo, because these are commonly present among all denominations of ₹ 5, ₹ 10, ₹ 20, ₹ 50, ₹ 100, ₹ 500 and ₹ 1000.*

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## Introduction

**I**t is beyond comprehension as to what is happening in the country. The biggest threat to India is Counterfeiting of Currency. Counterfeit money is currency that is produced without the legal sanction of the State or Government to resemble some official form of currency closely enough that it may be confused for genuine currency. Its ill-effects cause reduction in the value of real money, increase in prices (inflation) due to more money getting circulated in the economy - an unauthorized artificial increase in the money supply, decrease in the acceptability (satisfactoriness) of money - payees may demand electronic transfers of real money or payment in another currency (or even payment in a precious metal, such as gold). Companies are not reimbursed for counterfeits. This forces them to increase prices of commodities.

The Reserve Bank has the sole authority to issue, distribute and handle banknotes in India. RBI has introduced banknotes in the Mahatma Gandhi Series since 1996. The contemporary Indian notes are of ₹ 5, ₹ 10, ₹ 20, ₹ 50, ₹ 100, ₹ 500 and ₹ 1000 denomination. Contemporary notes show the portrait of Mahatma Gandhi on the face and hence, are called as Mahatma Gandhi series. Large denominations of rupees are often counted in Lakh (100,000 = 1 Lakh, 100 Lakh = 1 Crore/karor, 100 Crore/karor = 1 Arab, 100 Arab = 1 Kharab/khrab, 100 Kharab/khrab = 1 Neel, 100 Neel = 1 Padam, 100 Padam = 1 Rajam, 100 Rajam = 1 Uroos).

All banknotes of India carry the signature of Reserve Bank of India's Governor's signature (except 1 Rupee note, which has the Finance Secretary's signature). Currency notes are printed at the Currency Note Press, Nashik, Bank Note Press, Dewas, Bharatiya Note Mudra Nigam (P) Limited Presses at Salboni and Mysore and at the Watermark Paper Manufacturing Mill, Hoshangabad.

## Security Features of Indian Currency

All Indian Banknotes are made up of 100% Cotton fibres, some fibre of wood/grass, etc. also mixed to prevent feathering and paper is of 90 GSM (+3)/110 microns (+5). So, it is producing crackling sound and its folding capacity ~ 6500 times, while ordinary is having ~ 200 times. The following Security Features are present in Indian ₹:



Figure 1: Mahatma Gandhi Series Notes



Size : 177mm X 63mm  
Color : Pink  
First Issued in: 2000  
Reverse Picture: Economy of India



Size : 167mm X 63mm  
Color : Olive and yellow/Yellow  
First Issued in: 1997/2000  
Reverse Picture: Dandi March



Size : 157mm X 63mm  
Color : Blue-green at center, brown-purple at 2 sides  
First Issued in: 1996  
Reverse Picture: Himolayo Mountains



Size : 147mm X 63mm  
Color : Violet  
First Issued in: 2002  
Reverse Picture: Parliament of India



Size : 147mm X 63mm  
Color : Red-orange  
First Issued in: 2002  
Reverse Picture: Palm trees



Size : 137mm X 63mm  
Color : Orange-violet  
First Issued in: 1996  
Reverse Picture: Rhinoceros, elephant, tiger



Size : 117mm X 63mm  
Color : Green  
First Issued in: 2002  
Reverse Picture: Tractor

Figure 2: General Basics of all denomination ₹ for a Layman

1. Watermark
2. Braille Mark
3. See-through Register
4. Optical Variable Ink
5. Security Thread
6. Micro-printing
7. Latent Image
8. Optical Fibre
9. Omron
10. Number Panel
11. Dcuts
12. Guilloche
13. Language Panel
14. Year of Printing
15. Reverse Image
16. **Intaglio Printing [I to XII]**

### Decipherment of Genuine/Counterfeit Indian Currency by a Layman

1. **Watermark:** Watermark is present in ₹ 5 to ₹ 1000 [Mahatma Gandhi Portrait, RBI, Denomination - Big, Denomination - Small & 1K (only in ₹ 1000)]. Take the suspected currency, then put a white paper on that and now rub the paper with coloured pencil, then you are able to see all the Watermarks present in that currency. In case of forged note, Watermarks are showing blackish embossing.

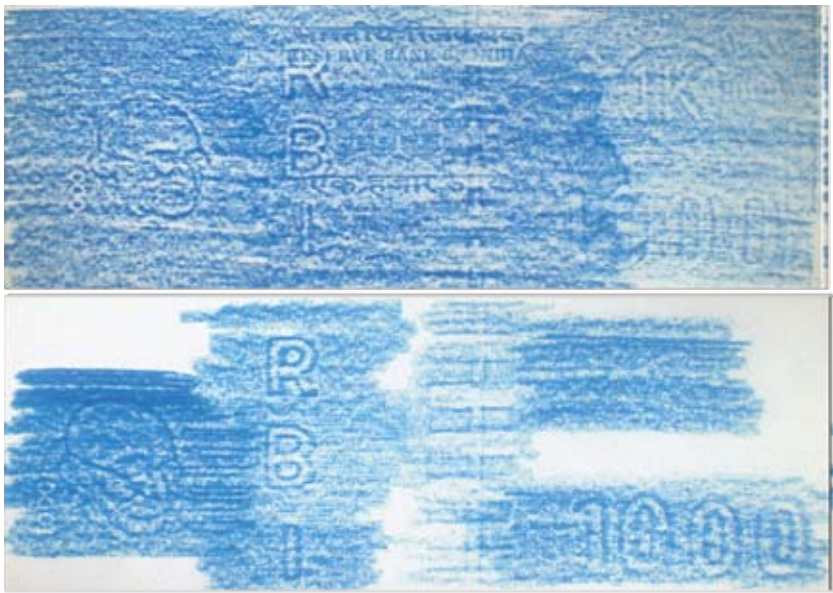


Figure 3: Difference in the Watermark Genuine (upper) & Counterfeit (lower)



- See-through Register:** It is showing back-to-back registration of the particular denomination of the front (hollow) and back (filled up) of the note when seen against the light in case of Genuine Note, while in Counterfeit, it mismatches in their position.



Figure 4: See-through Register of Genuine (left) & Counterfeit (right) Currency

- Optical Variable Ink:** It can be seen only in 500 & 1000 banknotes. It is based on the colour shifting of the ink from Green to Blue after changing of angle.



Figure 5: Optical Variable Ink of Genuine (upper) & Counterfeit (lower) Currency

- 4. Security Thread:** The current note is having 6 windowed thread with microtext, i.e. 'Bharat' (in Hindi), 'denomination' and 'RBI', but totally embedded on the reverse side.



Figure 6: Security Thread of Genuine (upper) & Counterfeit (lower) Currency

- 5. Micro-printing:** It contains the word 'RBI denomination' as micro-letters. This feature can be seen well under a magnifying glass.

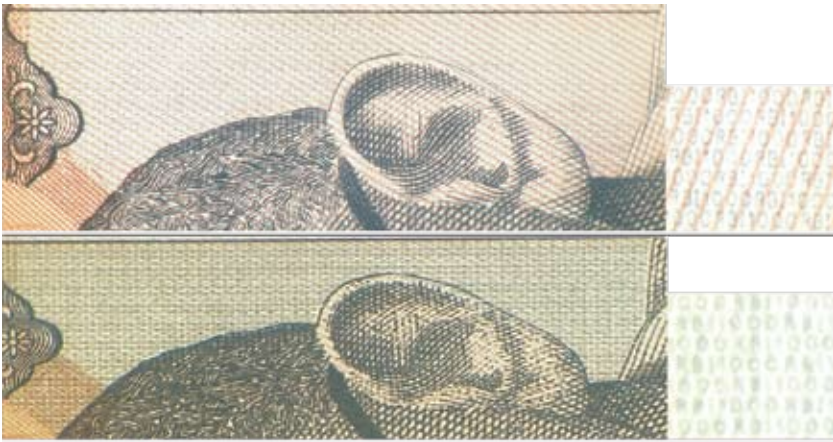


Figure 7: Micro-printing of Genuine (upper) & Counterfeit (lower) Currency

- 6. Latent Image:** The Latent Image is present as denomination and can be seen note is held horizontally to eye level against the light source.



Figure 8: Latent Image of Genuine (left) & Counterfeit (right) Currency

- Number Panel:** Check the alphabetic Inlet present on the background of Number Panel. Out of 26 alphabets, 20 alphabets represent the Genuine Note, while remaining 6 alphabets, i.e. I, J, O, X, Y & Z represent Counterfeit Note.



Figure 9: Checking of Inset in Currency

- Intaglio Printing:** The portrait of Mahatma Gandhi, the Reserve Bank seal, guarantee and promise clause, Ashoka Pillar Emblem on the left, RBI Governor's signature are printed in Intaglio, i.e. in raised prints, which can be felt by touching Rs.1000 notes. It is present on 12 different places of note [I to XII] Figure 1.



Figure 10: Security Features of Indian Currency

## Forensic Approach for a Layman

It is well known fact that a Layman is not aware of the Scientific Identification for the detection of Counterfeit Banknotes. Here, some Security Features are shown, which do not need any Scientific Instrument for the examination of Counterfeit Note. After applying the shown approach, any one can identify the forged Indian Currency. This forensic approach can be applied by naked eye or only a magnifying glass of 2x to 10x.

All denominations of Indian currency [₹ 5, ₹ 10, ₹ 20, ₹ 50, ₹ 100, ₹ 500 & ₹ 1000] is having 3 common similar figures, i.e. Mahatma Gandhi Portrait, Ashoka Pillar & RBI Logo. Therefore, only their minute examination can reveal the genuineness of currency.

### 1. S-1 Feature [Mahatma Gandhi Portrait]

Mahatma Gandhi was a pre-eminent political and ideological leader of India during the Indian Independence Movement. He is called as the **'Father of the Nation'** in India.



Mohandas Karamchand Gandhi  
(2 Oct. 1869 - 30 Jan 1948)

- \* Pioneered – Satyagraha
- \* Philosophy – Ahimsa (Non-violence)
- \* Protested – British salt tax with 400 km Dandi Salt March in 1930
- \* Launched – Quit India Movement in 1942

**Figure 11: Mahatma Gandhi**

## 2. S-2 Feature [Ashoka Pillar]

Emperor Ashoka erected the capital atop an Ashoka Pillar from Sarnath. It was adopted as the **'National Emblem of India'** on 26 January 1950, the day that India became a Republic.



4 Asiatic **Lions** –symbolising power, courage, pride and confidence (one hidden from view)

**Abacus** –exemplifying the fountainhead of life and creative inspiration (girded by 4 animals)

A **Lion** (North), A **Horse** (South), An **Elephant** (East) & A **Bull** (West)

(separated by intervening Ashoka Chakra over a bell-shaped lotus)

The motto **'Satyameva Jayate'** (quote from Mundaka Upanishad) inscribed below the emblem in Devanagari script means 'truth alone triumphs'.

The representing version does not include the bell-shaped lotus flower beneath.

Includee 3 **Lions**, A **Horse** (Left) & A **Bull** (Right)

Figure 12: Ashoka Pillar

## 3. S-3 Feature [RBI Logo]

The Reserve Bank of India is currently issuing the Mahatma Gandhi Series in the denominations of ₹ 5, ₹ 10, ₹ 20, ₹ 50, ₹ 100, ₹ 500 and ₹ 1000. RBI is called as the **'Bankers of the Bank'** in India.



The Reserve Bank of India

Started – Note production in 1938, issuing 2, 5, 10, 50, 100, 1000 & 10000 rupee notes

Introduced – Banknotes in the Mahatma Gandhi Series since 1996

Issued – Notes in the denominations of Rs. 5, 10, 20, 50, 100, 500 and 1000

Logo – 1 Lion with background of a tree

Figure 13: RBI Logo

#### 4. S-3/'MAR' Features

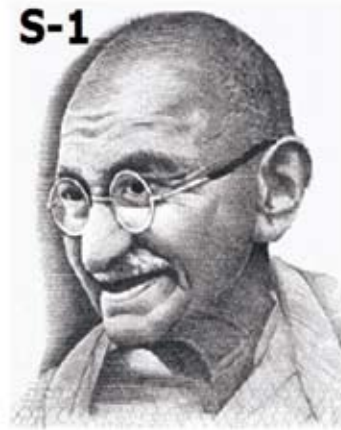
After combining all these three features, i.e. S-3 [Mahatma Gandhi Portrait, Ashoka Pillar & RBI Logo], it can be called as 'MAR' Features in the current research work.

S-1 [Mahatma Gandhi Portrait]

S-1

S-2 [Ashoka Pillar]

S-3 [RBI Logo]



S-1 [Mahatma Gandhi Portrait]

S-2 [Ashoka Pillar]

S-3 [RBI Logo]



Figure 14: S-3/MAR Features for a Layman  
[Comparison of Diagrammatic Figures to the Real Figures]

## Forensic Examination of S-1/M Feature

Forensic examination of S-1/M Feature involves the study of deep minutiae of Mahatma Gandhi Portrait. After analysis of all denominations of currency, it is observed that Mahatma Gandhi Portrait of the Genuine Currency is differing from the Counterfeit Currency in 3 crucial parameters:

1. Eyeball of Mahatma Gandhi Portrait.
2. Mouth of Mahatma Gandhi Portrait.
3. Spectacle Stick of Mahatma Gandhi Portrait.

### 1. Eyeball of Mahatma Gandhi Portrait:

Eyeball of Mahatma Gandhi Portrait of Genuine Currency is having rectangular net-shaped pattern, while Counterfeit Currency is having only a smeared spot. If both the left & right eyeballs are showing concentric rectangular net-shaped pattern, then it is a genuine note.

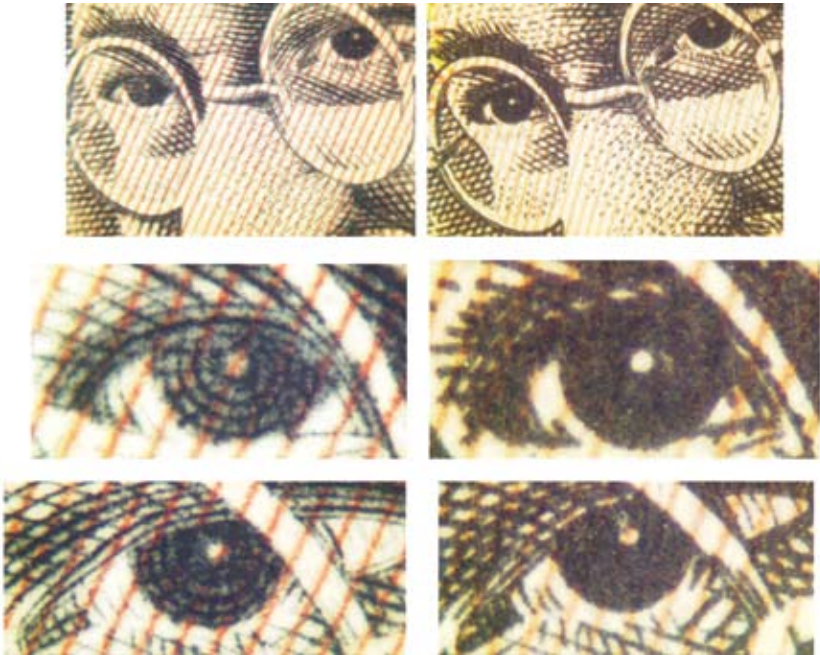
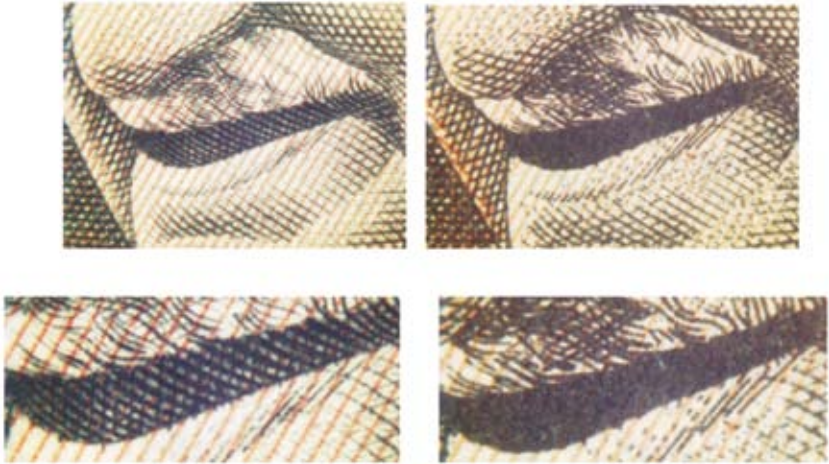


Figure 15: Eyeball of Mahatma Gandhi Portrait [Genuine: Counterfeit]

**2. Mouth of Mahatma Gandhi Portrait:**

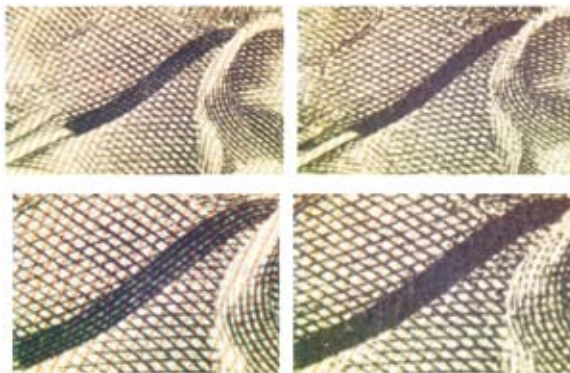
Mouth (space between upper & lower lips) of Mahatma Gandhi Portrait of the Genuine Currency is bearing squared net-shaped pattern, while the Counterfeit only showing smeared spot in that area.



**Figure 16: Mouth of Mahatma Gandhi Portrait [Genuine: Counterfeit]**

**3. Spectacle Stick of Mahatma Gandhi Portrait:**

Spectacle Stick of Mahatma Gandhi Portrait of Genuine one show rectangular net-shaped pattern. But, Counterfeit one show smeared area.



**Figure 17: Spectacle Stick of Mahatma Gandhi Portrait [Genuine: Counterfeit]**



## Forensic Examination of S-2/A Feature

Forensic examination of S-2/A Feature describes the highly deep structures of Ashoka Pillar. After examination, it is revealed that Ashoka Pillar of the Genuine Currency is showing difference from the Counterfeit Currency in 2 major parameters:

1. Eyeball of Front Lion of Ashoka Pillar.
2. Legs of Front Lion of Ashoka Pillar.

### 1. Eyeball of Front Lion of Ashoka Pillar:

Eyeball of the Front Lion of Ashoka Pillar of the Genuine Note is differing from the Counterfeit. In Genuine - Left Eyeball is having half blank circular outline & Right Eyeball touches the nasal corner and in Counterfeit - Left eyeball is having half filled area & Right eyeball slightly missing nasal corner.

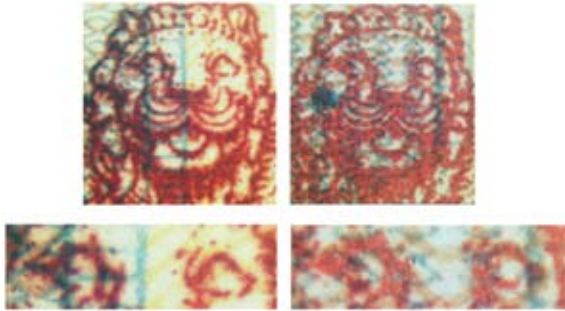


Figure 18: Eyeball of Front Lion of Ashoka Pillar [Genuine: Counterfeit]

### 2. Legs of Front Lion of Ashoka Pillar:

Legs (space between left & right leg) of Front Lion of Ashoka Pillar of Genuine one is showing the clear squared net-shaped pattern. On the other hand, Counterfeit shows only some net-shaped area.

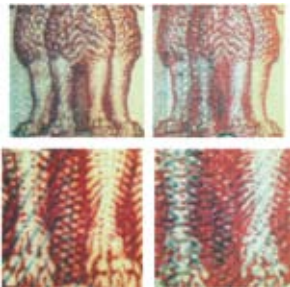


Figure 19: Legs of Front Lion of Ashoka Pillar [Genuine: Counterfeit]

## Forensic Examination of S-3/R Feature

Forensic examination of S-3/R Feature emphasizes on the RBI Logo. After study of all denominations of currency, it is observed that Mahatma Gandhi Portrait of the Genuine Currency is differing from the Counterfeit Currency in 2 important parameters:

1. Mouth of Lion of RBI Logo.
2. Neck of Lion of RBI Logo.

### 1. Mouth of Lion of RBI Logo:

Mouth of Lion of RBI Logo of Genuine Note touches the nose, but in case of Counterfeit, there is a space between mouth & nose.

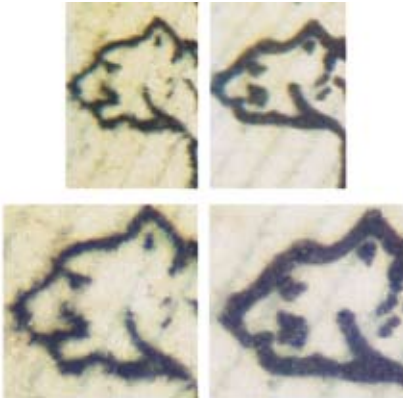


Figure 20: Mouth of Lion of RBI Logo  
[Genuine: Counterfeit]

### 2. Neck of Lion of RBI Logo:

Neck Portion of Lion of RBI Logo of Genuine Note bears 3 clear distinct lines, while Counterfeit bears only 2 lines.

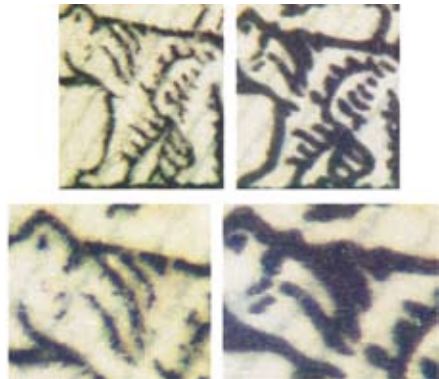


Figure 21: Neck of Lion of RBI Logo  
[Genuine: Counterfeit]

So, after thorough examination of these S-3/MAR Features, result reveals that it is so easy to detect a Counterfeit Indian Currency for a Layman.



Figure 22: Mahatma Gandhi Portrait [Genuine: Counterfeit]

Figure 23: Ashoka Pillar [Genuine: Counterfeit]



Figure 24: RBI Logo [Genuine: Counterfeit]

### Suggestions

It has been suggested that every Layman can identify & decipher the Genuine Currency after seeing all S-3/MAR Features in all denominations of Banknotes. Here, denominations of Rs. 500 & 100 are shown to identify their S-3/MAR Features.



Figure 25: S-1/M Feature of Genuine Rs. 500 & 100 Indian Currency

Figure 26: S-2/A Feature of Genuine Rs. 500 & 100 Indian Currency



Figure 27: S-3/R Feature of Genuine Rs. 500 & 100 Indian Currency

## Conclusion

Counterfeit notes that are not easily identified sometimes drives us into tight corners. Not all of us have the 'currency knowledge' to find the difference, which can be known only after minute scrutiny. This paper suggests all the Security Features of Genuine Indian Rupees for a Layman and a forensic approach for Decipherment of Counterfeit Notes, which will be an aid for a Layman, Banks, Police, and Financial Institutions, etc. Hence, it is very much right to say that Decipherment of Indian Currency can be done by a Layman after following the explained parameters. ■

## ACKNOWLEDGEMENTS

***We are thankful to our staff of Document Division of CFSL (CBI) for their cooperation.***

This Research is dedicated to my "Mother & Idols"- Swapnil.

## REFERENCES

1. URL BASED.
2. Reserve Bank of India. [www.rbi.org.in](http://www.rbi.org.in)
3. Directorate of Forensic Science Services 'Counterfeit Currency Manual'. [www.dfs.gov.in](http://www.dfs.gov.in)
3. Britannica Encyclopedia. [www.britannica.com](http://www.britannica.com)
4. Wikipedia Encyclopedia. [www.wikipedia.org](http://www.wikipedia.org)



# Role of Police during Natural Disasters/ Emergencies

Paras Nath Rai\*

## Keywords

Natural Disasters, Emergency, Disaster Management, Evacuation, Handicaps, Resource Mobilization, NDRF, Co-ordination, Security, Escort, Traffic Management

## Abstract

*The present paper has made an attempt to analyze the role of police in disaster management. The role of police is being discussed in the background of Kosi Disaster - 2008 when the author had the opportunity to organize rescue and relief operations as Special Secretary in the Department of Disaster Management, Government of Bihar. The paper has studied police role not only in the context of immediate response in terms of rescue, but also during different stages of relief and recovery.*

**D**ISASTERS, whether natural or man-made, are happening all-around and in all such situations Police Force have always responded as first organized response. Police is the first responder for the most of emergencies and naturally so, given the reach and proximity of the Police. Its organizational capability makes it suited for variety of tasks, including rescue and relief work.

The present paper has made an attempt to analyze the role of police in disaster management. The role of police is being discussed in the background of Kosi Disaster - 2008 when the author had the opportunity to organize rescue and relief operations as Special Secretary in the Department of Disaster Management, Government of Bihar. The

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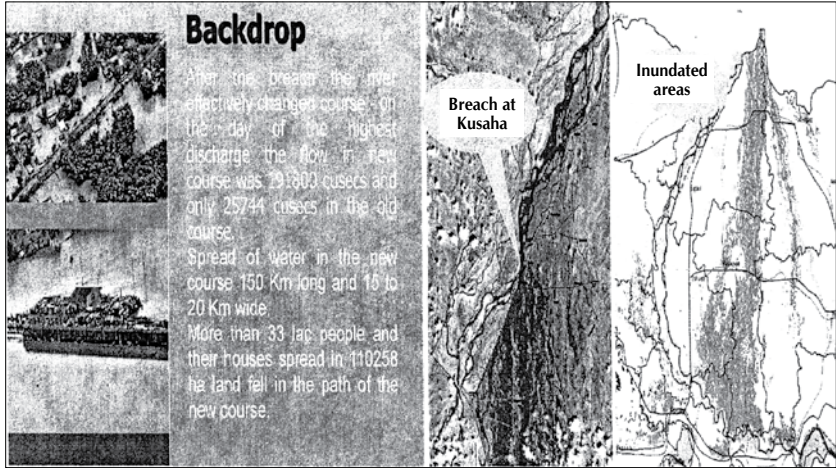
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paper has studied police role not only in the context of immediate response in terms of rescue, but also during different stages of relief and recovery.

### Backdrop

On 18th August, embankment of river Kosi suffered a breach at Kusaha, 10 kilometres inside Nepal bordering Supaul District of Bihar.



### Impact

#### Name of affected Districts:

Supaul, Madhepura, Saharsa, Araria, Purnia:

● No. of blocks affected	–	35
● No. of Panchayats affected	–	412
● No. of villages affected	–	993
● Population affected	–	33,29,423
● Livestock affected	–	7,12,140
● Area affected in hectare	–	3,68,000
● No. of human deaths	–	527
● No. of livestock deaths	–	19,323
● No. of houses damaged	–	2,20,174

## Search and Rescue

- **Evacuation of people:** More than a million people were evacuated in one of the largest evacuation operations ever. This had to be undertaken under conditions of terrible handicaps. Roads, rail tracks, bridges and telephone lines were thrown out of use. Families of those responsible for the rescue operations stood marooned, looking for shelter. Moreover, there were no boats in the area since it had not seen floods for years. At peak, 35 columns of Army, 4 units of Navy coastguard, 855 National Disaster Response Force personnel, 3,500 Police personnel and approximately 5,000 civilian personnel and more than 1,500 country boats and 561 motor boats were deployed for evacuation. Each column had 120 personnel and was commanded by Col./Lt. Col./Major/Captain. Each had 8-10 boats. Columns came from all over the country, including Ranchi, Shillong, Bareilly, Bhatinda, etc. by AN-12 aircraft and by road. The traffic was so heavy that Purnea & Patna major airhead/railhead got clogged many a time.
- **Resource mobilization:** Police could be of immense help in mobilizing resources, including boats for mounting rescue work. During Kosi Calamity - 2008, the State Government launched mammoth evacuation operation using boats and motor boats and boatmen. As this area did not have boats, 1,500 boats were transported to the affected districts by trucks and tractors from all over the State. Police had played significant role in locating, loading and transporting these boats. Moreover, those boats had to be operated under the guidance and protection of police. In addition, 561 motor boats were mobilized from NDRF, Army, Navy and our own sources. In all, more than 2,200 boats and motor boats were deployed and around one million people were evacuated. This has been one of the largest evacuation ever in the country. More than 1,500 country boats and 561 motor boats deployed for evacuation.
- **Provide rescue teams:** Many States have raised Specialized Disaster Management Units within the Police Organization. Orissa has OSDRF, Bihar has sanctioned one battalion of SDRF for disaster management. Special batallion of home guards is also being trained. And, of course, the highly trained 8 BNs of NDRF are actively involved in emergency response. Police has its own boats that can be brought in operation. CPMF, including SSB,



BSF is equipped with boats for rescuing people which can be mobilized in emergency.

- **Provide security to resources:** During times of emergency, local responders too get affected. As such, the resources mobilized from outside get lost. Boats sent from other places require guides and security since many a time, unscrupulous elements hijack them to operate their own services for personal benefits. In addition, people to be rescued want to board first and naturally so. Many a time, along with their belongings, including cattle which to many is all their wealth. Therefore, policemen have to be placed on boats to prevent overcrowding and capsizing to ensure orderly and safe rescue work. Even Army boats needed them during Kosi.
- **Communication:** During Kosi operations, rescue teams operated in mostly unknown area. The current being very strong, boats capsized a few times. Moreover, they had to traverse long distances and since local guides were not available, they got lost on several occasions. In addition, teams needed to be informed about marooned people based on information received in control rooms at District/State level as well as senior officers. This was required to help them reach right place in real time. Good communication was required for the safety of rescue team also as they operated in extremely adverse conditions as mentioned above. On the other hand telephonic communication broke down since the cable got damaged and the Exchanges were closed for safety purposes. Mobile phones stopped working, landlines hardly worked. The police wireless, therefore, was most useful. In fact, in such emergencies, this could be most useful since it is readily available and provides integrated and secure communication. Given the wide network of mobile phones, they can be extremely useful. But, they have limited application as they cannot be given in short time and get discharged quickly.

Later on, when Army and others arrived, SIMS given to each column for unitary communication. Satellite phones were obtained from MHA and given to the field formations.

## Crime Control and Law and Order

- **Safety of houses vacated/abandoned by people:** As villages and towns became vacant, it was a task of gigantic order to prevent crime with water swirling around. When people are evacuated

from their homes or neighborhoods, houses are left unsupervised and opportunities to commit crime can be rampant. In addition, large amount of cash for distribution was carried to remote villages on boats and on foot with few policemen as escort.

- People are without job during such times and therefore, incidence of crime generally increases. Additional Police Forces with boats & communication are required to be deployed to prevent crime and apprehend suspects, when required. Thus, controlling criminality in time of stress and migration becomes one of the primary jobs of police.

### Coordination with Units like NDRF, Army

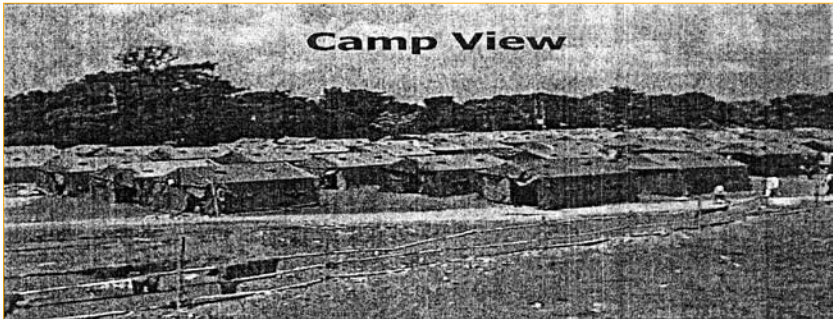
The outside rescue units mostly being of uniformed personnel, Police Officers could be most suited for coordination. Army Officers and others would feel more comfortable in working with the police. Thus, SP at the District level should be the coordinating link. The State of Bihar has realized the advantage and now, after Kosi, a Police Officer working in Home Department as Special Secretary has been given additional charge in Disaster Management Department.

### Relief Operation/Camp Management

Coterminous with the largest ever evacuation operation undertaken in this country was the regular supply of food packets to marooned people. 1,21,892 food packets along with 1,74,387 water bottles and 4,38,680 halogen tablets were airdropped by 11 helicopters in 314 sorties in one month. Apart from airdroppings, 2,48,929 food packets were also distributed by boats and other means. Immediate relief was organized by housing displaced people in relief camps, located in every available building/open high ground, wherein basic food in the form of 'khichri' was provided. Subsequently, the scale of facilities was considerably enhanced and mega- and semi-permanent camps were established, where the camp inmates were provided not only food (3 times a day), but also means of entertainment and occupational training.

It was an entirely new experience. Never before did the State Administration arrange camps for victims of natural disasters specially floods, even though these are recurring phenomenon. In previous years, the role of State Administration was limited to providing absolutely temporary shelter in the form of polythene sheets to those staying on embankments or other high ground/housetop available in the area and make temporary camps in Government buildings.

Relief Camps were established in school/college buildings, polythene sheets, tents and GCI sheets. At peak of the relief operations, 362 relief camps were set up which housed over 4 lakh. In addition, 119 food centres were functional in interior areas for persons, who could not/did not come to the relief camps. Later on, 35 mega relief camps having population of more than 5,000 in each were established with 12,000 tents received from CPMF, Army, etc. The discharge in the new course was not expected to come to a level that could help closure of the breach before January 2009. As such, breach closure was not



expected before January 2009. Moreover, the school buildings had to be vacated for normalization of teaching work. The onset of winter also necessitated arrangements where people could stay comfortably. Therefore, 168 semi-permanent camps with GCI sheets were also established, so that people could stay for longer time.

### Security in Camps

- Camps had people from many villages with different religious, political and caste backgrounds and thus, there was a possibility for friction. As it is, political leaders made frequent visits to the area. Many of them were critical of the arrangements and therefore, their visits had potential to create trouble. Clothes, utensils are distributed in the camps.

Food was distributed 3 times a day. Therefore, policemen had to be deployed for security of camp inmates, Camp Managers and Doctors, etc.

## Scale of Relief Operations

### Summary of Relief Distribution in KOSI Calamity - 2008

#### Phase-I (22nd August - 30th November, 2008)

- Distribution of one qtl of grain, Rs. 1000/- each for clothes and utensils and Rs. 250/- for 838443 flood-affected family, i.e.
- 838443 qtls of grains and Rs. 18256.61 lac distributed.
- Distribution of kits which includes Dhoti/Lungi/ Saree, Gamachha, garments for children, one Thali, one Glass from Chief Ministers Relief Fund.
- 198036 kits distributed.
- Airdropping - 121892 nos. of food packets dropped till 13-9-2008 (Chura-365982 kg, Sattu-121646 kg, Salt-60956 kg, Gur-60956 kg, Water Bottle-174387, Halogen Tablets-438680).

#### Phase-III - (26th February - 30th March, 2009 & 20th May - 29th June, 2009)

- Distribution commenced from 26th February, 2009.
- Agricultural input subsidy assistance to the farmers. Rs. 4579.035 lac amongst 199835 farmers.
- Assistance for desilting of land @ Rs. 6000/- per hectare. Rs. 553.213 lac amongst 22256 farmers.
- An amount of Rs. 7639.875 lac distributed against house damage assistance to 131876 households.
- Ex-gratia payment for human death @ Rs. 1 lac from CRF paid to 186 next to kin of the deceased.
- Rs. 226.266 lac given as assistance for livestock replacement for 2639 animals.

### Phase-II

#### (6th January – 25th February, 2009)

- Distribution commenced from 6th January, 2009.
- Distribution of cash @ Rs. 1590/- in lieu of one qtl of grain and Rs. 250/- as cash dole for every flood- affected family. Rs. 13211.5 lac against grains and Rs. 2077.28 lac against cash dole distributed.
- Payment of Rs. 2501/- each for blankets from CMRF, Rs. 2161.75 lac distributed.
- Distribution of educational assistance from CMRF for students @ Rs. 800/- upto class 8th, Rs. 1000/- for class 10th and Rs. 1200/- for class 12th, Rs. 3420.01 lac distributed amongst 422671 students.

### Total Distribution of GR

Phases	Amount	Grains	KMRF Kits
Ist Phase	Rs. 18256.61 Lac	838443 qtls	198036 kits
IInd Phase	Rs. 23545.39 Lac	-	Rs. 5581.76 Lac

We all agree that relief distribution, that too of the magnitude shown above has huge potential for discontentment/dissatisfaction. Even though, administration may devise ways and means to ensure impartiality, acts of omission and commission may result in security problems. However, if distribution process is fair and quick, the possibility of above is greatly reduced as happened during Kosi. There was no security problem worth writing about. The measures included constitution of District, Block and Panchayat Level Relief Monitoring Committees. District Committee was headed by Minister-in-Charge, while representatives of all political parties were members with District Magistrate as Secretary. The committees played very important role in entire relief procurement and distribution process. The list of beneficiaries of flood affected families was finalized by them only and distribution of GR & Cash Dole was done at identified points in the presence of committee members. Relief distribution process was videographed. Detailed guideline was issued to all concerned District Magistrates for distribution of GR & Cash Dole. The details regarding the disaster and subsequent relief operations were posted daily on Website: <http://disasterngmt.bih.nic.in> to ensure transparency. Special Cell was constituted in every District as well as the State Headquarter.

- **Security of personnel and material engaged in distribution** of relief was a stupendous task. Alongside evacuation, administration has to start relief operations. This involves opening of camps and distribution of foodgrains and cash, clothes, utensils, kits and later on, compensation for loss of crop, damage to land, etc. for which distribution centres are located in interiors close to the affected villages. Huge quantity of grain and lakhs of rupees were stored at these centres for distribution where large number of people gathered. Minister-in-Charge of the District supervised distribution work. Peace had to be maintained among people, who were in such dire straits and had lost so much. Tardy distribution of relief again provides opportunity for beating up Government staff or disrupting traffic movement necessitating police intervention. During Kosi Calamity, once they beat up army men. This occasion has great potential for law and order since there are some people, who claim to being denied what

they believe their was due. These events turn into flashpoints requiring immediate police response. Thus, there is need for good number of policemen for safety of all concerned.

- **Security of grains being transported specially by trucks:** Wheat and rice was being continuously sent by road and rail from Patna and other FCI and SFC godowns to storage places nearer to the flood areas for transportation to the relief distribution centres, located in Panchayats or supply to the hundreds of relief camps for feeding more than 4 lac people.
- **Security of food godowns.** In the initial stage when the displaced people do not get enough relief, they do indulge in looting of foodgrains kept in godowns or being transported. This is also the time when there is not enough police and/or they themselves may be in distress. Therefore, police must prepare contingency plan to cater to existing as well as temporary food storage sites. Additional Police Forces must be made available at the earliest.
- **Security of cash sent from the chests to storage/distribution centres:** Many Banks' branches located in the affected area got closed, while people required money for their emergency needs. More than that, the Government required huge cash to distribute as dole. Money was also required by Camp Managers to buy relief material, pay for fuel, etc. Further, many of the branches did not have the capacity to hold the huge amount of cash required for relief operations. Their limit was less. It is worth mentioning that Rs. 235 crore was distributed during the Kosi operation. Therefore, cash had to be transported from currency chest branches located in far-off places, including Purnea for which dedicated escorts were provided for safety of the cash.
- **The NGOs, charitable bodies, religious and social groups, PSUs and UNICEF,** etc. play key role in the relief work. They were quick to reach the area, establish kitchens, wherever they could. Later on, many of the NGOs chip in with help in the form of clothes, food packet. However, it must be appreciated that their reach was limited to roads, whereas affected habitation and temporary shelters are located in the interiors away from the main roads where most are unable to reach. The food and clothes get looted in the early days. It is not possible to provide

security to each and all, but the safety of the providers and inmates during distribution is a difficult job but an essential one. Many of them do not go without police escort since they feel threatened and rightly so as the food and clothes get looted in the early days. After all, people are in distress.

- **Security at Railway Stations where relief material** is received and stored before being dispatched to destination. During Kosi calamity, special trains with relief material from State Governments, organizations arrived at three main railheads - Purnea, Katihar and Patna. They had to be collected, stored at the station before being dispatched to the destination as decided by the Department of Disaster Management. This required deputation of policemen at all these places round the clock to ensure safety.
- **Security for VIP visits:** Political leaders of different parties, including those critical of the Government initiatives frequently visit the affected areas and the relief camps, which provide opportunity to politically opposed/dissatisfied to resort to protests. This results in threat to VIP and law and order problem.

During emergencies, rescue teams of Armed Forces and Central Paramilitary Forces and Police Forces of different States arrive. In addition, large number of Government functionaries is deputed for rescue, recovery and rehabilitation. These personnel too need policing at times.

- **Traffic management:** For providing easy access to rescue and relief personnel/vehicles, National Highways/other roads had to be kept free for movement of rescue teams and relief material. Check posts were established along the highways for ensuring safety of relief material. The highways were continuously patrolled for safe passage of Army convoy, boats and other resources sent from outside. Vehicular movement in and around relief camps, DM office and control room increased manifold with rescue team reaching with boats and tents, NGOs & other Charitable bodies rushed with all kinds of help. Therefore, regulation of vehicles in DM office, control room and camps was a big challenge, which should be provided for in any emergency management SOP.

- **Major task that emerged was arranging vehicles for Army columns, etc.:** Each column required one small, 2 buses, 4 trucks and one medium vehicle bus for administrative work. The requirement of vehicles can be gauged from the scale of operations - 35 columns of Army, 850 NDRF personnel and equal number of outsiders. Vehicles had to be picked up from the road and requisitioned. No wonder, within any time, National Highways became deserted. All these vehicles needed fuel. It was huge requirement. Petrol pumps needed to be protected since fuel was in short supply.

## Conclusion

The Kosi disaster has amply demonstrated the significant role of the police. It is involved in each and every activity of rescue and recovery. Policemen were critical for the evacuation of people, maintenance of law and order in affected areas and relief camps, security of responders, etc. Its resourcefulness, widespread presence and organized nature make it ideally suited for role of first responder. Unfortunately, the National and the State Acts related to Disaster Management do not delegate any significant role to the police. As a result, there is no allocation of resources to perform all these jobs. Given the functions that a police has to perform during such emergency, it is essential to build capacity of the responders. Therefore, the State Police Force should be properly trained in all the above dimensions of their work. While the police have a significant role all along, its role has not been highlighted in the National Act and none of their representatives find place in SDMA or DDMA. Hence, this needs to be rectified and the Acts amended suitably. Role of the police should be amply incorporated in the SOPs being prepared. Finally, the organization should be provided with sufficient funds to equip it and build capacity. Only then, it could fulfil the expectations of all the stakeholders, including the public. ■





# Drug Control and Human Rights Violations

Dr. Ish Kumar\*, IPS

## Keywords

Illicit Drug Industry, Human Rights, Violation, Narcotic, Psychotropic, UNCND, INCB, Trafficking, Human Rights Treaties, Drug Control Policies, Palliative Care

## Abstract

*Drug production and trafficking are both causes and consequences of poverty. In regions where illicit crops are grown, it is vital to eradicate poverty and not just drugs. Hence, development should not be neglected. We should also be aware that world drug problem will not be solved by shifting the consumption from the developed countries to developing countries. Health (universal access to drug treatment, harm-reduction and palliative care) must be at the core of drug policy. Just because people take drugs, they do not forfeit their human rights and rights to be protected by law.*

## Introduction

It is estimated that the entire illicit drug industry fetches US \$500 billion per year, second largest after illegal arm smuggling. Drug abuse leads to addiction and chemical slavery. It destroys the dignity of individuals, their freedom to think, and ability to evaluate the difference between right and wrong; thus, limiting human potential.

**“Drugs destroy lives and communities, undermine sustainable human development and generate crime. Drugs are a grave threat to the health and well being of all mankind, the Independence of State, Democracy, the stability of Nations, the structure of all societies and**

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**the hope of millions of people and their families.”** (*United Nations General Assembly Special Session, 1998*).<sup>1</sup>

Drug abuse among young people is increasing worldwide (**Annexures-1A to 1D**). Young people are starting to take drugs at younger ages. The drug abuse leads to : dependency, addiction, overdose and sometimes death. Approximately, 2 lakh people die every year because of illicit drugs and related diseases (**Annexure-1E**).

Whether illicit drug use should be considered a crime or a disease or a social disorder or some mixture of all these is a matter of debate.

## International Drug Control

The international drug control system is governed by a series of Treaties adopted by the United Nations. These Treaties require that Governments exercise control over production and distribution of narcotic drugs and psychotropic substances, and combat drug abuse and illicit trafficking. Existing Treaties include: the **1961 Single Convention on Narcotic Drugs**<sup>2</sup>, its 1972 Protocol, the **1971 Convention on Psychotropic Substances**<sup>3</sup>, and the **1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances**<sup>4</sup>. The UN **Commission on Narcotic Drugs (CND)**, a treaty body, is the main policy-making body for all matters regarding international drug control. All UN drug control activities are coordinated by the United Nations Drug Control Programme (UNDCP), established in 1990 (now called United Nations Office on Drug and Crime - UNODC).

An independent committee was established to monitor implementation of the above drug treaties, the **International Narcotics Control Board (INCB)**. The INCB plays a key role in monitoring the production and manufacture of licit and illicit drugs and trafficking in those substances. However, it is also tasked with ensuring access to opiates for medicinal purposes. States have obligations to maintain regimes that control access to and use of dangerous drugs, as well as obligations to ensure that certain narcotic drugs are available in adequate supplies for therapeutic purposes.

## Human Rights Instruments & Drug Users

A series of core human rights treaties - including the International Covenant on Civil and Political Rights (**ICCPR, 1966**)<sup>5</sup>, the International Covenant on Economic, Social and Cultural Rights (**ICESCR, 1966**)<sup>6</sup>, the

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT, 1984)<sup>7</sup>, and a range of conventions addressing the human rights of specific groups or concerns (such as women, migrant workers, children, people with disabilities, and racism) - elaborate on the fundamental human rights commitment of States under the UN Charter and are articulated in the Universal Declaration of Human Rights (1948).

**Article 25 of Universal Declaration of Human Rights (1948) lists *health as a basic human right*.**<sup>8</sup>

**Article 33 of Convention on the Rights of the Child (CRC, 1990)**<sup>9</sup> stipulates "States parties shall take all appropriate measures to protect children from the illicit use of narcotic drugs and psychotropic substances and to prevent the use of children in the illicit production and trafficking of such substances."

**Drug addicts are entitled to enjoy all Human Rights including "Right to Health" (ICESCR Article 12).** Treatment of drug abuse must go beyond the provision of a medical remedy and drug abusers need other kinds of help to live without drugs. Perhaps, most obvious is the opportunity to earn a decent livelihood. Even those, who grow or sell illegal drugs, have the right to have economic alternatives that provide them with a decent standard of living.

Human Rights documents do not differentiate between drug users and non-drug users. **Individuals who use drugs do not forfeit their human rights (civil, political, social, economic & cultural rights).** These include the right to the highest attainable standard of physical and mental health (including access to treatment, services and care), the right not to be tortured or arbitrarily detained, and the right not to be arbitrarily deprived of their life, right to education, right to adequate standard of living (including physical, moral, mental, spiritual and social development) to fulfil human rights, Governments must take adequate budgetary, legislative, administrative and judicial measures.<sup>10</sup>

## Human Rights Violations of Drug Users

Prohibiting and punishing the use of certain drugs have driven the international approach to drug control and dominate the approach of most countries, guided by the three UN drug control conventions.

The drug control policies, and the accompanying enforcement practices, have caused systemic discrimination against people, who use drugs and result in widespread and serious human rights violations. As a result, across all regions of the world, people, who use illegal drugs, are often among the most marginalized and stigmatized sectors of society. They as a group are vulnerable to series of human rights violations, including abusive law enforcement practices (torture, ill-treatment), mass incarceration, extrajudicial executions, denial of health services leading to AIDS epidemics and, in some countries, execution under legislation that fails to meet international human rights standards. Local communities in drug-producing countries also face violations of their human rights as a result of campaigns to eradicate illicit crops, including environmental devastation, attacks on indigenous cultures, and damage to health from chemical spraying (HRW, 2010).<sup>11</sup>

**“Drug users suffer discrimination, are forced to accept treatment, are marginalized and often harmed by approaches, which overemphasize criminalization and punishment and underemphasize harm reduction and respect for human rights. (Mr. N. Pillay, High Commissioner for UN Human Rights, 10th March, 2009).”<sup>12</sup>**

### ● **Non-Availability of Medicines for Pain Treatment**

Chronic pain is one of the most significant reasons for suffering and disability worldwide and is a common symptom for both cancer and HIV / AIDS. 80% of the world’s population has either no or insufficient access to treatment for pain. 89% of total **morphine consumption** takes place in North America and Europe, whereas 50% of all the cancer patients and 90% of HIV infections exist in poor and developing countries. Main reasons for above dismal scenario are as follows:

- Failure of the Governments in ensuring adequate supply of opioid analgesics (i.e. **morphine**) because of over-regulation on their manufacture, distribution and prescription.
- Government’s failure to enact policy on pain treatment and **Palliative Care**.
- High cost of pain treatment (costly medicines).
- Poor training of health care workers.
- Lack of sensitization among Law Enforcement Officers.

Even in India, the Palliative Care and morphine availability are very poor (except in Kerala) and same has also been pointed out by INCB. There is a need to follow the examples of countries like Uganda and Vietnam, which have developed comprehensive approach for Palliative Care.<sup>13</sup>

- **Denial of Health Services, including Harm Reduction**

The **lack** of access to “**harm reduction measures**”<sup>14</sup>, such as needle and syringe programmes and criminalizing of possession of such equipment means that people, who inject drugs, share and/or reuse injecting equipment, thereby increasing the risk of transmission of HIV, Hepatitis C and other blood-borne viruses. International guidelines on HIV & HUMAN RIGHTS state that “*Criminal Law should not be an impediment to measures to reduce risk of HIV transmission among IDUs and to provide care & treatment.*” Anti-retroviral treatment is not available in many of the treatment centres in various countries at beginning, although HIV prevalence is high. Prescription of methadone or buprenorphine is illegal in Russia.

In India, harm reduction is yet to be adopted as policy, as Revenue Department and Health Department have divergent views on the issues, although National Aids Control Organization is following Harm-reduction Practices. Harm-reduction includes measures like opioid substitution therapy, needle and syringe programmes, supervised injecting sites etc.

In some countries, people are required to register for drug dependence or health care treatment. Drug user registries act as a barrier to health care and drug treatment by discouraging people from seeking treatment for fear of breach of confidentiality. In some cases, for example, State clinics and Doctors routinely share this information with Law Enforcement Agencies.

Stigmatization of drug users is severe enough to drive a fear so deep that people don't even dare to show up for treatment.

- **Coercive Treatment**

In China, Cambodia and Thailand, those arrested for drug possession and use can be consigned to forced detoxification centres without trial. Once inside, detainees are required to

perform unpaid, forced labour and are also subject to mandatory testing for HIV and other sexually transmitted infections and to militarised psychological and 'moral education'. Investigations have uncovered extreme ill-treatment in the name of 'rehabilitation', such as the administering of electric shocks while viewing pictures of drug use.<sup>15</sup>

In Guangxi Province, China, a study indicates sexual abuse of female inmates by guards.<sup>16</sup> A 2004 Survey found that approx. 300 of Chinese heroin users had swallowed glass and nails to gain medical exemption from forced treatment.<sup>16A</sup>

In Cambodia, drug users are picked up in police raids and confined in treatment and rehabilitation centres run by Military staff with no training in addiction or counselling.<sup>16B</sup>

As per estimate, Vietnam has 50,000 to 1,00,000 drug users and China has 35,000 drug users as interned. In Vietnam, if detainees fail to meet work quotas, they are beaten with clubs, and chained ones are forced to stand on their toes for more than 24 hours. Some internees are forced to sleep, urinate, and defecate in a standing position. In Vietnam, detention can be extended up to 6 years.<sup>16C</sup>

People detained in Malaysia treatment centres are kicked, punched, made to crawl through animal excrement, drink dirty water, abused and caned. In Malaysia's drug treatment system, anyone can be detained for up to two weeks and forcibly tested by police on suspicion of drug use. Those testing positive, even in the absence of possession, can be flogged and interned for up to two years in a compulsory drug treatment centre.<sup>16D</sup>

In Eastern Europe and Central Asia, addicts are administered ampoules under the skin and are told that they will explode and poison them if they use drugs.<sup>17</sup>

In China, IDUs are made to do unpaid factory labour for 7 days a week from 7 am to 2 am with the threat of beatings if production quota were not met.<sup>17A</sup> In China, those interned, have to chant, "drugs are bad, I am bad", long hours of forced labour and Military-style drills.<sup>17B</sup> Treatment methods include partial lobotomy, where heated needles are inserted to destroy the brain tissues responsible for cravings.<sup>17C</sup>

Large number of drug de-addiction centres run by various NGOs in India are poorly- equipped to deal with the problem. Most centres make the folly of straightway detoxifying rather than following the correct procedure, i.e. stabilization, reduction and then detoxification. In Punjab, in 2006, 11 fake de-addiction centres were busted and 300 people were rescued. In many of these centres, inmates are confined in shocking conditions and are also subject to the torture.<sup>17D</sup> In Nagaland, India, drug users have been crammed into thorn-tree cages in a sitting position.<sup>17E</sup>

### ● Arrests & Ill-Treatment

Drug users and family health workers continue to face police harassment even when distributing/seeking clean needles, as Law Enforcement Agencies are ignorant about harm reduction measures and same is yet to be adopted as policy in India. Drug users in Nepal are suspended by the arms or legs for hours, beaten on the soles of the feet and are threatened with rape.

People, who use drugs, make easy targets for arrest or ill-treatment by police needing to fulfil arrest quotas (Human Rights Watch reports on Russia, Kazakhstan, and Ukraine).<sup>18</sup> In addition, for achieving convictions, police engages in torture or other abusive tactics to extract confessions from suspects (drug users).

Many people, who use drugs, find themselves incarcerated at some point in their lives, often cycling in and out of custody over many years. Upon incarceration, many opioid-dependent prisoners are forced to undergo abrupt opioid withdrawal. Forced or abrupt opioid withdrawal can cause profound mental and physical pain, have serious medical consequences, and increase the risk of suicide among opioid-dependent individuals with co-occurring disorders.

Those charged with drug offence must not be extradited to countries where they will face torture.

### ● Racial Discrimination

In a study in US, it was found that **“Most drug offenders are white, but most of the drug offenders sent to prison are black.”** Across the 34 States, a black man is 11.8 times more likely than a white man to be sent to prison on drug charges, and a black woman is 4.8 times more likely than a white woman.<sup>19</sup>

- **Crop Eradication & Livelihood**

Research conducted in 2002-2003 by the UNODC in Myanmar (Burma) found that illicit crop eradication (Poppy) led to a 50% drop in school enrolment, and that two of every three pharmacies and Medical Practitioners were shut down.

The rapid elimination of the farmers' primary source of cash income caused 'economic and social harm to the region'. In Afghanistan, Poppy cultivation provides some two million farmers with subsistence income, apart from wages to labourers. Decades of forced eradication efforts in Latin America, Colombia, etc. have left a trail of social conflict, political unrest, violence and human rights violations. **The war on drug has actually become a war on people in Latin America.** (*Latin American Commission on Drugs & Democracy, 2009*).<sup>20</sup>

There is ample reason for concern that **spraying causes serious harm to the environment and human health**, both immediately and in the long-term. Recently, Ecuador has filed a criminal case against Colombia for stopping aerial fumigation campaigns (Press release No. 2010/20 of International Court of Justice).<sup>21</sup> The damage is often inflicted upon licit food crops - and hence, food security for a very vulnerable segment of the population - is also cause for concern.

- **Disproportionate & Harsh Punishments, including Death Penalty**

(i) **Drug Abuse:** Possession of drugs for personal use is crime in most of the countries. As per the provisions of NDPS Act, 1985, in India, a drug addict possessing small quantity of drugs for personal consumption will undergo an imprisonment from 6 months to 1 year. In case he subjects himself to undergo treatment, he can be sent to a de-addiction centre. However, most of the drug users are ignorant of this provision of law. Nor do we have so many centres. Moreover, if a drug addict is considered a victim, he should not be treated like a criminal and should not be imprisoned. Actually, the Indian Law does not distinguish between a drug peddler and a drug addict.

(ii) **Mandatory & Disproportionate sentences:** The NDPS Act prescribes a minimum punishment of 10 years of sentence



in case of possession of commercial quantity of drugs and Judge has no discretion in reducing the sentence. For a repeat offence of possession of commercial quantity of drug, death penalty is imposed (Section 31A of NDPS Act). Bails are extremely difficult to get in case one is caught with commercial quantity of drug.<sup>21A</sup> In USA, in some States (i.e. California), petty and non-violent drug crimes can result in life sentences.<sup>22</sup> In Indonesia, parents of a dependent drug user are prosecuted, if they fail to inform the authorities.

- (iii) **Death penalty:** Whether drug trafficking qualifies to be the most serious and the rarest of the rare crime to attract Capital Punishment is a subject of debate. Most of the civilized society in the world have already done away with the death penalty. Yet, almost thirty countries, including India, retain Capital Punishment for drug offences.<sup>22A</sup>

In Malaysia, between July 2004 and July 2005, thirty-six of the fifty-two executions carried out were for drug trafficking.<sup>23</sup> Around 100 people are executed by firing squad in Vietnam each year, mostly for drug-related offences.<sup>24</sup> Since 1991, more than 400 people have been executed in Singapore, the majority for drug offences.<sup>25</sup> In recent years, China has used the UN's International Day against Drug Abuse and Illicit Drug Trafficking (26th June) to conduct public executions of drug offenders.<sup>26</sup> In February 2003, the Government of Thailand launched a violent and murderous 'war on drugs', the initial three-month phase of which resulted in some 2,275 extrajudicial killings. In November 2007, the Thai Office of the Narcotics Control Board disclosed that some 1,400 people killed had no link to drugs at all.<sup>27</sup>

UN Secretary-General (1995) noted that for **Capital Punishment in drug offences, threshold ranged from the possession of heroin as little as 2 g to 25,000 g. Hence, there is no uniformity/proportionality in sentencing structure.**<sup>28</sup>

**UNODC advocates abolition of death penalty for drug offences.**

Author feels that only when a drug trafficker is a part of large drug syndicate and drug money is being used to fuel Narcoterrorism against the country's stability and integrity, death penalty may be imposed.

- **Detention without Trial**

Some countries detain drug suspects without trial, i.e. in Malaysia under Dangerous Drugs Act, drug trafficking suspect can be detained up to 60 days without court appearance.<sup>29</sup> Similar provision exists in NDPS Act in India also.

- **Lack of Fair Trials**

In Iran, drug smuggling cases are handled by revolutionary courts. The UN Working Group on Arbitrary Detention (2003) has called for abolition of such courts because of their failure to provide adequate due process.<sup>30</sup>

## Is UN Drug Control Policy leading to Human Rights Violations of Drug Users?

**The impact of drug control is often more on vulnerable groups and marginalized communities.** The victims in the majority of the human rights violations documented above are not the major drug traffickers, drug 'barons' or 'kingpins'. Rather, they are the poor farmers, small-time dealers, low-level drug offenders and overwhelmingly, people who use drugs. The majority are poor.<sup>30A, 30B</sup>

"Drug policy success is measured in terms of quantity of drug seized and number of drug offenders arrested. **There is no human right scrutiny for International Drug Policy.**" (Barrett and Nowak, 2009).<sup>31</sup>

None of the HR principles are evident in the drug conventions, nor are they evident in the governance and monitoring structures in the drug control system, "Whereas obligations of parties to the Conventions on drug control concerning reduction in illicit supply are clearly defined, implementation of demand-side obligations of State Parties depend on the ability resources of State Parties to carry out education, information treatment."<sup>31A</sup>

The drug conventions are entirely silent on the active involvement of people who use drugs, key among those whose health and welfare are at stake and who bear the consequences of the drug control treaties, or the involvement of communities affected by drug use, production and trafficking & crop eradication, etc.<sup>31B</sup>

Children who have lost their fathers and sometimes mothers too to be drug war could be future criminals. Mexico alone estimates 50,000

such children. Government has no special programmes to take care of these children (*Catherine Bermer, 2010*).<sup>32</sup>

On the one hand, the UN is tasked by the international community with promoting and expanding global human rights protections. On the other, it is also the body responsible for promoting and expanding the international drug control regime, the very system that has led to the denial of human rights to people who use drugs.<sup>32A</sup>

Working of INCB has been criticized to be very secretive. No minutes are published. NGOs or Civil Society Organization (CSO) cannot observe or make submissions. (*IHRA, 2009*).<sup>33</sup>

### Response from Drug Control Organs - Change of Thinking

- (i) The General Assembly adopted a Declaration on the **Guiding Principles of Drug Demand Reduction (Resolution 54/132 of 1998)**, pledging a “sustained political, social, health and educational commitment to investing in demand-reduction programmes that will contribute towards reducing public health problems, improving individual health and well-being, promoting social and economic integration, reinforcing family systems and making communities safer”. It took 37 years (Single Connection of Narcotic Drugs, 1961) to adopt above declaration on demand reduction in drug control.
- (ii) **“World Drug Report 2008” (by UNODC)** says, “The drug users are excluded and marginalized from the social mainstream, tainted with a moral stigma and often unable to find treatment.”<sup>34</sup> More resources are needed to prevent people from taking drugs, to treat those who are dependent and to reduce the adverse health and social consequences of drug abuse.
- (iii) The International Narcotics Control Board recently recognized the necessity for **Harm- reduction** measures in its 2008 Annual Report “measures that may decrease the sharing of hypodermic needles among intravenous drug abusers are necessary to reduce the spread of AIDS.”<sup>35</sup> At least 27 cities in 8 countries, including Switzerland, Germany, Australia and Canada have established supervised sites that permit drug users to inject in a safe, hygienic environment without fear of arrest or prosecution.<sup>36</sup> UNODC has stated that harm-reduction is an accepted policy, if done along with Enforcement, Prevention and Treatment. UNDCP Legal

Affairs Section concluded that harm-reduction measures are not in violation of State obligations under 3 UN Drug Conventions (2002).<sup>37</sup>

- (iv) Due respect for **Universal Human Rights & Rule of Law** is important for effecting implementation of International Drug Control. (*INCB Annual Report 2007*).<sup>38</sup>
- (v) Executive Director, UNODC in the preface to World Drug Report - 2008, has mentioned that although drug kills, we should not kill because of drug. **Public security and public health must be protected in a way that upholds human rights and human dignity. Human Rights should be a part of Drug Control.**
- (vi) In World Drug Report - 2009<sup>39</sup>, Mr. Antonio Maria Costa, Executive Director, UNODC has laid emphasis on:
  - (a) **Promotion of “Right to Health” of drug addicts and universal access to treatment.**
  - (b) **Law Enforcement Agencies should shift its focus from drug users to drug traffickers.**
- (vii) “In May, 2010, Organization of America States adopted a new drug policy emphasizing drug addiction as a chronic and recurrent disease with greater focus on treatment.”<sup>40</sup>
- (viii) General Assembly of UN has resolved (Resolution 63/197) that countering the world drug problem must be addressed with full respect to all human rights.<sup>41</sup>
- (ix) ED, UNODC has presented a detailed note<sup>42</sup> during CND session, 2010 for synchronizing drug control and human rights.
- (x) Special Rapporteur (UN) on Right to Health<sup>43</sup> (in 2010) has made series of recommendations for making available harm-reduction measures, decriminalization of use/possession of drugs and amending laws and regulations to increase access to controlled essential medicines.
- (xi) UN Committee on the rights of the child (10th February, 2011) has recommended for amending “laws & rules that criminalize children for possession or use of drugs and impede access to harm-reduction sessions.”<sup>44</sup>

Above statements are welcome, However, despite such assertions, the follow-up action within various countries is often weak and delayed. CND & UNODC are required to pursue it vigorously with Member-States.

## Suggestions to make Drug Control Regime Human Rights Compliant

- **Decriminalizing of drug consumption and possession of drugs in small quantities for personal use:** Drug use should be viewed through a health and social policy lens instead of Criminal Justice. Spain, Italy, Argentina, Mexico, Brazil and Portugal have decriminalized the possession and consumption of all drug for personal use; although drug trafficking remains criminalized.<sup>45</sup> In Netherlands & Germany, although possession for personal use is illegal, but guidelines are established for Police and Prosecutors to avoid imposing punishment. The Government should not waste resources of Police, Prisons and Judiciary over low-level non-violent drug criminals. Non-violent drug users should be sent for treatment and not to the prison.
- **Harm-reduction** must be accepted as a policy, especially in countries like India. The countries must repeal laws criminalizing the possession and distribution of needles and syringes for treatment purpose. (*4d International Guidelines on HIV & Human Rights*).<sup>46</sup>
- **Mandatory minimum sentences should be eliminated** and judicial discretion should be restored in sentencing of drug offenders [High Court of Bombay in its judgement dated 17-6-2011 has stipulated that Section 31 (A) of NDPS Act is violative of Article 21 of Constitution (Right to Life) and has done away with mandatory death penalty.<sup>47</sup>
- **Abolishing death penalty** for drug trafficking being an economic crime. (*UN Human Rights Committee, 8th July, 2005*).<sup>48</sup>
- Practices, such as extrajudicial killings of drug offenders by Law Enforcement Officers, imprisonment without trial, denial of food, forced labour, isolation, chaining, torture and beating in detention centres for drug dependence treatment should be totally prohibited. Actually, torture in custody amounts to a criminal offence.

- Law enforcement activity, such as searches and arrest should be evidence-based and not on grounds, such as race and community, etc.
- Police and other Law Enforcement Agencies must be sensitized (by organizing workshops and training programmes) about the rights of drug users and farmers growing narcotic crops, and various harm-reduction measures.
- The rationale behind the quantities mentioned as small or commercial under NDPS Act, 1985 should be reviewed and suitable amendments be made, wherever required.
- Public funding for drug abuse treatment and prevention should be increased.
- Treatment for drug dependence (whether voluntary or compulsory), must be evidence-based, according to established principles of medicine. Detention and/or isolation for the purposes of “forced detoxification” are unlikely to be effective. Rather, drug-dependence treatment should involve comprehensive pharmacological and psychosocial interventions. Under no circumstances should anyone subject to compulsory treatment be given experimental forms of treatment, or punitive interventions under the guise of drug-dependence treatment.<sup>48A</sup>
- **Palliative Care** should be adopted as policy and morphine availability should be enhanced by relaxing stringent regulations.
- All **aerial fumigation programmes must be stopped** because of their huge environmental and human costs.
- Greater emphasis must be put on **‘alternate development’** (replacement of illegal crops with legal alternatives). (*Resolution S-20/3 of UN General Assembly Special Session, 2008*).<sup>49</sup>
- Young people and civil society must be involved in the conceptualization, implementation and assessment of programmes to address substance abuse prevention and care, including harm-reduction measures. UNODC should actively engage Non-Governmental and Civil Society Organizations (NGO/CSO) in policy debates.

- The CNDC should adopt a resolution instructing UNODC to develop human rights impact assessments for all current and future drug control programmes, through collaboration with the OHCHR. (*CND Resolution 51/12*).<sup>50</sup>
- UNODC should also develop human rights training in their HRD plans.

## Conclusion

Drug control needs to adopt a more balanced approach focusing on health, development, security and justice. Drug production and trafficking are both causes and consequences of poverty. In regions where illicit crops are grown, it is vital to eradicate poverty and not just drugs. Hence, development should not be neglected. We should also be aware that world drug problem will not be solved by shifting the consumption from the developed countries to developing countries. Health (universal access to drug treatment, harm-reduction and palliative care) must be at the core of drug policy. Just because people take drugs, they do not forfeit their human rights and rights to be protected by law.<sup>50</sup> Hence, drug control needs to be synchronized with human rights. ■

## ENDNOTES

1. United Nations General Assembly, Declaration on the Guiding Principles of Drug Demand-Reduction, Resolution 54/132, (1998). (Source: <http://www.unodc.org>)
2. United Nations Single Convention on Narcotic Drugs, 1961 and its 1972 Protocol. (Source: <http://www.unodc.org>)
3. United Nations Convention on Psychotropic Substances, 1971. (Source: <http://www.unodc.org>)
4. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988. (Source: <http://www.unodc.org>)
5. United Nations International Covenant on Economic, Social and Cultural Rights. General Assembly Resolution 2200 (XXI) (16th December, 1966, entered into force 3rd January, 1976). (Source: <http://www.unodc.org>)

6. United Nations International Covenant on Economic, Social and Cultural Rights. General Assembly Resolution 2200 (XXI) (16th December 1966, entered into force 3rd January, 1976).  
(Source: <http://www.unodc.org>)
7. Convention against Torture & other Cruel, Inhuman or Degrading Treatment or Punishment (Adopted by General Assembly Resolution 39/46 of 10th December, 1984).  
(Source: [www.un.org](http://www.un.org))
8. The Universal Declaration of Human Rights of the General Assembly of the United Nations (10th December, 1948).  
(Source: [www.un.org](http://www.un.org))
9. United Nations Convention on the Rights of the Child. (20th November, 1989; entered into force 2nd September 1990).  
(Source: <http://www.unicef.org>)
10. International Responses to Drug Abuse among Young People : Assessing the Integration of Human Rights Obligation by Allison Smith Estelle (5th December, 2000).  
(Source: [www.humanrightsanddrugs.org](http://www.humanrightsanddrugs.org))
11. Human Rights Watch Report on Human Rights and Drug Policy (29th March, 2010).  
(Source: <http://www.hrw.org>)
12. Press Release on Human Rights and Harm-Reduction in International Drug Policy (10th March, 2009). (Source: <http://www.unhchr.ch/hurricane/hurricane.nsf>)
13. "Access to Pain Treatment as a Human Right" by Diederik Lohman, Rebecca Schleifer & Joseph J. Amon (20th January, 2010).  
(Source: <http://www.biomedcentral.com>)
14. Executive Summary on Promoting Harm-Reduction on a Global Basis, 2008.  
(Source: <http://www.ohchr.org>)
15. Coercive Drug Treatment in China: Human Right Watch, IHRA and Asia Catalyst Submission to the UN Committee against Torture (6th October, 2008).  
(Source: [www.ihrablog.nct](http://www.ihrablog.nct))
16. Health and Human Rights Concerns of Drug Users in Detention in Guangxi Province, China, by J. Elizabeth Cohen & Joseph J. Amon (December 2008).  
(Source: <http://medicine.plosjournals.org>)



- 16<sup>A</sup> "Analysis of 272 Cases of Swallowing Foreign Body in Compulsory Detoxification" by Jury, A. Hull, S. (2004).  
(Source: Chinese Journal of Drug Dependence, 13 (3), 221-23).
- 16<sup>B</sup> "Compulsory Drug Treatment Centers for ATS Users in South East Asia" by Thomson, Nicholas (2008) (Unpublished Document).
- 16<sup>C</sup> World Health Organization, Regional Office for the Western Pacific Assessment of Compulsory Treatment.
- 16<sup>D</sup> Interview. Shaharudin bin Ali Umar. Malasian AIDS Council. 21st October, 2008. Notes on file at OSI offices.
17. Behind Every Doctor is A Policeman: Narcology, Drug Users and Civil Society in Uzbekistan, Ph.D. Dissertation, Department of Sociomedical Sciences, Columbia University by Elovich, Richard, 2008.
- 17<sup>A</sup> "Health and Human Rights" by Cohen and Amon.
- 17<sup>B</sup> Human Rights Watch 2003. Locked Doors: The Human Rights of People with HIV/AIDS in China. New York Human Rights Watch.
- 17<sup>C</sup> Clinical Study for alleviating Opiate Drug Psychological Dependence by a Method of ablating the Nucleus Accumbens with Stereotactic Surgery by Gao G. *et al.* (2003).  
(Source: Stereotactic & Functional Neurosurgery, 81, 96-104).
- 17<sup>D</sup> Drug Addicts open to Fraud (24th February, 2008).  
(Source: <http://timesofindia.indiatimes.com>)
- 17<sup>E</sup> Nagaland Post, 18th February, 2004.
18. Human Rights Abuses in the Name of Drug Treatment: Reports from the Field, 2009.  
(Source: <http://www.bbc.co.uk>)
19. US: 'Drug War' Unjust to African American (5th May, 2(08).  
(Source: [www.commondrugcams.org](http://www.commondrugcams.org))
20. Latin American Commission on Drugs & Democracy, 2009.  
(Source: [www.drugasedemocracia.org](http://www.drugasedemocracia.org))
21. Ecuador has issued proceedings at the ICJ claiming that Colombia's aerial fumigation campaigns have "caused serious damage to people, to crops, to animals, and to the natural environment on the Ecuadorian side of the frontier" (17th August, 2(10).  
(Source: [www.humanrightsanddrugs.org](http://www.humanrightsanddrugs.org))
- 21<sup>A</sup> "NDPS Act - a Draconian Law!" by Shri Rajesh Khongbantabam (14th June 2009).  
(Source: <http://www.e-pao.net>)

22. "Still Striking Out: Ten Years of California's Three Strikes Policy", Justice Policy Institute, 2004.  
(Source: [http://www.justicepolicy.org/images/upload/04-03\\_REP\\_CASStillStrikingOut\\_AC.pdf](http://www.justicepolicy.org/images/upload/04-03_REP_CASStillStrikingOut_AC.pdf)).
- 22<sup>A</sup> The Death Penalty for Drug Offences (10th December, 2007).  
(Source: <http://www.ihra.net>)
23. Debate over the Death Penalty heating up by C.S. Ling (2006).  
(Source: New Straits Times, 26-3-2006).
24. Vietnam Law Commission wants Death Penalty.  
(Source: Thanh Nien News, 3-11-2006).
25. Amnesty International (15-1-2004).
26. UN Commission on Human Rights, Para 69 (17-3-2005).
27. "Drug Control, Human Rights and Harm-Reduction in the Age of AIDS in Bangkok" by Richard Elliott, 2004. (Source: [www.aidslaw.ca](http://www.aidslaw.ca))
28. Report of the Secretary-General, UN, Para 55 (1995).
29. UN Human Rights Council, Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15 (c) of the Annex to Human Rights Council Resolution 511-Malaysia (27th October, 2008), A/HRC/WG.6/4/MYS/3, p. 6.
30. Report of the Working Group on Arbitrary Detention, Visit to the Islamic Republic of Iran, (27th June, 2003) E/CNAI2004/3/Add.2.
- 30<sup>A</sup> UN Drug Summit: Undo a decade of Neglect (9th March, 2009).  
(Source: [www.hrw.org](http://www.hrw.org))
- 30<sup>B</sup> UN Drug Policies: Inconsistency and Human Rights (June 2009).  
[(Source: Trends Organ Crim (2010) 13:60-74)]
31. "The United Nations and Drug Policy: Towards a Human Rights-based Approach" In: Constatinides A., Zaikos N. (eds) The Diversity of International Law: Essay, pp. 449-477 by Barrett D., Nowak M. (3rd December, 2009).  
(Source: [www.idpc.net](http://www.idpc.net))
- 31<sup>A</sup> "Challenging the UN Drug Control Conventions: Problems and Possibilities" by Bewley-Taylor D. (7th March, 2003).  
(Source: <http://www.journals.elsevierhealth.com>)
- 31<sup>B</sup> "Recalibrating the Regime, the Need for a Human Rights-based Approach to International Drug Policy" (Report Thirteen by The Beckley Foundation)

- by Damon Barrett, Rick Lines, Rebecca Schleifer, Richard & Dave Bewley-Taylor (30th March, 2008).  
(Source: [www.ihra.net](http://www.ihra.net))
32. "Special Report: Mexico's growing Legion of Narco-Orphans" by Catherine Bremer (6th October, 2010). (Source: [www.rcutcrs.com](http://www.rcutcrs.com))
  - 32<sup>A</sup> "Human Rights" Watch Report on Human Rights and Drug Policy: Briefings for the UN Commission on Narcotic Drugs (May 2008).  
(Source: <http://www.hrw.org>)
  33. A Comparison of the INCB & the UN Human Rights Treaty Bodies by International Harm-Reduction Association, 2009.  
(Source: <http://www.ihra.nct>)
  34. World Drug Report - 2008 published by United Nations Office on Drug and Crime.  
(Source: <http://www.unodc.org>)
  35. Annual Report-2008 of International Narcotics Control Board.  
(Source: [www.incb.org](http://www.incb.org))
  36. Richard Elliott *et al.*, Establishing Safe Injection Facilities in Canada: Legal and Ethical Issues (Canadian HIV/AIDS Legal Network, 2002).  
(Source: <http://www.aidslaw.ca/Maincontent/issues/druglaws/safeinjectionfacilities/safeinjectionfacilities.pdf>)
  37. "Decision 74/10, Flexibility of Treaty Provisions as regards Harm-Reduction Approaches" by UNDCP's Legal Affairs Section E/INCB12002/W.13/SS.5, 30th September, 2002.
  38. Annual Report - 2007 of International Narcotics Control Board.  
(Source: [www.incb.org](http://www.incb.org))
  39. World Drug Report - 2009 published by United Nations Office on Drug and Crime.  
(Source: <http://www.unodc.org>)
  40. OAS Member-States Adopt New Hemispheric Drug Strategy (3rd-5th May, 2010).  
(Source: CICAD Inter-American Drug Abuse Control Commission.  
(Source: <http://www.cicad.oas.org>)
  41. U.N. General Assembly Resolution 63/197, Para I.
  42. Drug Control, Crime Prevention and Criminal Justice: A Human Rights Perspective (3rd March, 2010).  
(Source: Document No. E/CN.7/2010/CRP.6-E/CN.15/2010/CRP.1  
(Source: [www.unodc.org](http://www.unodc.org))

43. UN Doc. No. A/65/255, 2010.  
(Source: [www.un.org/news/Press/docs/2010](http://www.un.org/news/Press/docs/2010))
44. UN Committee on the rights of the Child Calls for Drug Law Reform and Specialized Harm-Reduction for Children at Risk (10th February, 2011).  
(Source: [www.humanrightsanddrugs.org](http://www.humanrightsanddrugs.org))
45. Drug Decriminalization in Portugal by Glenn Greenwald, CATO Institute (April 2009).  
(Source: [www.eato.org](http://www.eato.org))
46. Guideline 4, International Guidelines on HIV and Human Rights (March 2003).  
(Source: [http://data.unaids.org/Publications/IRC-pub07/jc\\_1252-internguidelines\\_en.pdt](http://data.unaids.org/Publications/IRC-pub07/jc_1252-internguidelines_en.pdt))
47. Indian Court overturns mandatory death penalty for drug offences (16th June, 2011).  
(Source: [www.humanrightsanddrugs.org](http://www.humanrightsanddrugs.org))
48. UN Human Rights Committee (HRC): Concluding Observations (8th July, 2005).  
(Source: [www.unhcr.org](http://www.unhcr.org))
- 48<sup>A</sup> Russia - Drug Addiction Treatment Requires Reform (7th November, 2007).  
(Source [www.hrw.org](http://www.hrw.org))
49. UN Resolution S-20/3, 20th Special Session, 2008.  
(Source: [www.unodc.org](http://www.unodc.org))
50. Commission on Narcotic Drugs Resolution 51/12 (2008).  
(Source: [www.unodc.org](http://www.unodc.org))
51. Forward by ED, UNODC in World Drug Report - 2010.  
(Source: [www.unodc.org](http://www.unodc.org))



ANNEXURE-1A

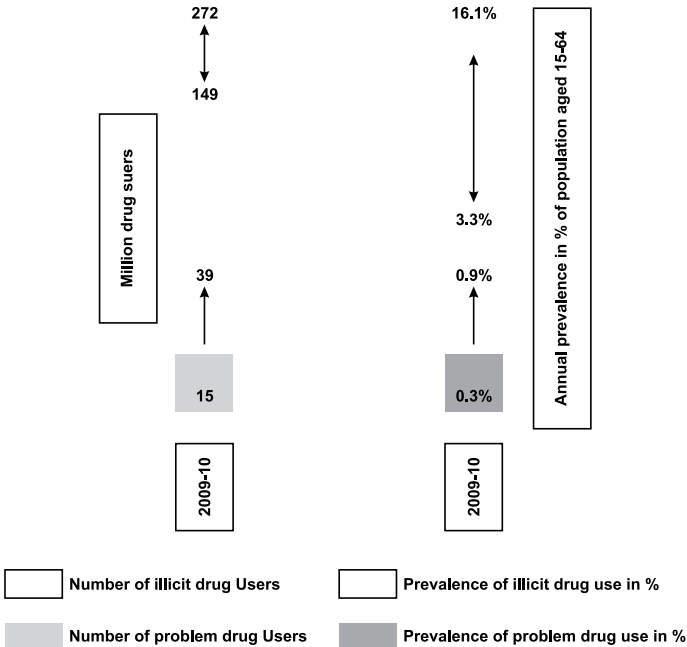
Drug Abuse among Young People

1. Total number of people (aged 15-64 years in 2008) : 4,396 million persons
2. Number of people who have used drugs at least once in the past year (aged 15-64 years) : 155-250 million persons
3. Number of 'Problems drug users' (aged 15-64 years) : 16-38 million persons
4. Number of people who inject drugs (aged 15-64 years) : 11-21 million persons

**Source:** World Drug Report - 2010 (published by United Nations Office on Drugs and Crime). [www.unodc.org](http://www.unodc.org)

ANNEXURE-1B

Annual Prevalence of Illicit Drug Use during 2009-2010



**Source:** World Drug Report - 2010 (published by United Nations Office on Drugs and Crime). [www.unodc.org](http://www.unodc.org)

**Extent of Abuse at Global Level (Drug-wise), 2008-2009**

	Cannabis	Amphetamines type stimulants		Cocaine	Opiate	
		Amphetamines	Ecstasy		All Opiates	Heroin
Number of abusers (in Millions)	165.6	24.7	9	16	16.5	12
In % of Global Population (aged 15-64 years)	3.9%	0.6%	0.2%	0.4%	0.4%	0.3%

**Source:** World Drug Report - 2010 (published by United Nations Office on Drugs and Crime). [www.unodc.org](http://www.unodc.org)

## ANNEXURE-1D

**Estimated Number of Past-Year Illicit Drug Users (aged 15-64 years),  
by Regions and Subregions, 2009**

Region/ sub region	Cannabis users in the past year		Opioid users in the past year		Opiate users in the past year		Cocaine users in the past year		Amphetamines-group users in the past year		Ecstasy users in the past year	
	Number (lower)	Number (upper)	Number (lower)	Number (upper)	Number (lower)	Number (upper)	Number (lower)	Number (upper)	Number (lower)	Number (upper)	Number (lower)	Number (upper)
Africa	21,630,000	59,140,000	940,000	3,750,000	890,000	3,210,000	940,000	4,420,000	1,180,000	8,150,000	350,000	1,930,000
Americas	40,950,000	42,860,000	12,960,000	14,590,000	1,180,000	1,910,000	8,280,000	8,650,000	5,170,000	6,210,000	3,770,000	4,020,000
Asia	31,340,000	67,970,000	6,760,000	12,520,000	6,440,000	12,020,000	400,000	2,300,000	4,330,000	38,230,000	2,390,000	17,330,000
Europe	28,730,000	29,250,000	3,270,000	3,730,000	3,110,000*	3,470,000*	4,300,000	4,750,000	2,540,000	3,180,000	3,680,000	3,920,000
Oceania	2,160,000	3,460,000	100,000	190,000	40,000	50,000	330,000	400,000	470,000	640,000	850,000	920,000
Global Estimate	124,810,000	202,680,000	24,030,000	34,780,000	11,660,000	20,660,000	14,250,000	20,520,000	13,690,000	56,410,000	11,080,000	28,090,000

\*Opiate estimates for Europe - where countries reported only opiate estimates - were derived by using the distribution of opiate users within the overall number of opiate users in treatment.

Source: World Drug Report - 2010 (published by United Nations Office on Drugs and Crime). [www.unodc.org](http://www.unodc.org)

**Estimated Number of Drug-related Deaths in Population  
(aged 15-64 years)**

Region	Number of Drug-related Deaths	
	Lower Estimate	Upper Estimate
Africa	13,000	41,700
North America	45,100	45,100
South America*	2,200	6,300
Asia	15,300	1,40,200
Europe	25,200	26,700
Oceania	2,800	2,800
<b>Global Estimate</b>	<b>1,04,000</b>	<b>2,63,000</b>

\*Including the Caribbean and Central America.

**Source:** World Drug Report - 2010 (published by United Nations Office on Drugs and Crime). [www.unodc.org](http://www.unodc.org)

