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बालाजी श्रीवास्तव, भा.पु.से.
महानिदेशक

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FOREWORD

In the past two decades the world all over, there has been a growing belief in all sectors of employment that the experience of stress at work has undesirable consequences on the health of individuals and their respective organisations. The World Health Organization (WHO) conceptualizes mental health as a "state of well-being in which the individual realizes his or her own abilities, can cope with the normal stresses of life, can work productively and fruitfully, and can contribute to his or her community". This term came into much prominence during the Covid-19 Pandemic.

Policing in any society is the most visible arm of the Government and the backbone for maintaining peace and harmony. Role stress in Police is a matter of concern as they are responsible for maintaining law and order in the society. The Police job, across the ranks and file, is one of the most challenging and stressful occupations around the world. The stress and challenges have multiplied manifold for the Police officers due to technological advancements, criminals getting the technical edge over the Police, well equipped criminals, non-habitual offenders, internal systems and processes, constant public and media scrutiny and the recent COVID-19 pandemic that had engulfed the entire world. These stressors left a significant negative impact on the physiological and psychological health of Police officers resulting in consequences, sometimes, which are detrimental not only for themselves but society as well.

There is a need to evaluate the reasons for stress and address them regularly. With a conducive work environment, which largely depends upon organisational culture and leadership, positive mental health and officer wellness can certainly be ensured.

The articles of the present issue of IPJ attempt to provide an overview of the new-age crimes plaguing our society and suggest ways to combat them. I hope that you will find these articles useful and will also continue contributing your valuable suggestions for further raising the standards of the IPJ.

(Balaji Srivastava)
Chief Patron

"Promoting Good Practices and Standards"

अनुपमा निलेकर चंद्रा, भा.पु.से.

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EDITORIAL

Indian Police Journal is a flagship journal on Policing and Correctional Administration, listed in the UGC care list, dealing with subjects ranging from Policing, Police Administration and Management, Correctional Administration and Prison Management, forensics including digital evidence to sharing of good practices and standards among the Police forces among others. In its limited way, IPJ seeks to contemporize traditional policing wisdom with the tools of the day.

We have tried our level best to get the finest articles for an informational and educational standpoint from the serving officers, the retired officers, prison officers, judicial members, academicians, and other eminent personalities from law enforcement agencies.

The article "Organizational Health in Relation to Perceived Control and Coping" endeavours to examine the contribution of perceived control and coping in the prediction of organizational health in Police employees.

In the article "Policing the Cyber Space to Prevent Online Child Sexual Exploitation Materials", the authors highlight the policing techniques that have been developed and implemented to identify potential offenders, help victims and prevent the spread of child sexual abuse exploitative materials.

The article, "Psychological Influences of Cyber Crimes on Human Mind and Behaviour", focuses on cybercrimes, their psychological impact on human behaviour and the neglected area of cybercrimes' implications on mental health.

K.V. Thomas's article, "Social Media Challenges for Policing" highlights the need to formulate sound policies and strategies to fully utilise the potential of social media for professional policing.

"Promoting Good Practices and Standards"

The article, "Drug-facilitated sexual assault (DFSA): An emerging crime in India" tries to create awareness of this type of crime and its pattern by identifying the ignorance surrounding it.

The article "Indian Police Forces and Counter-insurgency operations: Lessons Learned", explains the role of state Police in counter-insurgency operations in the country.

In the article, "Stress Management in CRPF: Arunima Ankuran's Survey", the authors offer insights on dealing with stress management in CRPF personnel.

Suraiyya Tabassum in her article, "Crimes against Women in Delhi -NCR: Nature, Perceptions and Suggested Strategies" discusses how Police and community can collaborate to minimize crimes.

The article "Crime Data in India: Need to move towards realistic figures" tries to draw one's attention on the need to transform the method of investigation for the attainment of speedy justice.

In the article "Nomenclature of Ranks and Jurisdictions in Ancient Indian Policing" the author traces the genesis of the policing system from the ancient times and its relevance at present.

Dr. Ishita Sharma through her article "Empowering women through women policing: a quest for quality" makes a case for more women Police officers on the frontlines of policing through Mahila Thanas and help desks to encourage women victims to come forward.

The article "Assessing the Applicability and Significance of Handwriting Analysis in Indian Legal Cases: A Critical Review" examines the applicability, dependability and significance of handwriting analysis in the Indian legal system.

I wish this publication will be useful to all stakeholders who aspire to bolster the functioning of the Police forces. I hope we will get your support in the future as well. Your invaluable suggestions are always solicited.

Anupama Nilekar Chandra, ADG
Editor-in-chief

Contents

Organizational Health in relation to Perceived Control and Coping

Abhay Pratap Singh*
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Abstract

Present study endeavoured to examine the contribution of perceived control and coping in prediction of organizational health in Police employees. A total of 240 Police personnel in different groups (officers, sub-inspectors and constables) were selected from Gorakhpur Zone with stratified random sampling technique. P.D.S, Perceived control scale, Coping Scale and Organizational health scale were used for the present study. Results indicate that perceived control was found positively correlated with organizational health. Likewise, planning and religion coping strategies were positively linked with organizational health. But behavioral disengagement was found inversely linked with organizational health. Perceived control was found positively linked with active and adaptive coping, whereas negatively related to maladaptive coping. Regression results also indicate that perceived control contributed positively to organizational health. Active and adaptive related planning and religion coping contributed positively linked with organizational health, whereas, mental disengagement coping contributed inversely to organizational health of Police employees.

Keywords: *Coping, Organizational Health, Perceived Control, Police Personnel.*

Introduction

The Indian Police face myriad of problems and challenges. Maximum Police employees are from constable rank, non-unionized, with low salary, often long duty hours, overworked and difficult work. Many Indian Police officers and employees work more than working hours on their scheduled days and can be called into work whenever the need arises. Indian Police department is visible and powerful for the crime control system. Major functions of Police are to maintain law and order for public peace, to control crime in risky situations, to control public protest

Author's Introduction:

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and communal violence and to combat terrorism which is a serious problem in India. These adverse conditions among Police employees clearly focus on poor perceived control and practices of active and adaptive coping strategies in Police employees and officers. In the last few decades, problems in Indian Police at workplace are increasing at individual, organizational, social and national level. There was a need for greater surveillance of the population with greater monitoring of various groups with the help of coping strategies and improved organizational health for the development of specialized Police units. Several individual and organizational variables such as stress, burnout, anxiety, perceived control, coping, organizational citizenship behavior and organizational commitment may be responsible for organizational health. Thus, there is a need to research on how individual variables contribute to organizational health of Police employees.

Organizational health which means the ability of the organization to adapt to its environment, create harmony among its members and achieve its goals (Leithwood et al., 2004, McLeskey et al. 2004) is an approach in which organizational members observe and characterize their surrounding and environment in an attitudinal and value-based manner. Organizational health is a psychological state that characterizes the employee's relationships with the organization and has implications for the decision to continue membership in the organization (Arokiasamy et al., 2015). On the basis of these definitions it can be said organizational health is an effective organizational ability, combination and co- ordination of employees and their right practices that produce better performance. Indeed, personal factors and organizational factors affect the organizational health which influences the employees performance and organizational outcome.

Perceived control is an important personal factor. It is defined as the belief that one can determine one's own internal states and behavior, influence one's environment, and/or bring about desired outcomes. Perceptions of control refer to the belief that changes in the environment are contingent upon one's own actions, efforts, and choices (Fung, Abeles, & Carstensen, 1999, Krause, 2003, Levenson, 1981, Skinner, 1996). Integrative conceptual model of Perceived control developed by Lachman's (2006) outlines that perceived control is both a consequence of resources in the social, well-being, and health domains and an antecedent condition that in turn fosters health and other key behaviors contributing to successful aging. For example, interactions with network members may inspire and enlarge one's feelings of control toper form health-promoting behaviors, leading to more positive health profiles. In turn, individuals perceiving themselves in control may be more likely to draw from and utilize social resources in times of strain (Antonucci, 2001, Skaff, 2007, Uchino, 2006). A second component of model is that background factors moderate antecedent-consequent associations with perceived control.

Coping is another variable which influences perception of organizational health in Police

employees. Lazarus and Folkman (1984) defined Coping as "a person's constantly changing cognitive and behavioral effort to manage specific external and/ or internal demands that is appraised as taxing or exceeding the resources of the person". Cohen and Lazarus (1979) suggested five main tasks of coping, to reduce harmful environmental conditions and enhance prospects of recovery, to make positive self-image, to maintain emotional equilibrium and to continue satisfying relationship with others.

Review of Study

Organizational health is an extensively studied area in the field of organizational psychology. Organizational health associates with the climate and culture of the organization. Indeed, organizational climate has been shown to be significantly related to employee well-being (Parker et al., 2003). In this regard, many researchers studied, and have found several key factors that affect employee's organizational health at work place. These include variables at the individual level, such as health mindset, at the organizational level such as organizational commitment, organizational justice, transformational leadership etc. Besides, researchers studied organizational health with some individual and organizational variables in few organizations.

Researchers pointed out that individual characteristics of leaders and leadership behavior influence the climate within an organization (Mayer, et. al., 2007, Zohar & Luria, 2004). The mindset of leaders regarding health-related issues linked the

organizational health climate with health-promoting leadership behavior. Kaluza et al. (2019) pointed out that leaders' perceptions of organizational health climate were positively related to their health mindsets. Leaders with a strong health mindset are highly aware of health issues and notice signals that their employees are overworked or that they need a break for recovery. Recent study indicated that organizational commitment had direct effect on organizational health, organizational justice had direct effect on organizational health and indirect effect on organizational health through organizational commitment. Transformational leadership had a direct effect on organizational health and indirect influence on organizational health through organizational justice. (U-senyang, Traichandhara, & Rinthaisong, 2017). The results of the studies related to organizational health revealed that there are factors that directly and indirectly affect organizational health (Wilson, et. al., 2004). Particularly, organizational commitment has been found as a factor that directly affects organizational health (Lemerle, 2005) and contributes to close relationships between employees and organizations that make employees to dedicate them to organizational success.

Organizational justice is a theoretical concept concerning employees judgment, whether they are treated with justice in the organization, and this can influence other work-related variables (Muchinsky, 2008) that directly and indirectly affects organizational health. Furthermore, transformational leadership plays an important role in organizational health because it expresses

how leaders motivate and encourages followers to recognize their leaders and accept them as role models that can change values and increase work efficiency beyond the expected level (Brown & Duguid, 1991, Robbins & Coulter, 2005). Freyedon and Zainab (2011) concluded that organizational justice directly affects organizational health. In addition, results of many studies support that organizational justice is important for organizational effectiveness, and organizational effectiveness also refers to organizational health (Yudi, 2000, Tantinakhom, 2007). Another study pointed out that transformational leadership directly affects organizational health (Bush, 1987, Pinsuk, 2007, Saribut, 2012, Edwards, 2008).

Maria et al. (2016) pointed out that coping strategies and perceived control are effective in reducing the negative effect of stressors on well-being. Maksymenko (2021) revealed significant negative influence of occupational stress on occupation-specific indicators of employees' mental health. Goel and Verma (2022) suggested that perceived workplace-stress and stress coping mechanisms differ significantly with age while other factors reported insignificant differences. Interestingly, the older employees scored high on the use of coping mechanisms but their perceived workplace-stress was also high in comparison to their younger counterparts. Another study focused that Ambiguity stress, belonging and appraisal support are found to be the strongest predictors of mental health of constables. Stress in the area of organizational structure, the appraisal support and maladaptive

coping strategies are essential predictors of mental health of inspectors. Beside this, social support, belonging support, appraisal support and active coping are significant predictors of mental health of Officers (Singh, Gupta and Mishra, 2022). Dasgupta and Pestonjee (2022) pointed out the effect of mediation of Perceived Organizational Support in the relationship between Role Stress and Emotional Exhaustion of Nurses. Another finding offers an alternative perspective to the dichotomous view of control and provides implications for coping strategies and mental well-being (Wesley, Chen and Jacky, 2020). Gupta and Arun (2011) pointed out that journalists are experiencing high levels of role stress. They have to deal with time pressures, social constraints, family conflicts, work place politics and intense competition in India. Rashid and Talib (2015) revealed that female doctors experience more stress than their male counterparts.

Considering most of the studies, it is clear that very few studies have been conducted to examine the role of perceived control and coping in organizational health. Some studies were conducted to examine the role of perceived control for adult development, well-being and health. In this concern, Individual's perceived control plays an integral role for adult development and successful aging. (Baltes & Baltes, 1986, Bandura, 1997, Krause, 2007, Lachman, 2006).Conceptual frameworks and empirical reports both suggest that perceived control is related to central indicators of engagement, well-being, and health (Femia, Zarit, & Johansson, 1997, Skaff, 2007).

As well as perceived control and coping will also have relevance for promotion of organizational health of Police employees.

Perceived control also acts as an antecedent condition fostering health and other key outcomes of successful aging. Several theoretical notions argue that perceived control influence the onset and progression of disability (Verbrugge & Jette, 1994). It means people who perceive themselves to be in control are better able (more self-efficacy) to utilize their resources so that functional limitations do not necessarily turn into full-blown disability. Feelings of control and self-confidence were also protective of health declines in both midlife and old age (Caplan & Schooler, 2003, Gerstorf, Röcke & Lachman, 2011). Facets of control have also been shown to be predictive of longevity. Several studies have shown that lower feelings of control and mastery predict all-cause mortality over follow-ups of 2.5 years (Penninx et al., 1997), 4.8 years (Surtees et al., 2006), and 11 years (Surtees et al., 2010). In a similar vein, Krause and Shaw (2000) reported that greater feelings of control in one's most salient role in life were predictive of all-cause 6-year survival.

Other research evidence suggests that perceived control is particularly associated with cardiovascular mortality, but not with cancer mortality (Surtees et al., 2006, 2010). Following several streams of theoretical and empirical work, perceived control may be related to all-cause mortality through various mechanisms, including health-promoting behaviors, emotion regulation, social integration, and stress buffering effects. For example, individuals reporting lower control beliefs are less inclined to adopt and continue with health maintenance behaviors such as exercise and preventive care (Rodin, 1986, Seeman, et. Al., 1999). As a consequence, lower perceived control may alter one's behavioral and physiological functioning, probably leading to increased vulnerability to diseases and subsequent mortality.

Several studies indicate that Coping was associated with many individual and organizational factors (Singh, 2013, Chang et al., 2006, Penley et al., 2002). Singh (2013) proved the modifying role of perceived control and coping in the work stress – commitment relationship in Police employees. This research evidence suggests that perceived control, active and adaptive coping are favourable predictors for organizational commitment, whereas these variables as unfavourable predictors for work stress. Folkman et. al. (1986) examined relation between personality factors, primary appraisal, secondary appraisal, eight forms of problem and emotion focused coping and somatic health status and psychological symptoms. Penley et. al. (2002) studied association between coping and physical and psychological health. The problem-focused coping was found to be positively correlated with overall health outcomes. Earlier research, Chang et. al. (2006) reported was significant predictor of physical health. Coping dimensions like escape-avoidance, distancing, and self-control was also significant predictors of mental health. Other significant predictors of mental health were support available at the workplace, the number of years worked

in the unit and workload. Mental health scores were higher for nurses who have been working more years in the unit and are using distancing as a way of coping. Mental health scores were lower for nurses who used escape-avoidance, lacked workplace support, had high workload, and used self-control coping. Folkman (1984) studied that problem-focused efforts are more adaptive when they are directed toward aspects of the person- environment relationship that are perceived as changeable, while emotion focused efforts are more adaptive when a situation is recognized as uncontrollable. Another study of coping with interpersonal stress such as conflicts or problems with peers, problem-focused coping was found to be positively correlated with perceived control, while emotion-focused coping was unrelated to control beliefs in school-aged children (Compas, et al., 1991) and also in young adolescents (Compas et al., 1988).

After reviewing several literatures, it can be said that researchers have very little attention for studying the effect of perceived control and coping in organizational health of Indian Police employees. Related research can help facilitate change in Indian Police. Indeed, it is not possible to study all current problems of Police employees, but studying how perceived control and coping are linked to organizational health is important. It does not mean to imply that these are the only variables that may result in organizational health. There are many other factors, including external ones that influence organizational health. The current study only provides a small slice of the larger picture so that a better psychological understanding of what, if any, role the variables of perceived control and coping are associated with. It can provide information to help partially maximize organizational health among Police employees. Perceived organizational health in Police personnel is likely to be more effective at improving the interactions with officers, employees and citizens.

Objective

1. To find out the association of perceived control and coping with organizational health.

2. To examine the relative contribution of perceived control in organizational health.

3. To examine the relative contribution of coping in organizational health.

Hypothesis

1. Association of perceived control, coping with organizational health would be found.

2. Perceived control would be more effective in predicting organizational health of Police employees.

3. Active and adaptive coping would be relatively more dominant, as compared to maladaptive coping, in predicting organizational health of Police employees.

Method

Design

Present research is correlational in nature.

Sample: A total of 240 male Police personnel,

40 in each cell participated in this study. Stratified random sampling technique was used. Sample selection was done applying 3x2 factorial design i.e., three groups of job hierarchy (officers, sub-inspectors and constables) and two job tenure (Short Job Tenure i.e. 0-10 yrs., Long Job Tenure i.e. above 10 yrs.). The selection of personnel was done from different work places like Police office, Police Stations of Gorakhpur zone.

Measures

A set of measures was used for the present study, a brief description of these measures is given below:

1. Perceived Control Scale

The level of perceived control in Police employees was assessed with the help of modified version of perceived control scale (Jain, 1984, Pandey, 2004). This scale includes 16 items describing real life situation. Five point scale with anchor point no control (1) to complete control (5) were used. Summated score on all the activities was considered as a total score of respondents on perceived control. This test is highly reliable measure of perceived control (test- retest: r = .43). Responses given by participants on perceived control scale were scored in 1, 2, 3, 4 and 5 order. Total summated scores obtained on each item were considered the level of control in participants.

2. Cope Scale

This scale was developed and standardized by Carver, Scheiver and Weintraub (1989). This Scale was applied to assess the level of coping responses used by Police personnel to cope with unhealthy situation of organization. This Cope scale has sixty items of fifteen strategies (dimensions) i.e., active, planning, suppression of competing activities, positive reframing, restraint coping, use of instrumental support, use of emotional support, religion, acceptance, denial, behavioral disengagement, mental disengagement, drug and humour under three type of coping styles i.e., active coping, adaptive coping and maladaptive coping. Responses given on items were scored in 1, 2, 3 and 4 order and obtained total scores related to each dimension were added. In this way the level of coping responses on each domain was determined.

3. Organizational Health Scale

This scale was developed and standardized by Sayeed (1987).This scale was applied to assess the perception of organizational health of Police employees at work place. This scale contains 30 items of seven dimensions i.e., managerial efficacy, practicality and problem solving, organizational adequacy vs. slack, amicable power relations, HRD orientation and practice, team orientation and organizational values. Responses given by participants on each items of organizational health scale were scored in 5, 4, 3, 2, and 1 order. In scoring pattern, 5 means more and 1 means few. Summated all dimensions scores show overall perceived organizational health.

Procedure

Participants were contacted at their workplace and they were introduced to the purpose of the study. Each participant

was promised that his personal views and information given by him would not be disclosed at any cost. After receiving the initial willingness of the respondents to participate in the study, their background information was collected on the basis of Personal Data Sheet (P.D.S.). Afterwards, they were requested to participate again in the second phase of the study.

In second phase of the study, the investigator approached the respondents and requested them about the availability of leisure time for their cooperation, so that the responses on the selected measures could be received properly. After getting their consent, they were given a booklet containing three measures i.e. Perceived Control Scale, Coping Scale and Organizational Health Scale respectively. First, they were asked to respond on Perceived Control Scale. Following instructions were given "please read each item given in the scale and put correct (√) mark on any one of the five points of scale given in front of each items, which you feel is correct in your case. Your responses will be kept confidential." After completing their response, they were again requested to respond on Cope Scale. Some instructions were given "please read each items given in this scale and put correct (√) mark on any one of the four points of scale given in front of each item, which you feel is correct in your own case at work place. After completing their response, they were again requested to respond on Organizational Health Scale of five-point scale, according to above instruction. As soon as, they completed their responses on these measures, data was collected and participants were thanked for their participation. Responses given by participants were scored according to defined rules, given in manuals and scores were treated for computer analysis.

Results

Results were obtained from the statistical analysis of responses on various measures viz., Perceived control Scale, Cope Scale and Organizational Health Scale. The Statistical treatments of data were done in terms of correlation analysis and step-wise multiple regression analysis. In order to determine the relationship of perceived control and coping with organizational health, correlation analysis was computed and to examine the relative contribution of perceived control and coping in organizational health, step-wise multiple regression analysis was done. Results are given below-

Relationship of Perceived Control and Coping with Organizational Health

Correlations were computed to determine the relationship perceived control and various dimensions of coping strategies related to active, adaptive and maladaptive styles with organizational health. Results are displayed in Table 1, 2, and 3.

Table 1: Relationship between Perceived Control and Organizational Health

Variables	Coefficient of correlation (r)
Perceived Control and Organizational Health	.311

N = 240, ** = P< .01, * = P< .05

Correlations displayed in Table 1 indicate that perceived control was found positively correlated with organizational health (r= .311, P< .01).

Table 2: Relationship between Coping and Organizational Health

Dimensions of Coping and Organizational Health		Coefficient of correlation (r)
Active Coping	Active Coping and Organizational Health	.109
	Planning and Organizational Health	.186**
	Suppression of Competing Activities and Organizational Health	.086
	Positive Reframing and Organizational Health	.033
	Restraint Coping and Organizational Health	.035
Adaptive Coping	Use of Instrumental Support and Organizational Health	.025
	Use of Emotional Support and Organizational Health	.039
	Religion and Organizational Health	.134*
Maladaptive Coping	Acceptance and Organizational Health	-.078
	Focus on and venting Emotion and Organizational Health	-.100
	denial and Organizational Health	-.040
	Mental Disengagement and Organizational Health	-.135*
	Behavioural Disengagement and Organizational Health	-.012
	Drug and Organizational Health	-.003
	Humour and Organizational Health	-.093

N = 240, ** = P< .01, * = P< .05

Correlations displayed in Table 2 indicate that Organizational Health was found positively correlated with planning (r= .186**, P< .01). Result further shows organizational health was found positively related with religion (r = .134*, P< .01). Whereas, Organizational Health was also found to be negatively correlated with mental disengagement (r = -.135*, P< .01).

Table 3: Relationship between Perceived Control and Coping

Dimensions of Coping& Perceived Control		Coefficient of correlation (r)
Active Coping	Active Coping and Perceived Control	.315**
	Planning and Perceived Control	.213**
	Suppression of Competing Activities and Perceived Control	.243**
	Positive Reframing and Perceived Control	.212**
	Restraint Coping and Perceived Control	.012
Adaptive Coping	Use of Instrumental Support and Perceived Control	.305**
	Use of Emotional Support and Perceived Control	.130*
	Religion and Perceived Control	.110
Maladaptive Coping	Acceptance and Perceived Control	-.138*
	Focus on and venting Emotion and Perceived Control	-.157*
	Denial and Perceived Control	-.105
	Mental Disengagement and Perceived Control	-.014
	Behavioural Disengagement and Perceived Control	-.211**
	Drug and Perceived Control	-.018
	Humour and Perceived Control	-.111

N = 240, ** = P< .01, * = P< .05

Correlations displayed in Table 3 indicate that Perceived Control was found positively correlated with Active Coping (r= .315, P< .01), planning (r = .213, P< .01), suppression of competing activities (r = .243, P< .01) and positive reframing (r = .212, P< .01) of active coping style. Likewise, Perceived Control was found to be positively correlated with use of instrumental support coping (r = .305, P< .01), and use of emotional support coping (r = .130, P< .05) of adaptive coping. Whereas, perceived control was found to be inversely related with acceptance (r = -.138, P < .05), focus on and venting emotion (r = -.157, P < .05) and behavioural disengagement (r = -.211, P < .01).

Present result thus denotes that, perceived control, active and adaptive related coping responses have positive link with organizational health whereas, maladaptive coping responses have inverse relationship with organizational health.

Prediction of Organizational Health from Perceived Control and Coping

Table 4: Step-wise multiple regression analysis for organizational health on to the perceived control.

Predictor Variables (Perceived control)	Criterion (Organizational Health)					
	R	R²	R² change	Beta β	t	F
Perceived control	.31	.10	.10	.31	5.05	25.50**

N = 240, ** = P< .01, * = P< .05

Regression results (Table 4), indicated that organizational health was predicted by perceived control, which contributed maximum positively (β = .31, R^2 = .10), this contribution was found to be 10% variance in criterion variable.

Table 5: Step-wise multiple regression analysis for organizational health on to the coping responses.

Predictor Variables (Coping Responses)	Criterion (Organizational Health)					
	R	R²	R² change	Beta β	t	F
Planning	.19	.04	.04	.19	2.9	8.5**
Mental Disengagement	.23	.06	.02	-.14	-2.2	4.9*
Religion	.29	.09	.03	.17	2.7	7.3**

N = 240, ** = P< .01, * = P< .05

Regression results shown in Table 5 denote that organizational health was predicted by three factors. Planning contributed maximum positively (β = .19, R^2 = .04), however, mental disengagement explained negatively (β = -.14, R^2 = .06). Furthermore, religion explained negatively (β = .17, R^2 = .09), though independently planning explained was 4%, mental disengagement explained was 2%, religion explained was 3% but the composite contribution of these factors was found with 9% variance in the criterion variable. The summarize results of regression is shown in Fig 1.
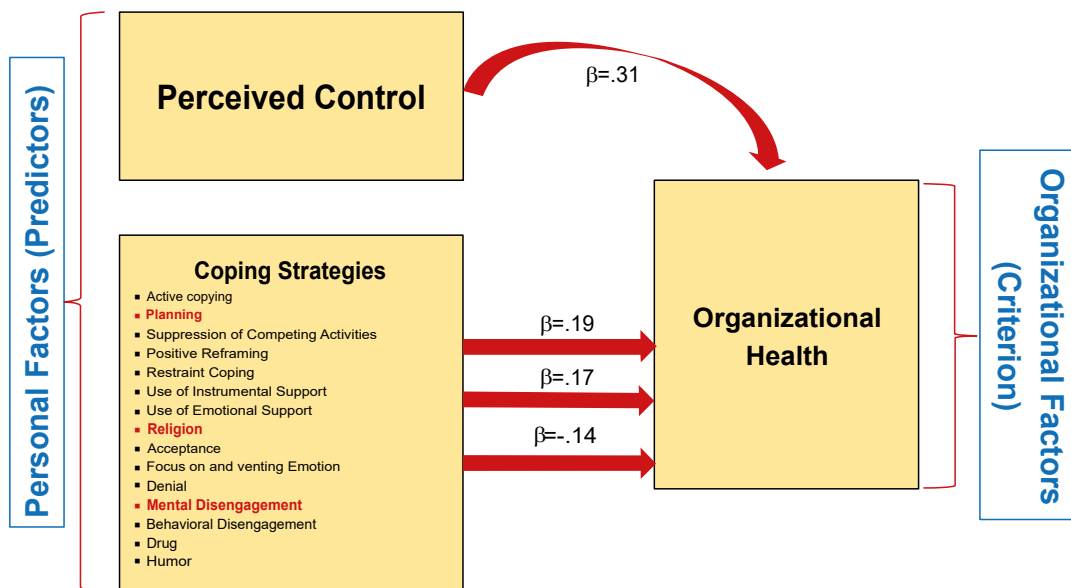
Fig 1. *Perceived control and coping as a predictor of organizational health.*

Discussion

The results of this study demonstrate that personal factors such as perceived control and coping were the most influential determinants of organizational health among Police employees. Present correlation results show that perceived control was found to be positively correlated with the organizational health. Likewise, active and adaptive coping strategies were positively linked with organizational health, whereas maladaptive coping strategies were inversely linked with organizational health. Furthermore, perceived control was positively associated with each dimensions of active and adaptive coping strategies and negatively associated with maladaptive coping strategies. Regression results also indicate that perceived control contributed positively to organizational health. Active and adaptive related planning and religion

coping strategies contributed positively to organizational health, whereas, mental disengagement coping contributed inversely to organizational health of Police employees. Present results have confirmed hypotheses. Accordingly, these findings indicate that Police employees' level of organizational health can be improved if there is a focus on improving perceived control with active and adaptive coping practices, that underpin the climate of Police stations and other work teams within Police organizations. The directions of results have discussed in two ways-

The Role of Perceived Control in Promotion of Organizational Health

Correlation results showed significant positive association between perceived control and organizational health. Regression results shown in Fig 1 indicate that perceived control is a significant

stronger predictor of organizational health. Thus, the role of perceived control in promotion of organizational health of Police employees has proved. Findings of the present study have been supported by following empirical evidences. Several studies indicated that feelings of control and self-confidence were also predictive of health declines in both midlife and old age (Caplan & Schooler, 2003, Gerstorf, Röcke, & Lachman, 2011). Another researcher pointed out that self-efficacy serves as a protective factor against functional decline over a 2.5 year period in Successful Aging (Seeman et al., 1999). Ghorbani et al., (2012) proved the relationship between organizational health and efficacy. Besides, it can be said that perceived control in Police employees is a powerful role for interaction with each officer, citizen or criminal. Singh (2013) investigated the modifying role of perceived control and coping in the work stress commitment relationship, and found that perceived control enhanced the level of commitment in Police employees, proved the important role of perceived control in organizational commitment which is similar as organizational health. If Police employees talk to another person without self-control, it may likely lead to quarrelling and distractive behavior in them. Results confirm that perceived control is a factor that influences organizational health, whereas there is also need for searching other contributing individual and organizational variables in organizational health of Police employees.

Our results show that perceived control plays a vital role in promotion of organizational health of Police employees which is in good

agreement with other reported results by different researchers.

Beneficial Role of Coping in Organizational Health

Results revealed that planning and religion coping strategies were positively linked with organizational health but behavioral disengagement was found inversely linked with organizational health. Regression results shown in Fig 1 indicate active and adaptive related planning and religion coping significantly predicted positive to organizational health, whereas, mental disengagement coping significantly predicted negative to organizational health of Police employees. Thus, the role of active and adaptive coping in promotion of organizational health of Police employees and unfavourable role of maladaptive coping in process of organizational health have been proved. Findings of the present study have been supported by a sizeable number of empirical evidences (Keeton, 2016, Folkman et. al. 1986, Penley et. al. 2002). Researchers pointed out that individual characteristics of leaders and leadership behavior influence the climate within an organization (Mayer, Nishii, Schneider, & Goldstein, 2007, Zohar & Luria, 2004). The mindset of leaders regarding health-related issues linked the organizational health climate with health-promoting leadership behavior.

Keeton (2016) revealed that proactive coping style was positively linked with psychological health, job satisfaction, organizational commitment, OCBs and social support. Folkman et. al. (1986) concluded that the

relationship between personality factors, primary appraisal, secondary appraisal, eight forms of problem and emotion focused on coping and somatic health status and psychological symptoms. Penley et. al. (2002) concluded that if coping is better, physical and psychological health would also be better. Further, problem-focused coping was found to be positively correlated with overall health outcomes. Violanti (1992) pointed out that recruits who scored high on personal distress tended to use more coping strategies than those who had lower distress scores. It was found that when used separately, problem solving and emotional coping significantly benefited the recruits in reducing stress. Chang et al. (2006) studied and pointed out that coping dimension like escape-avoidance, distancing, and self-control was also significant predictors of mental health. Other significant predictors of mental health were support available at the workplace, the number of years worked in the unit and workload. Finally, present study and earlier supported studies have proved the beneficial role of active and adaptive coping in organizational health of Police employees.

Due to major responsibilities like enforcing laws, preventing crimes, responding to emergencies and providing other security Police organization is different to many other organizations. Therefore, this study suggests that Police organization should create high level perceived control and use active and adaptive coping in employees for good relations with officers, other employees, communities and other people of society, enhance organizational health in Police employees, Police officers should respect old Police personnel and should reduce hard step towards employees, and further enhance the Police organization subjectivity. If Police employees observe distracting psychological condition at work place in companion employees, Police employees should consult counsellors or mental health practitioners with the help of higher authority of Police. Secondly, this study suggests that Police organization should emphasise on controlled and full strategy policing leadership to inspire other Police employees, and provide job training opportunities and policing resources to improve their professional development, career development, guide Police trainees to focus on behavioral training, and to improve organizational health, Police employees should rehearse perceived control and active/adaptive coping strategies.

Conclusion

On the basis of results and discussion, it can be said that perceived control and coping are influential factors that directly affect the organizational health of Police employees. Present study and earlier supported studies have proved the beneficial role of active and adaptive coping in organizational health of Police employees and how perceived control plays a vital role in promotion of organizational health in Police employees.

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Policing the Cyber Space to Prevent Online Child Sexual Exploitation Materials

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Abstract

Online child pornography that consists of various media with the involvement of children in sexual acts, either as simulation or real, poses a huge threat to the children. This research article explores the policing techniques that has been developed and implemented to identify potential offenders, help victims and prevent the spread of child sexual exploitative materials. The policing activities of law enforcement and public to combat this form of child sexual abuse have been discussed. With the use of existing literature, the article highlights the various challenges that the law enforcement faces and presents suitable recommendations.

Keywords: *Child Pornography, Child Sexual Abuse, Commercial Sexual Exploitation Materials, Cyber Policing, Cyber Forensics, Police Investigation*

Introduction

The problem of Child Sexual Abuse has escalated to new heights with the offender's use of Internet technologies to get hold of children, form a criminal network of their kind, disseminate content of abuse and reuse the content to groom more children for future abuse. Thus, the cycle of sexual abuse of children continues and poses a huge challenge for law enforcers to identify victims, detect child abuse content, prosecute offenders and eventually prevent the abuse.

There are various forms of child sexual abuse such as commercial sexual exploitation, sexual solicitation, and child sexual exploitation material. Child sexual exploitation material (CSEM) or child sexual abuse materials (CSAM) are also referred to as what has been generally called child pornography. However, the term child pornography has been criticized as it does not imply abuse. While exploitation material means any material, regardless of the involvement of children in the content, used to groom and abuse children, the abuse materials stress the use or depiction

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of children in the material. Therefore, this article will use CSAM. According to Linggett, Child Pornography refers to materials that are visual content such as images, videos, or live stream of any sexual activity such as intercourse, bestiality, masturbation, or displays of genitalia that involves children of age 17 or below (Liggett et al., 2019, p. 105). The age defining the children differs from one country to the other. The content can also include audio and text that describes children in a sexual act. The abusive behavior can be categorized as contact, non-contact or hybrid. The offender can be sexually assaulting the child in person, exploiting them online, or both. One of the unique features of CSAM is the power imbalance that exists between the perpetrator and the child. The perpetrator holds power over the child and makes them partake in sexual activity. This is seen in child sex trafficking, sextortion, child sex tourism, and child sexual grooming (Seigfried-Spellar & Soldino, 2020, p. 1204).

Sexual offenses facilitated by the internet are preferred as offenders commit sexual offenses on the Internet because of the unique properties that aid avoidance of detection. The anonymity of the internet facilitates offenders to dissociate their actions online from their real-world identity. This helps the offenders to be open about their intentions and less vulnerable to being detected. The dark web is used by child sex offenders to interact with each other and share their experiences. Platforms like the Hidden Kingdom makes child sexual abuse normal and facilitates offenders to share their practices of abusing children without leaving any traces. (Martellozzoe, 2015)

The main objective of this research paper is to find the existing investigation methods used to detect and prevent child sexual abuse materials online. The article presents the various approaches taken by law enforcement and the public against child abuse materials.

Internet and Child Pornography

Child pornography which was a serious problem in the 1970s had been eradicated by the late 1980s. However, with the advent of the Internet and related technologies, pornographic content with children has increased dramatically since 1990 (Hessick, 2011). Before the Internet, child pornography was limited to images from magazines and films that were copied several times and of poor quality. With the technology in place, child pornography exists not only in images but in videos and audio. Live streaming and virtual sexual activity with children is possible in this era. While professionals were involved in developing child pornography earlier, today, anyone with a mobile phone with little tech savviness is capable of producing the same. The distribution of this offensive content before the Internet was possible by moving the hardcopies or tangible materials from one place to another and the chances of being stopped from being exported or imported were only at the Police check posts. However, with the Internet erasing these geographical borders, the materials can be distributed to any number of users for any number of times.

While buying hard copies was required to view child pornography pre-internet, now

users can download it from numerous websites without any cost, save it in their system, protect the content and also distribute it within a few minutes. Further, the internet has enabled people of similar sexual interest in children to come together and help each other find victims and materials, and share their ideas on how to abuse without being caught. (Haasz, 2016)

Child pornography is seen as the not only evidence of sexual abuse but is abuse in itself. The content will affect the privacy and reputation of the child victim whenever someone views it. Moreover, the availability of such content is likely to be used by paedophiles to groom children for sexual abuse. Victims of child sexual abuse often face repeated victimization as the offenders often manipulate their vulnerability and keep them silent by threatening. (Hessick, 2011)

In the past couple of decades, the term 'sexual predator' has been very frequently used to refer to 'paedophiles' and 'child sexual abusers'. However, this relatively new term of calling paedophiles predators has come from popular entertainment shows focussing on child sexual abuse (Adler, 2012, p. 130). The term predator denotes the characteristics of sexual abusers. It means that the offender is an animal and is not only fit to be sent to jail for punishment. The term means that the offender's details must be registered and constantly tracked about his or her whereabouts even after release. It also means that the offender deserves to be at the mental hospital for the rest of his/ her life. On some occasions, they are also viewed to deserve castration. (Adler, 2012, p. 132)

The term 'predator' has thus been carrying various meanings and suggestions about the characteristic of the sex offender. Now, this category includes child rapists to teenagers who possess 'child pornography'. With the cases related to teenagers sexting, teenagers are also held accountable for the production, distribution, and possession of child pornography that includes them. Therefore, the term predator also includes the teens that produce child pornography of themselves. (Adler, 2012, p. 133)

To abuse a child, the perpetrators need not meet the children in person to abuse them. One of the main characteristics of online crime against children is that the victimization can happen repeatedly and for a prolonged period and the victim might be unaware of it. In the case of disseminating sexually explicit photographs of children, the content reaches and remains in the hands of several people indefinitely. Transcending the geographical limits, the child victims are likely to not disclose the incident. Thus, the very little reporting that happens with law enforcement, internet service providers, parents, or children's hotlines is only the tip of the iceberg. (Aggarwal et al., 2006)

Child sexual abusers use the internet to gain access to children and/or other paedophiles. By gaining access to children, they figure out their methods to approach the children, join their chat rooms, stalk them online, identify their home addresses, and build a long-term relationship with the children. As they can meet people who also possess a sexual interest in children, they can share their sexual desires and ideas to lure victims without hesitation. (Aggarwal et

al., 2006)

Legislation against involving children in pornography content in India

Section 293 of **The Indian Penal Code**, **1980**, protects a young person from being exposed to obscene materials by making the selling, letting hiring, distributing, exhibiting, circulating, or offering the obscene materials to any person under the age of twenty years punishable acts. If anyone attempts to do any of the above-mentioned activities, they are also punishable under this act. Section 294 of the code punishes singing, reciting, or uttering any obscene song, ballad, or words, or any other obscene acts in or near the public place with imprisonment of up to 3 months or a fine or both.

According to section 67 of **The Information Technology Act**, **2000**, the same acts as section 292 of the Penal Code are made punishable for materials that are in electronic form. Unlike the Indian Penal Code, section 67 A specifies transmitting, publishing, or causing to transmit or publish any materials electronically that contain sexually explicit acts as punishable with imprisonment of up to five years and a fine of up to 10 lakh rupees. Repeat offenders will be punished with imprisonment of seven years with a fine of up to ten lakh rupees.

Section 67B specifies publishing and transmitting electronic materials in which children are depicted in sexually explicit acts as a punishable act. The section further elaborates on the online behaviors that would constitute inflicting harm on children in this aspect. Creating texts of digital images, collecting, seeking, browsing, downloading, advertising, promoting, exchanging, or distributing any materials in electronic form that depicts children in a sexually explicit way are punishable under subsection b. Anyone who grooms children into an online relationship in a sexually explicit manner is punishable as per subsection c. Subsection d makes the facilitation of abuse of children online punishable and subsection e makes the recording of their abuse or that of other children punishable. The exceptions to these offenses in IT Act are similar to that of the Penal Code. The section also clarifies that anyone who has not attained the age of 18 is a child. Section 67C makes it a requirement for intermediaries to preserve and retain such information for some time and format it as per the prescription of the Central Government. Failure of the intermediary to do so is punishable with imprisonment of up to three years and also with a fine for which the amount is not specified.

The Protection of Children from Sexual Offences Act (POCSO) had been amended in 2019, particularly for tackling CSAM. Section 2 (da) defines child pornography as

"any visual depiction of sexually explicit conduct involving a child which includes photograph, video, digital or computer generated image indistinguishable from an actual child and image created, adapted, or modified, but appear to depict a child".

Section 13 prohibits the use of a child in any form of media for sexual gratification with the representation of the sexual organs of a child, usage of a child engaged in real or simulated sexual acts with or without penetration, and indecent or obscene representation. The section clarifies that the

'use a child' means involving a child through any medium like print, electronic, computer, or any other technology for the preparation, production, offering, transmitting, publishing, facilitation, and distribution of pornographic material. Section 14 (1) lays down a strict punishment for using children for pornographic purposes with imprisonment for not less than five years and a fine. Upon second or subsequent conviction, one shall be punished for not less than seven years and with a fine. Subsection 2 indicates that the punishments in subsection 1 are added to the punishments given for penetrative sexual assault (section 3), aggravated penetrative sexual assault (section 5), sexual assault (section 7), aggravated sexual assault (section 9) if any of these acts been found to have happened along with child pornography. Section 15 (1) prohibits the storing, and possessing of pornographic material involving children in any form. If anyone fails to delete or destroy or report the same to the authority to share or transmit the materials shall be punished with a fine which is not less than five thousand rupees. Upon a second or subsequent offense, the fine will be not less than ten thousand rupees. Sub-section (2) prohibits storing, and possessing pornographic material involving children for transmitting, propagating or displaying, or distributing except to reporting or use as evidence in court shall be punished with imprisonment either for a maximum of three years or with a fine or with both. In addition, subsection (3) punishes storing or possessing the materials for commercial purposes. Up on conviction for the first time, imprisonment of three years to five years, a fine, or both will be given. Upon a second or subsequent conviction, imprisonment of five to seven years will be given along with a fine.

Policing the cyberspace against child exploitation

Given the potential that the Internet has in terms of getting access to and dissemination of personal information, preventing the production and consumption of child sexual exploitation materials is very challenging for law enforcement (Nielssen et al., 2011). Investigating online child exploitation requires technical knowledge as well as basic investigation skills. Thakor refers to those who engaged in detecting and policing child pornography content online as 'algorithmic detectives'. They are not only police but also computer scientists, content moderators, content reviewers, technology specialists, computer programmers, and social media companies. The software automatically matches the images we know with the images that are found online. However, the detection cannot be a fully automated process and thus, the police or the non-police actors continue to make their inferences and jot down their data points in the report. (Thakor, 2018)

To detect offenders online, police need to develop innovative techniques in the investigation. One of the ways in catching hold of the offenders online is for the police to go undercover. The Child decoy method is one of the most popular proactive investigation methods that make use of the anonymity feature of the Internet (Cohen-Almagor, 2013).

This method lets law enforcement pose as a child online by setting up a suitable profile and displaying the gestures and behaviors of children in the chat rooms. They wait for the offenders to be contacted. This helps the officers to identify the perpetrators even before he/she victimizes a real child. This method has been reported to have high arrests (Mitchell et al., 2005) and convictions and low dismissal of cases. (Aggarwal et al., 2006)

In Holland, a sting operation was made for ten weeks. In the operation, the police officer was posing as a 10-year-old girl with the name 'Sweetie'. It is noted that many men across the world have befriended her. Some of them offered money to her. The police identified some of the men and sent their details to law enforcement in their respective countries.

This practice of covert investigation conducted by police officers online is a legitimate tool. One of the main principles in a covert investigation is that the officer undercover should not provoke to commit a crime. Therefore, when an officer is acting like a child, he or she should not suggest a meeting, offer sexual interaction, or share indecent images. If this rule is not followed, the court would hold the investigators as agent provocateurs. The officer who goes undercover is required to fully take up the identity of a child to police online grooming. The fake profile of a child should be created and the officer should interact like a child and share the weaknesses of the same. The officer must study the interests of the child in terms of their interests in music, movies, languages, classes, and other school activities. The officer must make sure that the offender knows the age of the child and need to respond to questions in a passive manner. This proves that the officer is careful about not leading the offender to commit the crime.

When the child responds positively, the groomer is more motivated to engage in sexually colored conversation with the child. The children are more at risk with the offenders who spend more time grooming them online. The offenders do not spend time forming relationships with the child and do not think about the risks online. The offenders feel secure with the anonymity of the Internet and enjoy immediate gratification through exposure and use of pornography. However, when the investigation officer is posing as an adult, they must show interest and build a trustworthy relationship with the suspect. While they should not commit any offense, they should be evaluating whether the suspect is a threat to the children. (Martellozzoe, 2015)

The Predator and Prey Alert (PAPA) is one such tool that helps in the investigation using a decoy child method. With a set of software and hardware, the main purpose of the tool is to help victims who were stalked online. The tool helps to investigate such online crimes in the collection and verification of evidence that would eventually lead to the prosecution of the stalkers. (Aggarwal et al., 2006) These tools help in fetching evidence against abusers who are sexually interested in children. If they possess CSEM, analyzing such materials will help the investigator understand the offender's specific sexual interests. (Quayle, 2020)

Public reaction to Online Child Pornography

The role of the public or civilians in combating online child pornography has been noticed in many countries. While their participation is seen as rising in support of stringent punishments for offenders, they also play an active role as cyber–vigilantes. (Huey et al., 2012)

Some people suggest that possessing child pornography should be given more punishment as it is equally offensive to abuse a child. Some others argue that the punishment should be severe as the individual possessing the content pose a huge risk of abusing a child. Some states in the United States such as Alaska, Arizona, Florida, Tennessee, and Utah sentence the offenders based on the number of child pornographic images they possessed. However, such an approach to punishment resulted in longer sentences even up to two hundred years. Internet facilitates getting hold of huge content with very less effort and therefore, such long sentences will be very common. On the other hand, an offender who molested a six-year-old girl was sentenced to only fifteen years and a priest who molested a boy was given twenty-two months.

There are a group of vigilantes who are involved in finding and punishing paedophiles in Russia. They stream their actions on the famous video streaming platform YouTube. This is not only seen as public participation in enforcing laws against child sexual abuse but also seen as a strategy to acquire more followers and subscribers for their YouTube channels.

From 2012 to 2014, a project named Occupy Paedophilia was undertaken by youngsters in forty Russian cities. Carrying out their journey in the name of 'safaris', they get hold of those who are presumed to be paedophiles. After detaining them, they are forced to confess before torturing them.

According to Favarel-Garrigues, the reaction of the youth towards paedophilia is instigated by a group of politicians whose interests are in protecting the family and religious values and incorporating related moral actions into politics. Further, these anti-paedophilia measures are the result of scandals broadcast by the media. In early 2009, the new channels discussed the scandal where a Member of Parliament was guilty of sexually assaulting a minor but was released before the completion of the imprisonment period. This along with similar stories kindled the moral obligation among certain groups in Russia to take up the issue of hunting down paedophiles. The main problem in the involvement of public groups in moral policing is the legitimacy of detecting and punishing paedophiles. (Favarel-Garrigues, 2019)

Challenges in policing cyberspace against CSEM

Investigating this type of online crime against children requires financial support for tool usage and hiring technical experts. Usage of the tools and conducting case investigations in this manner requires training and cooperation with authorities of various jurisdictions (Wall, 1998).

Racial bias plays a role in detecting offenders and victims in the content available online.

There has been a low accuracy in matching non-white faces. The algorithms created for detecting abusers and victims associate childhood innocence with being white and whiteness as innocence. The designers of the software tools use training sets of data to detect faces, genders, and races to enhance the algorithm's detection ability. These training sets that help the algorithm default the characteristics of victims have dealt with white male adult faces. National Centre for Missing & Exploited Children (NCMEC) in the US has white and non-white images of children disproportionately and the accuracy of matching non-white faces is less and the detection of those faces are not easily made. The problem of less detection of non-white children in comparison to that of white children indicates the investigation bias that existed even before the use of the detection software. The intention of the algorithmic detectives in seeing the images is to move toward an arrest. Therefore, the software tool is viewed as a tool to keep some people in the safe zone and not all. (Thakor, 2018)

There are several challenges that the investigation officer faces in undertaking covert operations. The officer must learn thoroughly about the interests of the children. Nowadays, children are having access to the Internet anytime and anywhere and they upload pictures and videos of themselves more frequently. Therefore, it is hard for the officers to imitate the behavior of a child online. They need to obtain a picture of a child, modify it to protect the identity of the child, and use them online. However, it is hard to keep the profiles active with more content to establish the credibility of their profile and win the trust of the offenders. Such offenders solicit photographs and video and voice calls. These pose a serious challenge to the investigator. (Martellozzoe, 2015)

In Kosovo, there are very few authorities in law enforcement agencies that work on online child sexual exploitation cases. Those who work on the issues are having expertise in organized crime or domestic child abuse as there is a fewer human resources available in this area.

The age group of the victims of online child abuse is 12-15 years of age and the age group of the offenders is unknown due to a lack of proper data and maintenance of the database in this regard.

Many children who are groomed online using child abuse images were ashamed to bring out a complaint. It is only after the law enforcement officers, who are investigating cases, find out the images online; the children are disclosing the details of the victimization. Because of the fear of the perpetrator and parents getting angry, most children do not disclose the sexual abuse they went through online. In addition to the abuse, they also experience trauma due to the exposure of their abusive images.

The lack of IT specialists in Kosovo has made the investigation of online crimes against children very difficult. In addition, Kosovo lacks the tools and technology to investigate such crimes while the technology used by paedophiles is more advanced. These disadvantages are huge barriers to identifying offenders and victims and the detection of crime.

Even though child pornography can be categorized as cybercrime, it needs special skill sets and an understanding of the dynamics of the victimization for proper investigation. The Cybercrime police unit in Kosovo is primarily an expert in solving online frauds and organized crimes and does not possess a specialty in child protection. They seem to be not only interested in solving child abuse but also categorize child exploitation materials as organized crime. This perspective that law enforcement carries does not help better with the investigation as most of the child pornography issues in Kosovo do not come under organized crime. Therefore, online abuse of children should be dealt with by officials who have IT knowledge, basic investigation skills, and expertise in child protection. (Dushi, 2018)

Recommendation

European Union and INTERPOL suggest that a database of paedophiles would help combat the child pornography content on the Internet. Apart from this solution, stricter and standard laws globally can help reduce the problem. There is no solution to combat the issue on the dark web without destroying this platform. However, it is not practical to get rid of the dark web completely given that is a hotspot for buying and selling illegal materials, provides dark websites with more profit, and works as a shelter for whistle-blowers. (Haasz, 2016)

The collaboration of industrial and non-governmental organizations with law enforcement is crucial to better investigate sexual offenses against children. Both private and public participation is needed to improve policing strategies (Holt et al., 2020). Including the general population to carry out community policing is an effective strategy to create a strong security model for cyberspace. (Nhan, 2010, p. xx) There are also technical models being developed to address the current challenges faced by law enforcement with their use of tools. Schell et al proposed a model to enhance routers and systems to track the IP address of the source of the material. (Schell et al., 2007) Another model suggests the use of video classification in pornographic content to identify child victims. (Uke & Thool, 2012)

Conclusion

Policing the internet to find child sexual abuse, particularly child pornography has been a very difficult task for law enforcement. However, their technique to combat this form of child abuse is a covert investigation where officials act as a child online and wait for being contacted by an abuser. Many tools help them to identify the offenders and help the victims. However, due to stigma and fear of the offender, children are not forthcoming to report the abuse or further provide details for investigation. Although public participation is seen in demanding higher punishments and acting as vigilantes online, in a few cases it has been witnessed as an illegitimate way of handling the offenders. For effective prevention of child pornography, a collaborative model is the need of the hour. Public, businesses, and non-governmental organizations must come together to police cyber space and create a zero-tolerant environment for any child sexual abuse.

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Psychological Influences of Cyber Crimes on Human Mind and Behaviour

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Abstract

The internet has brought people closer, but it has also resulted in various cybercrimes, which can cause mental disturbances in victims. Assessing the psychological effects of cybercrimes is as important as it is for any other crime. However, the techniques used for assessing victims of cybercrimes are different from those used for common crimes like murder or domestic violence. Misusing personal information, identity theft, pornography, cyber extortion, and cyber stalking can cause mental disorders such as depression, PTSD, anxiety, and even schizophrenia. It is critical to view cybercrimes from a psychological and forensic perspective to understand their implications on victims. More research is needed to study the psychological effects of cybercrimes. This article focuses on cybercrimes, their psychological impact on human behaviour and the neglected area of cybercrimes' implications on mental health.

Keywords: *Cyber Crimes, Forensic Psychology, Suicide, Behaviour, Disorders, Cyber-psychology, etc.*

Introduction

The use of technology, particularly in the form of cyberspace, has both advantages and disadvantages. While it allows for easier communication and innovation, it also opens the door to new forms of crime. Cybercrimes have emerged as a significant issue in recent years, with the increasing use of digital technology and reliance on ICT for corporate solutions. These crimes can range from hacking to spyware infections and have the potential to affect everyone, from individuals to national infrastructure. They can also have a significant impact on mental health, causing anxiety, depression, PTSD, and even suicidal thoughts. As such,

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it is important to study the psychological effects of cybercrimes on human behaviour. This article focuses on this issue and aims to provide insights into the impacts of cybercrimes on the human mind.

An Introduction to Cybercrimes

The present age is too fast-paced for development and performance improvement due to the Internet. The Internet is a network of billions of devices that enables automated connections between computers. Cybercrimes are only possible because of the Internet's widespread use. Cybercrimes have various definitions, such as computerized crimes or crimes through computers. Digital technologies have led to new terms like high-tech or informational-aged crimes. The arrival of the Internet has brought cybercrimes to humanity. Cyber-crimes involve prohibited access to personal systems and misapplication of computerized information. These crimes can result in destruction of information, data, and hardware/software. Cyber-crime is defined as an act in violation of the law, with penalties upon conviction. Cyber-crimes include unauthorized access to systems, altering or stealing stored information, or damaging equipment. Cyber-crimes can be classified as Internet abled crimes and Internet precise crimes. Internet abled crimes can exist offline, while Internet precise crimes require online or computer-enabled settings .

Major Cybercrimes

The human psyche can be significantly affected by cybercrimes, leading to changes in behaviour and thought patterns. The subsequent list provides definitions of various cybercrimes and their effects.

Online Harassment

Online harassment is a type of aggressive behaviour that can be seen in various forms such as cyber bullying, cyber stalking, online predation, and online gender-based violence. This type of behaviour involves degrading, chastening, or humiliating individuals, targeting their ethnicity, faiths, gender, citizenship, disorder, or sexual orientation. The anonymity and accessibility of online communication make online harassment more prevalent and dangerous.

Cyber Stalking: Cyber-stalking is a form of online harassment that involves the use of technology to stalk or harass someone. It is characterized by the collection of data about the victim's online activities and the use of verbal threats to intimidate and frighten them. Cyber-stalking is becoming more prevalent in the current information community and is often associated with discrimination and other expressions of prejudice and hatred. There are three main ways in which cyber-stalking is directed: through emails, the internet, and unauthorized access to other people's computers.

Cyber bullying: Cyber bullying is a type of harassment that is supported through electronic medium and is directed by an individual or a group of individuals against a victim who cannot easily defend themselves. It can be seen in various forms such as catfishing, duplicating, critical abuses, sexting, shock troll, and pestering individuals virtually. Cyber bullying is done

through the internet, mobile phones, or a combination of both, and it can lead to mental and emotional distress for the victim.

Online harassment is a serious issue that can have devastating consequences for the victims. It is important to recognize and address this behaviour to create a safe and inclusive online environment. Educational institutions, governments, and social media platforms must take steps to prevent and address online harassment by implementing effective policies and guidelines.

Identity Thefts

Identity theft occurs when someone uses another person's personal information without their consent, to commit fraud or other related crimes. They may also hack into a computer to steal private data, which they can use to access important accounts such as bank accounts and credit cards. The stolen data is often sold on the dark web, including financial records, paid services, and healthcare information. Identity theft can result in financial losses or other harm, and stolen data can be used for bullying, blackmailing, and other purposes.

Hacking

Hacking is illegal entry into a computer system that can result in the loss of sensitive information and programs. Hackers often target popular platforms like Twitter and blogs to gain unauthorized access to systems. This can lead to significant damage and loss, including private files, business strategies, and confidential data. Hacking into vital databases can even lead to wars. With the increasing use of the internet and communication applications, hackers have more opportunities to gain access to sensitive data.

Phishing

Phishing involves sending deceptive emails to users posing as a well-known company to trick them into giving up personal information that can be used for identity theft. The email typically contains a link to a fake website where users are asked to update their personal information, such as passwords, bank details, and credit card numbers. Phishing is a global problem that has cost billions of dollars worldwide and almost everyone has received a phishing email. It is a form of social engineering where attackers mimic genuine web pages to trick individuals and businesses into revealing sensitive information. Phishing is just one of many online scams aimed at deceiving people into giving away their money or personal information.

Pornography

The Internet has made it easier for criminals to produce and distribute virtual child pornography, as well as other forms of pornography. This can involve altering images to make them look more childlike, or merging pictures to create new ones. Digital technology has made it easier and cheaper to create and duplicate images without losing quality. Pornographic content is distributed through various channels, including news groups, social media, and networking sites. This problem was identified as early as 1995, but today it includes adult websites, magazines, comics, cartoons, animations,

films, clips, audio, games, and texts that can be easily transferred and downloaded online

Cyber Extortion

Cyber extortion involves hackers holding your data hostage until you meet their monetary demands. Ransomware and DDoS attacks are common methods used to carry out this crime. Ransomware involves the attacker infecting a network or system and encrypting data, making it unreachable until the victim pays the ransom. DDoS attacks involve overwhelming a network or website with traffic, making it inaccessible. Email-based cyber extortion is also prevalent, with victims threatened to pay a certain amount or have their private information exposed. Bitcoin is the preferred method of payment for attackers, but not always used.

Cyber Defamation

Offence of cyber-defamation is an action of deliberately humiliating, slandering or offending other persons or a group by an online medium. Cyber-defamation is not a particular crime, wrong or misdemeanour, but somewhat defamation or slander showed via online media, generally by the Internet. Cyber-defamations are nothing but insults which took place with the assistance of PCs and/or the Internet. e.g., somebody issues insulting material about somebody on a webpage or send E-mail comprising offensive material to that entire individual's group.

Online Gambling

Online gambling is gambling through the Internet. Many webpages host this gambling through servers abroad. It allows gamblers to transfer money to the gambling companies, bet, play games, and receive pay-outs. However, some webpages are believed to be fronts for illegal activity, and there have been reports of Hawala case transactions and money laundering. Virtual gambling, including gaming, card games, and poker, can obscure the link between money and illegal actions.

Online Frauds/Scams

Online fraud refers to using the internet to deceive people into giving away their personal and financial information. Phishing is a common method used by fraudsters to obtain this information, which can then be used for economic scams and identity theft. Fraudsters may pretend to be someone else to gain access to private data, such as creating fake bank websites or making phone calls. Online markets also pose a risk for merchants and consumers, with examples of fraud including delivery of goods without consent or payment. Fraudsters may use advanced techniques to empty online wallets, payment banks, and accounts.

Cyber-terrorism

Dependence on technology, especially network infrastructures, is now an integral part of our critical infrastructure. Cyber terrorism is a major threat to the internet network, as it can cause significant damage to vital facilities such as healthcare clinics, electricity grids, and transportation systems, among others. Hacktivism, the use of hacking

tools by radical activists, is sometimes distinguished from cyber terrorism. The rapid expansion of ICT could trigger a nuclear war in seconds, with the potential to wipe out humanity in a few hours. Cyber terrorism can use religion, race, gender, and political opinions as a pretext. The internet is crucial for all aspects of social life, and individuals, groups, organizations, and even entire nations can be attacked in a single night. With highly advanced information technology, terrorists/terrorist groups can attack multiple megacities simultaneously through the single connection called the internet.

Effect of Cyber Crimes on Human Mind

Today, cybercrimes are a growing concern among scholars and society at large. There is a great need for protecting communities and individuals from the harmful effects of cybercrimes. Cybercrimes are just as damaging as physical crimes, as they can have serious impacts on an individual's mental health and behaviour. Crimes such as cyber stalking, cyber bullying, and exploitation can lead to serious psychological disorders in victims. The long-term effects of cybercrimes can be observed in an individual's behaviour. Cyber bullying and cyber stalking are especially prevalent among adolescents, who are more vulnerable to such crimes. Female teenagers are particularly at risk, as studies have shown that virtual bullying can lead to depression and even suicidal thoughts. Social media has provided a platform for cybercrimes to thrive, and the convergence of social media and cybercrimes has led to

an increase in self-harming cases. Online frauds, gambling, and extortion can lead to stress and trauma in victims. E-commerce has provided opportunities for cybercrimes to take on new forms, and businesses need to take appropriate measures to protect their virtual trades and customer confidence. It is important to regulate cybercrimes, including child pornography, intimate pictures, and videos, as they can have severe consequences on an individual's mental health. Controlling the usage of the Internet is necessary to address the growing concern of cybercrimes before it is too late.

Psychological Effects/Impacts of Cyber Crimes

Crimes have various negative impacts on victims and their loved ones, including behavioural, physical, emotional, physiological, financial, cognitive, spiritual, and social consequences. Cybercrimes affect everyone, directly or indirectly, and can cause fear and economic difficulties. Even though the primary victims are easy to identify, secondary victims like family members and friends may not receive the necessary support, and it can be challenging to aid communities and societies.

Cybercrimes, such as hacking, cyber bullying, cyber stalking, harassment, pornography, fraud, and defamation, can lead to mental shock or trauma, resulting in psychological problems such as depression, suicidal thoughts, substance abuse, anxiety disorders, and increased risk of further abuse. Victims can suffer emotional effects such as depression, anger, fear, sleep deprivation, and PTSD, even

long after the crime occurred. Additionally, cybercrimes can lead to economic losses, emotional embarrassment, and victim-blaming, causing significant mental harm to the victim. Physical impacts of cybercrimes include anxiety, physical pain, cardiac arrest, stroke, reduced sex drive, and other health problems.

Cyber Sexual Addiction – Cyber Sexual Addiction is a growing issue among adolescents who use various forms of cyber communications. Sexual solicitation happens when a grown-up or known person attempts to involve in a virtual sexual connection, which may happen in chat-rooms or on social media platforms/sites. According to the American Association for Sex Addiction Therapy, cybersex addiction can have numerous reasons such as neural physical connections occurring during orgasms, psychological faults like rejection or absence of sincere attachment, and using the habit to equalize a genuine chemical disparity due to primary depression or bipolar disorder.

Cybersex addicts might also fight with intimacy anorexia, teens are asked to reveal private data, watch pornographic content, or talk about sexual activity online. Around 70% of teenagers who are sexually targeted virtually are females [47]. Hence, teenagers should be cautious while posting private photos or videos online and talking to strangers in chat-rooms.

Anxiety and Aggressiveness – Cyber-terrorism, even when non-deadly, can have various negative effects on citizen populations, including increased anxiety and individual insecurity. Fatal and non-fatal violence can also worsen perceptions of danger and uncertainty. As a result, individuals with high levels of risk awareness may be more willing to support strong government policies, which can be divided into two categories: remote strategies (such as military responses to cyber attacks) and local strategies (such as government surveillance and control of the internet). As risk awareness increases, people may adopt increasingly extreme opinions and be more willing to compromise civil liberties for the sake of safety. Like traditional terrorism, cyber-terrorism can strengthen radical ideologies, as people may argue for greater government surveillance and control of the internet, as well as more powerful responses to cyber attacks.

Effects of Cybercrimes on Psychology of Society

Cybercrimes can have significant psychological impacts on society, leading to anxiety, fear, mistrust, and feelings of isolation and disconnection. Victims of cybercrimes, especially those involving personal data or financial theft, may experience trauma-like symptoms such as depression, anxiety, and PTSD. Cybercrimes can also lead to a loss of trust in institutions responsible for protecting individuals' information, such as banks and government agencies.

Children and teenagers can be particularly vulnerable to cybercrimes, including harassment and exploitation. Corporations and developing countries are also at risk of cybercrimes, which can cause significant economic damage. Cybercrimes differ in cruelty, technique, and reason, and legal

professionals have struggled to keep pace with cyber offenders who cost the global economy billions of dollars annually.

Police departments are using similar tools as cyber offenders to prevent and prosecute cybercrimes, but the ever-evolving nature of these crimes makes them challenging to combat. The widespread use of the internet has brought the concept of cybercrimes to the forefront of society's awareness, and the impact of these crimes will likely only continue to grow in the future. It is essential for individuals and institutions to take steps to prevent cybercrimes and support those who have been victimized.

Cognizance of Cybercrimes

A single effective cyber-attack can cause significant economic losses, steal Intellectual Property, and damage customer trust. The financial impact of cybercrimes on society and government is estimated to be $1 billion annually. Cybercriminals exploit digital technologies in various ways, particularly using the internet as a means of hiding behind digital anonymity. Cybercrimes have offline and online impacts and can have lifelong consequences for victims. Phishing is a common tactic used by cybercriminals to obtain personal information, which can lead to access to bank accounts and other sensitive data. Many people are unaware of cybercrimes, and it can result in economic losses and psychological distress if left unreported. All businesses with an online presence are susceptible to cybercrimes, and the IT industry is particularly vulnerable. Every business, directly or indirectly connected to the internet, is susceptible to

cyber threats.

Indian Scenario

A variety of studies have been carried out in the last few years related to the above-mentioned issues. Human factors play a significant role in cyber security, and vulnerable populations, such as those with mental illnesses and older adults, are at a higher risk of falling victim to cybercrime. In a country like ours, with a huge population on smartphones, most criminals feel that the punishment for such cybercrimes is more ordinary than conventional crimes, which has resulted in failure of a complaint mechanism. Women in particular are the primary targets of such criminals. They face a variety of things, from online harassment to heated sexual conversations, leaving very little room for women to open up about themselves on social media platforms. The National Crime Records Bureau (NCRB) released data showing that there was more than 400% increase in cases of cybercrimes against children in 2020 as compared to 2019. Most of these cases involved the sharing or transmission of sexually explicit images or videos of children. In 2021, there were over 52,000 reported incidents of cybercrime, which is a 5.9% increase from the previous year. Compared to 2019, there was an 18.4% increase in total cybercrime occurrences in 2021. The percentage of crimes conducted grew from 3.7% in 2020 to 3.9% in 2021. The majority of cybercrime in 2021 was fraud (32,230 out of 52,974 cases), followed by sexual exploitation and extortion.

Registered Cyber Crimes
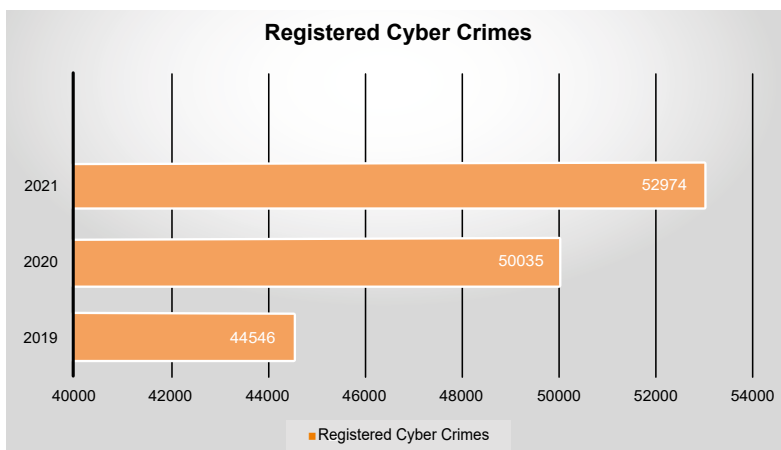
Figure 1: *Registered Cyber Crimes (Source: NCRB)*

Top 5 States with Highest Number of Cyber Crimes in 2021
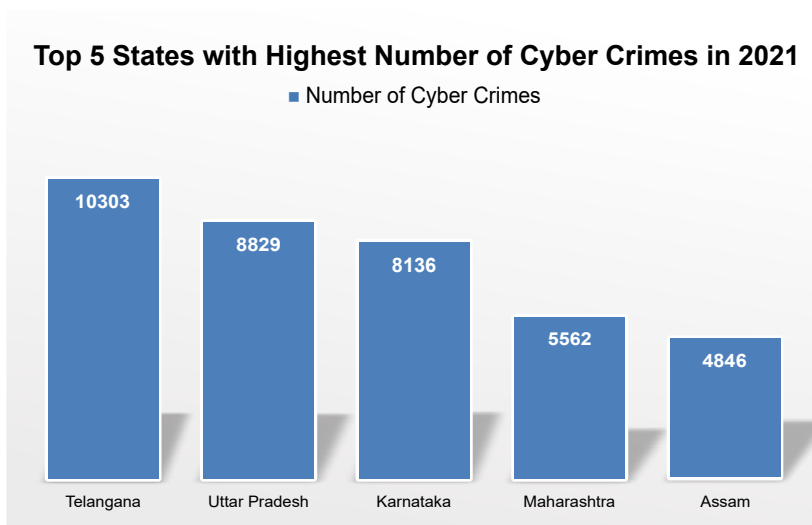
Figure 2: *Top 5 States with Highest Number of Cyber Crimes in 2021 (Source: NCRB)*

Future Perspective

For the benefit of society, research in the field of cyber-psychology is urgently required. Studies show that the rise of social media has led to an increase in worldwide cybercrimes. Because these cybercrimes have a significant impact not only on human behaviour but also on the mind, it is necessary to carry out cutting-edge research that truly focuses on the mind in order to keep up with the issue. After being the victim of cybercrime, it can be very difficult for a victim to come back to life. These influences are long-lasting and will persist for a considerable amount of time. To learn more about this area in a developing nation like ours, thorough research is required.

Discussion

Cybercrimes are rampant and will continue to increase with sophisticated techniques. India has seen an escalation in crimes ranging from email fraud to hacking and cyber terrorism. Without restrictions, the internet becomes a market for exploitation. Cybercrimes like hacking, fraud, cyber bullying, stalking, and phishing are widespread, and many go unreported due to lack of awareness. Cybercrimes cannot be eradicated but can be regulated, or they may cause psychological illness leading to divergent behaviour, affecting the entire human culture.

Conclusion

Individuals often misuse technology for destructive purposes, and creating laws alone is not enough to address cybercrimes. It is necessary to promote human ethics, values, and morals to maintain a balance between what is acceptable and what is criminal. Everyone must take protective actions when using the internet to combat cybercrime. Thoroughly studying cybercrime and its consequences can lead to appropriate safeguarding measures. The review highlights the quick rise of cybercrime and its impact on human behaviour and society.

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Social Media Challenges for Policing

K V Thomas

Abstract

The social media has now revolutionized communication media across the world. In view of the steady expansion of the user base of social media, the Law enforcement agencies can no longer ignore its potential in various policing functions.

The author, based on the findings of various empirical studies, ground level experience and relevant literature examines these aspects and brings out certain insights on social media and law enforcement. The social media influences the organizational, personal, professional and social profile of the enforcement agencies. In view of such diverse and significant role, the state has made interventions to streamline the functioning of social media through legislations and rules such as 'The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021'.

Identifying the priority areas of social media in policing, the paper highlights the need of formulating sound policies and strategies to fully utilise the potential of social media for professional policing. These include better management of social media engagement, the enhancement of the knowledge, skills and talents of personnel assigned with social media tasks through training and awareness programmes etc.

Keywords: *Social-media & challenges of policing, social media policy, The I T (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, social media engagement, Priority tasks.*

Over a half century ago, when McLuhan coined the term 'global village', many interpreted it as his wildest dream. However, within the next two decades, his dream was fulfilled when people throughout the world were interconnected through the use of new media technologies. Their customised products on culture, education, entertainment, economy and politics, which were disseminated among cross sections of

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people by using images, symbols and ideas, had decisive impact over various institutions including state-power. That is why, Lech Walesa, the solidarity legend of Poland, commenting on the political upheavals in Eastern Europe, held; "These reforms are a result of civilization or computers, satellite TV and other innovations that present alternative solutions".

The developments in the 'cyber-space' especially concerning the spread of Internet and 'World Wide Web' during the last two decades have been phenomenal. The number of Internet users which was 361 million worldwide earlier has now increased to around five billion, which is 63 percent of the global population. Of this total, 4.65 billion or over 93 percent are social media users. Since the beginning of the present millennium, social media has revolutionised new communication media across the world. Websites such as Facebook, WhatsApp, Twitter, Instagram, LinkedIn, Wikipedia etc. have become a dynamic venue for proactive and passionate interaction among individuals and groups creating dramatic impact on virtually every aspect of human activity including democratic exercises. For example, many political analysts observed that the extensive social-media campaign on Ms. Hillary Clinton's email controversy, to some extent, had contributed to the victory of Donald Trump in the 2016 US Presidential elections.

Social media has also posed serious challenges to Police. The maximum visibility of the organization in the society coupled with their regimentation and nature of tasks or functioning make them a hot or favourite

theme of a large spectrum of social media users. The Web pages of popular websites are often flooded with posts and comments on Police, which to a great extent influences their organizational, personal, professional and community profile.

For example, 'Police-bashing' or 'cop-beating' through negative narratives, images and comments adversely affect the image of the organization. Regardless of their level of truth, such social-media posts create permanent imprints in the minds of the people leading to their erosion of faith and respect for Police. Such trends create stumbling blocks in the areas of community policing or 'proactive policing' mechanisms which are meant to build up synergy and partnership between Police and people to address concerns related to crime, social disorder and fear of crime. The irony is that the department have limited or no control over many of such social media posts or images which present the organization in a poor light. An interrelated challenge is the increased community exposure of Police by social media. The Police are surrounded by cameras, sting-operators or investigative/ amateur reporters who instantly build up sensational stories on Police-functioning and broadcast it to a larger audience. On many occasions, minor incidents or the 'slightest deviance' from the side of the Police are exaggerated and posted on social media. The visual/ digital media joins the chorus and the 'Police-bashing' continues unabated even for weeks or months.

Very often, the social media campaigns on Police are 'individual or person centric' targeting key functionaries or those at

cutting edge level. Notwithstanding their accuracy, negative comments tarnish the personal image of the officers and adversely affect the competence and credibility of the entire force. Moreover, as openness and transparency have become the hallmark of Police in democracies, the majority of personnel- with the exception of those engaged in clandestine operations- are public figures more so than ever before. Barriers between their professional and personal lives have been broken. Motivated individuals or offenders by posting negative comments on the personnel or their family members can create a sense of insecurity especially in the case of those engaged in sensitive investigations. Sometimes, questionable videos of personnel or their relatives are posted on popular social media sites, to demoralize them. Even in such cases, the affected personnel have limitations to defend themselves through social media in view of the regimentation and the code of conduct in the force. Influenced by the public rhetoric and pressure steadily built up by social media through their orchestrated campaigns, the Police hierarchy would be forced to initiate action against those personnel or replace them from their key assignments. Ultimately, professionalism and competence of the force take a nose dive.

On the professional or functional level, the Police face serious challenges from social media in almost all areas of Police functioning such as law and order, organised crime, terrorism, communal strife and conflicts, cybercrimes and internal security. The social networks and blogs are so effective and powerful that rebel groups or anti-national elements use them to motivate, mobilise and spur masses to action, to arrange protest or struggle activities and manage their tactical and operational aspects. On many occasions they launch misinformation campaigns highlighting emotional issues of regional, religious, parochial or cultural nature and incite violence . Any private, provocative speech or statement by anyone against a group, caste or religion can be exploited to build up such campaign using social media. Many of these public movements or struggles have the potential for disrupting public order and posing serious challenges to law enforcement agencies. When such movements attain communal overtures, or 'identity' issues of a particular community or group, they develop into major law and order problems. Muzaffarnagar riots in 2013, widespread movement for Jalikattu in Tamil Nadu during 2017 and anti-Citizenship Amendment Act (CAA) protests in different parts of the country in 2019 are a few examples.

When the extremist and terror groups hijack such movements or struggles through a systematic process of 'ideological indoctrination' of cadres using electronic and social media, the intensity of the challenge aggravates. Many terrorist organizations use social media as potential tools for identification of cadres, their ideological radicalization, recruitment, communication and training. Their strategy is to upload ideologically appealing or violent videos or messages of the terror groups in their selected social media sites in order to

attract vulnerable or radical-minded internet users. For example, the Islamic State of Iran and Syria (ISIS) have used popular social media sites such as Instagram, Telegram etc. for such clandestine operations. Over the years, they have recruited around three dozen Indian youth for overseas Jihadi operations in Syria, Afghanistan and other places. Majority of the recruits were Internet-savvy and active on social media.

Just like terror outfits, the organized crime syndicates extensively use electronic/ social media as support, communication and coordination tools to carry out their depredations. The rapid developments in cyber space have facilitated them to adopt more sophisticated and ingenious modus-operandi in their operations, making the task of Police more arduous in countering them. They are involved in a wide range of crimes or illicit activities such as smuggling, drug-peddling, gun-running, human-trafficking, child pornography, money-laundering, financial/bank frauds, credit card manipulations, 'virtual' identity theft, cyber-bullying, malware delivery, industrial espionage etc. Such crimes, hitherto mainly confined to major metros and urban areas have been rapidly spreading to more and more places including the country-side, posing a formidable challenge to law enforcement agencies.

On many instances, these social media challenges create major impediments for the Police to undertake one of its core functions namely proper investigation of crimes and bringing the culprits before law. Motivated by organized groups or lobbies, social media, at times engages in 'extensive trial' of sensational cases for influencing the course of investigations or the very concept of 'due process'. Moreover, such lobbies adopt innovative and ingenious methods such as Public Relations (PR) works or private detectives to frame up 'stories 'or evidence that are effectively disseminated through social media.

In many cases, such organised campaigns are targeted against investigating officers with the sinister motive to discredit them by attacking their character, integrity or professional competence. If the officers are projected with a sullied image, the process of adducing evidence through courtroom testimony etc. comes under question during the trial proceedings. This is why, Professor Ryan Garcia of the University of Texas and an expert in social media law has rightly commented: "social media posts can sink your chance for a fair and impartial trial, judge or jury, as well as influence investigations". Recently Chief Justice N. V Ramana of the Supreme Court of India, while echoing the serious concern on the 'social media trial' has made similar comments: " New media tools have enormous amplifying capacity, but appear to be incapable of distinguishing between right and the wrong, the good and the bad and the real and the fake". The message is clear: the enforcement agencies need to guard themselves against the motivated or misguided social media trial while dealing with crime and criminals.

Though social media challenges for Police are serious and manifold, the Police have limitations to take effective measures against the individuals or groups which misuse social media for unethical or

criminal purposes. Firstly, anyone can post anything with little fear of repercussions, as constraints normally do not exist in the use of this type of media. Also, those with criminal mindset can misuse it for sinister purposes by creating screen names or new identities. Anonymity or ambiguity hampers preventive efforts. Thus, Gwendolyn Waters rightly commented: "The combination of factors—narcissism, anonymity, lack of restraint, copycat behaviour and crowd mentality makes social media a uniquely significant force that constantly seeks a point of focus". Perhaps, the Police dilemma to sternly act against those who misuse social media stems out of these factors.

Another factor that debilitates law enforcement agencies to effectively deal with such offenses is the complexities of existing laws and procedures. Basically, social media law in India is governed by the Information Technology Act 2000 especially Section 66 which was amended in 2008 with the intention of tackling the issues of wrongful emails, messages and campaigns on the social media. However, in Shreya Singhal case, the Supreme Court, in 2015 had struck down the amendment (Section 66A) on the ground that the Act had infringed on right to freedom of speech and expression as enshrined under Article 19(a) of the Indian constitution. The Supreme Court's decision has not yet fully settled down the controversies pertaining to Police actions to curb social media offenses. The state- interventions on social media are normally defended on the grounds of safeguarding the sovereignty and integrity of India, defence of India, security of the state, friendly relations with foreign States and public order.

More and more amendments in Information Technology (IT) Act are in the offing with a view to empowering the state to exercise more control over top social media players hosting illegal and inflammatory user content. The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 notified by Government of India on February 25, 2021 was a major landmark in this direction. The enactment of these rules was the outcome of the serious concern expressed by the Judiciary and independent bodies on the increasing instances of the misuse of digital/ social media for pornography and anti-social activities. For example, the Apex Court, while considering a Suo-moto writ petition (Prajwala case) in 2018 observed that the Union Government may frame necessary guidelines to regulate the digital/ social media specially to check their misuse for child- pornography, dissemination of imageries of gangrape/ rape etc. During September 2019, the Court directed the Ministry of Electronics and Information Technology to stipulate the timeline for the enactment of the new rules.

These 2021 Rules which have replaced the 2011 rules have specified additional due diligence requirements for social media intermediaries and a framework for regulating the content of online publishers of news and current affairs and curated audio-visual content. The main aim of these rules was to ensure accountability of social media users and prevent its misuse and abuse through in-house and self -regulation

mechanism by key-players/ stake holders whereby a robust and speedy grievance redressal mechanism is ensured for the users/victims. Some of the key factors/ procedures as stipulated in these rules included:

a) Due diligence/ additional due diligence requirements to be followed by intermediaries with a provision that those who fail to follow the requirements cannot apply safe harbour provision

b) appointment of Grievance officers by intermediaries as part of Grievance redressal mechanism

c) appointment of Nodal contact person for better coordination with law enforcement agencies and

d) Code of Ethics for online news, OTT platforms and Digital media etc.

Despite all such rules, misuse/ abuse of social media continues posing serious challenge to law enforcement agencies.

In view of the steady expansion of the user base of Internet/social media, Police can no longer undermine its significance in various policing functions. An efficient social media strategy that focuses on the potential rewards of using social media and mitigating its risks is the need of the hour. Certain empirical studies have provided valuable insights on the above lines. A study by the Urban Institute revealed that the most common purposes of social media from policing angle include notifying the public of safety concerns, community outreach and engagement, public relations and notifying the public of non-crime issues. One prominent example of the utility of social

media occurred after the Boston marathon bombing in 2013 when Police used Twitter to inform the public about safety issues, road closures, and on-going investigations. In such moments of crisis, social media has emerged as a potential platform to enable effective collaboration between Police and different communities. The main findings of another study by Cyber Security Education & Research Centre (CERC), New Delhi on the role of social media in policing is almost on the same lines. The top three priority area (of social media) in the case of communities/ residents, according to the study, was notifying about crime, emergency or disaster related issues and crime prevention activities- whereas the Police preferences were for crime investigation, intelligence and reputation management.

A lot of initiatives are in the offing to fully utilise the potential of social media for professional policing. Based on social media tip- offs, the Police could rightly anticipate and handle sudden flare-ups, in metros like Mumbai, Delhi, Kolkata etc. and other urban centres in the recent past. . The Delhi traffic Police initiative using social media platforms for handling traffic related issues, Bangalore Police 'Twitter Samvad' to assist authorities during emergencies and the 'Social Media Labs Project by Maharashtra' for the effective use of data from social media to gauge the mood of citizens on Police related issues are a few examples of better application of social media for policing.

Such initiatives, which on many occasions, are localised or 'officer-centric' need to be nationalized for better policing at all levels. Ashlin Oglesby-Neal and Chloe Warnberg

of the Justice Policy Center at the Urban Institute highlight this reality as : "It is critical for agencies to develop and implement a foundational social media policy in order to most effectively reap the benefits associated with social media use—like increased community trust and support— and mitigate unnecessary risks—such as a breach of confidence." A 5 point-checklist of the minimum type of policies that every law enforcement agency should adhere to for better management of its social media by Ms Lauri Stevens is perhaps applicable to enforcement agencies world-wide. It included:

(i) Facebook Takedown Policy for ensuring the Facebook page of the agency as 'limited public Forum'

(ii) Social media Communications policy specifying the authorised departments/ personnel eligible to use

(iii) Cyber-vetting policy outlining the procedures by which the agency will check the background of users' digital presence; investigation policy concerning the social media-related investigations and

(iv) Data-Retention Policy on the procedures to compile and disseminate the relevant data.

However, mere formulation of policy guidelines or enlisting of core tasks in the social media front will not help the enforcement agencies to achieve tangible results unless they are effectively implemented on the ground. The management of social media engagement is a complex issue. Very often questions arise on the centralized or decentralized implementation based on jurisdictional capacities or organizational climate. The best strategy is that the agencies should adhere to the type of management that should ensure maximum accountability and oversight of platforms while disseminating useful information to the public. The agencies should avoid the style of imposing too much restriction over its personnel on the nature and manner of public conversations through social media platforms. Instead, transparent, open, honest and humane communications or posts with community members would augment relationships that help to increase trust in the Police and lead to the development of collaborative solutions to the problems.

As social media challenges to policing are complex and varied, one major task of Police is to enhance the knowledge, skills and talents of the personnel dealing with social media issues. Training is the most potential tool for achieving this task. In the words of Oglesby-Neal and Warnberg: "Agencies should also consider providing training on the department's social media policy once it is developed. Guidelines regarding training can be especially helpful for agencies looking to use social media to engage the community". The training modules focussing on the core theme of engaging the community with social media should be used for special training. The personnel should be familiarized with new developments and technologies in the cyber world which are extensively used in different social media platforms. As the social media networks are rapidly changing with new

innovations and technology in the cyber world, one-time training is not sufficient. The personnel should be kept abreast of the latest changes taking place in this field through periodic courses.

Drug-facilitated Sexual Assault (DFSA): An Emerging Crime in India

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Abstract

DFSA is the major crime among DFC or crimes against women in India. For several reasons described in this review, this offense has been overshadowed. Despite this, forensic science laboratories and social media report many instances. This article is structured to develop essential awareness of the crime and its pattern by identifying the ignorance concerning this risky scenario. The comprehensive strategy to removing the threat has received particular attention. Dissemination of the shortfalls and viable solutions in the scientific community can aid in eradicating the menace through collaborative efforts.

Keywords: *Drugs, Drug-facilitated sexual assault, Drug-facilitated crime, Sexual assault*

Introduction

Sexual violence is the most horrific threat internationally, wreaking havoc on the victim's physical and mental health, openly leading to HIV infections and even death by suicide (often due to post-offense humiliation, stigmatization, or ostracization) or murder (during or after the offense). The available literature indicates that the ratio of women whom an intimate partner sexually assaults is 1:4. Sexual violence is a broader concept that encompasses acts like a sexual act or an attempt towards it, trafficking or undesired interest, or utterance of remarks against an individual through coercion that includes physical force, psychological frightening (giving threats or blackmailing), or utilization of incapacitating substance that enable the aggressed victim to give supposed consent. Based on the nature of the act, the offenses under the influence of drugs can be classified into DFCs, like robbery, blasphemy, extortion, etc. At the same time, actions involving sexual indulgence are termed drug-facilitated sexual assault (DFSA).

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"Drug-facilitated sexual assault" (DFSA) is a subset of "drug-facilitated crime" (DFC) that encompasses acts such as sexual assaults, robbery, or extortion while under the influence of a substance that affects psychological or motor functioning, rendering the subject non-resistible.
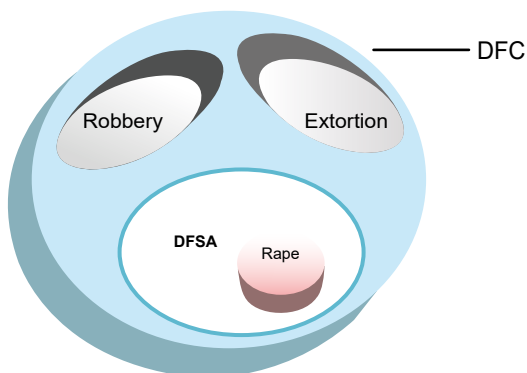
Figure 1: Drug-facilitated sexual assault (DFSA) is a subset of drug-facilitated crimes (DFCs) set.

DFCs are described as a socio-medical emergency, with a significant increase in offenders worldwide (**Zerbo et al. 2018)**. In India, insensitivity towards the DFSC can be ascertained from recent data of 2019, where no record was maintained exclusively for this ascending offense. It has become difficult for nations to deal with the rising numbers of rape and sexual assault cases worldwide.
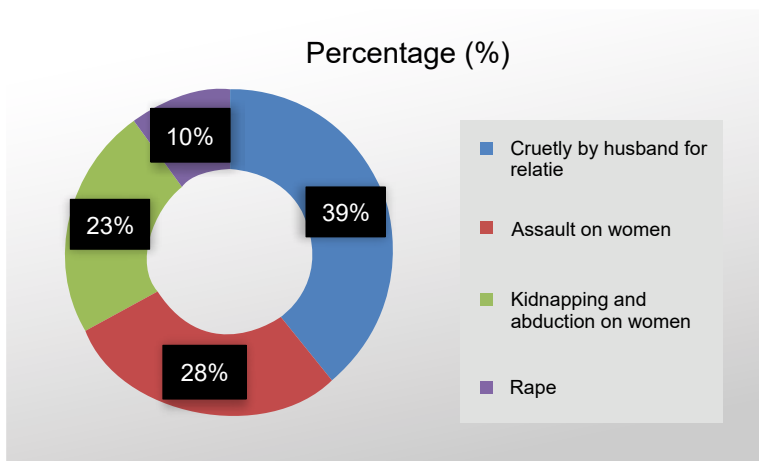
Figure 2: Crime rate against women in India for the year 2019. Retrieved from https://ncrb. gov.in/en/crime-india-2019-0.

This article aims to generate awareness regarding DFSA, one of the globally pervasive crimes. Also, the author reports the kind of drugs involved, the dynamic pattern

of offense, and the reasons behind the underreporting of the cases. We believe it is not only the responsibility of Forensic science laboratories but rather a collaborative effort on part of multidisciplinary sciences and law enforcement organizations to eradicate the menace. Generating awareness among the scientific community and citizenry is the foremost step in this direction.

Execution of Drug Facilitated Sexual Assault by the perpetrator

DFSA includes the commencement of an offense under the influence of a chemical substance capable of impeding the individual's senses, motor activity, cognition, and memory with the outcome of distorted perceptions, altered response to the stimuli, decision-making ability and amnesia. Usually, an incapacitating chemical substance is covertly spiked in alcoholic or non-alcoholic beverages to take advantage of or harm the person in a non-resistible or unconscious state where the victim is unaware of this adulteration. Though the victim willingly ingests the substance, the offense is commenced without their consent under the influence of an administered substance, which falls under DFSA **(Hall and Moore, 2008).**

Chemical substances used in the commencement of the offense

In a document issued by the United Nations Office on Drug and Crime (UNODC), it was mentioned that there exists a wide range of substances like alcohol, over-the-counter (OTCs) medicines, illicit psychotropic drugs and prescription medicines. Illegal

prescription and over-the-counter (OTC) drugs are a viable choice of substances for carrying out evil intentions because of their low cost, simple accessibility, and enhanced synergetic effects when combined with alcohol. **(UNODC, 2011)**.

Globally "*Date rape drugs*" (DRP) like Rohypnol (roofies), Gamma Hydroxybutyric acid (GHB), ketamine, and Gamma-Butyrolactone (GBL) are the drugs of choice, along with alcohol (the most commonly preferred beverage due to its synergistic impact. Alcohol solitarily can incapacitate the individual as the high concentration of alcohol in blood induces unconsciousness **(Anderson et al. 2017).** So their combination with such chemical substances intensifies the effects. DRPs are the perfect tool for executing sexual offenses because they don't have any taste, odour, or colour, so they remain camouflaged in the beverages/food used. Also, it reduces the physical strength of the victim; consequently, the struggle does not occur. Moreover, the recall capacity is impaired under the influence of substances. "*Street drugs*" like hashish, ganja, and cocaine are abused for fulfilling malicious intent **(Milhorn 2018)**. Conclusively, sedative compounds are usually misused.

In the Indian scenario, OTC, prescription medicine like sleeping pills, tranquilizers, antihistamines, and even cold medication like Dextromethorphan can also be used. Other than these, Amphetamine Type Stimulants (ATS), LSD, Ecstasy, Special K, Rohypnol (roofies), CK1 (combination of ketamine and cocaine, also called Klein, locally manufactured in Goa), Hashish in

Kullu, Himachal Pradesh, California was also reported in the literature(Singh et al., 2020). All these chemical substances are regulated under Narcotic Drugs and Psychotropic Substances Act, 1985, and violation of law is a punishable offense. Still, the substances are procured through illicit trade.

Earlier, these controlled substances were not accessible to people. Then the choice of substance shifted to prescription drugs. Easy availability, inexpensiveness, and illegitimate access in India makes them a good choice for abuse **(Marathe *et al.,* 2020).**

What constitutes Drug-facilitated sexual assault

1) Forcing or pressuring someone to consume more drugs, alcohol or other substances than they are comfortable with.

2) Take advantage of someone who claims to have consumed too much alcohol or is experiencing a bad drug experience.

3) Pursuing a sexual relationship with someone while inebriated who would be less likely to object by covertly adding drugs into the drink/food item.

4) Refusing to disclose the contents of a person's drink or the type of drug dosage they are taking.

Reasons behind Drug Facilitated Sexual Assaults

Nowadays, literate and upper-class community promptly indulges in such offenses which can be attributed to downfall in moral values, transformed lifestyle, and more exposure to illicitly abused substances or alcohol. For instance, Hippies introduced a rave party culture in Goa that provided a venue for foreigners to indulge in booze, weed, and music. Now date rape drugs are available in clubs and bars. Rich Indians, particularly ladies and young people, have been participating in this form of clubbing and drug misuse more recently.

Reasons behind underreporting of DFC

Sexual assault, like rape cases, occurs in both rural and urban areas, but metropolitan cities are prime sites for this crime. The probable reason for this is the underreporting of the cases attributable to the anterograde amnestic impact and rapid degradation or excretion of the substance from the victim's body, rendering it undetectable in testing. Most DFSAs are committed under the influence of alcohol or illicit drugs (**Singh *et al*., 2020)**. Also, the cases are not reported in rural areas due to illiteracy and post-offense embarrassment or stigmatization.

One of the significant reasons for this gap is that drug-induced sexual assault instances are registered as rape offenses rather than in the DFSA strata. In addition to this, lack of awareness in the police system about new chemical substances, indistinguishable overlapping symptoms of drug and alcohol, deprivation of research or data collection in forensic science laboratories to determine the frequency of these cases worsen the condition. As identical offenses are rarely reported, it has been suggested that the

actual number of similar crimes may exceed the number of recognized cases **(Singh *et al*., 2014)**. Subsequently, the source cannot be extracted from the crucial information like how and what kind (conventional/new form) of the drug was utilized. Henceforth, the actual picture may not get depicted. While in India, 70% of the sexual offenses were committed under the influence of illicit drugs or alcohol, according to literature **(Singh *et al*., 2020)**.

Challenges related to Drug Facilitated Sexual Assault

Challenges faced by Police

1) Lack of knowledge about sampling and storage conditions of the chemical substances present at the crime scene can degrade the sample before analysis.

2) Improper Chain of custody while dealing with corroborative evidence (biological or chemical) may increase the chance of contamination.

3) Police inattention that these chemical substances produce symptoms similar to alcohol intoxication may mislead the case.

4) Procrastination in reporting the offense for any reason may infer negative toxicological findings due to the high metabolism of these drugs.

5) The perpetrator takes advantage of freely available literature on traditional abuse substances, their by-products are manufactured clandestinely. Such illicit manufacturing sites need to be dismantled to cut short the supply chain.

6) No scientific inputs or databases are generated to trace the origin of the drug.

Challenges faced by Forensic laboratories

1) Easy manufacturing of novel compounds with minute changes in the parent drug structure produces several novel compounds. The lack of scientific research on unidentified compounds and their metabolites and the optimum methods for their evaluation may obstruct the scientific inputs that the justice system requires to make decisions.

2) Ignorance about designer drugs and their presence in commercial consumable products can lead to non-identification in case analysis.

3) Unavailability of advanced rapid and robust methods/techniques for the sample analysis.

4) Limited workforce to meet the pace of rising crime in India.

5) Degraded samples are received due to delayed specimen collection or inappropriate storage.

6) Inadequate quantity of sample is received for analysis.

7) Unavailability of Certified Reference material in Forensic labs required to develop an analytical method for detecting drugs in biological and non-biological matrices.

Challenges faced by the medical expert

1) Medical experts overlook specimen collection for toxicological analysis due to unawareness of such offenses.

2) Sometimes, due to unawareness, the offense is mistaken for consensual intercourse due to the absence of struggle marks.

Challenges faced by Prosecution

Due to the absence of struggle marks, proving that the offense was committed becomes difficult. Hence toxicological analysis report is required to confirm the offense.

Caution followed by citizens

1) The victim must travel to the closest hospital for an evaluation in case of mishappening. Prior to the medical examination, refrain from washing your genitals, taking a bath, or changing clothes. Don't urinate.

2) If you can't get to a hospital immediately, save your urine in a clean, sealable container as soon as possible, and place it in the refrigerator or freezer.

3) Education is the best defense against drug-facilitated crimes (discuss such offenses with people around you).

4) Avoid intake of edible substances from unknown persons.

5) Try to identify the altered taste. For example, GHB-containing beverage tastes soapy and salty **(Singh et al., 2021)**.

Recommendations to counter the rising crime

Women's status can be ascertained from the female literacy rate, which is poor compared to males. Differential treatment in education, nutrition, mobility, healthcare, and career opportunities makes them susceptible to vulnerabilities. The most crucial step in strengthening vulnerable strata is raising awareness. Educating the females about their rights, types of evolved offenses against them, drugs involved, self-defence, and decent knowledge about the legal system can help to improve the situation. Anticipating the sedative substances and variants available through pharmacies, Dark Net, or clandestine sources before its misuse can help circumvent future outcomes.

Moreover, a virtual repository for potentially identified substances must be envisioned. To allow local law enforcement to make informed decisions, well-coordinated and transparent intelligence must be laid forth. While the onus for devising an optimized and validated method for detection/examination of these substances can be shared among experts like chemistry, pharmacologist, toxicologists, or even environmental scientist. Researchers must perform analyses in this direction to understand the pharmacological impact of designer medications, and validated detection methods must be devised. Multidisciplinary inputs can be utilized for forensic applications and generate enough scientific data to scrutinize such chemicals and their synthetic drugs under regulation.

The chemical source that needs to be identified and dismantled is clandestine

sites. Illicit drug must be chemically profiled, and a database must be generated to ascertain the origin of the drug. To accurately depict DFSA offenses at the ground level, the criminal justice system must categorize the rape offense into crimes occurring under the influence of a drug or without using such substance. Provisions related to this offense must be enshrined exclusively. Police officers must be trained to recognize crimes in either of the two categories described. A regulatory agency must be established to keep track of such offenses so that their trend (increase/decrease in the number of cases, type of novel substance utilized, etc.) can be monitored.

Conclusion

In this critical discussion, the challenges and the reasons behind DFSA are pertinently mentioned with viable solutions. Recognizing such setbacks and reporting them to the scientific and law enforcement organization can help raise awareness, which is crucial in combating such crimes by directing victorious research. Moreover, effective execution of the solutions at the ground level is an essential need in this direction.

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Indian Police Forces and Counter-insurgency Operations: Lessons Learned

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Abstract

Police forces are in general a law enforcement agency that is entrusted with the maintenance of peace and public order. The organic structure of Police is devoted to prevent crimes, investigate crimes and prosecute criminals as part of the criminal justice institutions. They are complimented by other law enforcement agencies to form a holistic mechanism for internal security. Insurgencies are one of the many internal security problems. In India, state Police forces are the primary law enforcement agency tasked to maintain public order. Counter-insurgency operations are also under the purview of state Police forces, but it was not always the key organisation that dealt with this problem. Usually in India, the Army and other central Armed Forces take the lead role in CI operations. As a result, fighting insurgencies have become a military centric operation where Police forces take a backseat. Nonetheless, there are exemptions to this anomaly from the states of Punjab, Andhra Pradesh and Tripura where the state Police was the key CI force. This triggered an investigation to understand the plausible factors that caused the exceptional role of state Police forces vice-verse the military forces. It is in this context that this research study is analysing the potential role of state Police in counter-insurgency operations in India.

Keywords: *Police, Counter-insurgency, security forces, insurgents*

Introduction

Counter-insurgency (CI) operations are generally considered as a domain for the military forces. In India, for most of its history, CI operations were led by the Indian Army. The army is also accompanied by other para-military forces. The general understanding is that CI operations are military actions intended to neutralise insurgent threats. This understanding is part of the military approach to CI. Initially, the military approach had dominated the

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fight against insurgent forces. But gradually other approaches had found way into the CI environment. This includes political, monetary, policing and developmental approaches. Among these, the policing approach has received only a minor attention in India, as it was traditionally believed that the law enforcement agencies are incapable of reining in the insurgent violence.

In India, the priority was given to strengthen the defence forces, since it faced two immediate active adversaries in the borders- Pakistan and China. The government on its part had allocated its scarce resources to secure itself from these external threats, whereas internal security order was ignored [i]. Here, the Police forces under the superintendence of provisional governments are the primary agency to maintain public order, but received less attention and resources. As a result, Police are a grossly neglected force with a lot of under-trained and under-resourced personnel who are incapable of meeting large-scale organised violence. This in turn resulted in the severe limitation on the part of Police forces in the face of insurgent violence in almost everywhere in the country. Subsequently, the military forces were deployed to rein in insurgent violence and Police took a backseat. This indeed caused the CI operations in the country to be dominated by military mind-set, setting away other options like Police action and political negotiations. But nevertheless, few exemptions like Punjab and Mizoram has rejuvenated the CI approach in India. Here, Police action and Political negotiation have been a key factor in the resolution of insurgency, respectively.

Later, Policing as an approach to CI operations have seen significant developments from other insurgent theatres like Tripura and Andhra Pradesh. Subsequently, CI practices in the country also started changing by putting emphasis on the Police forces rather than completely relying on the military. This was visible in Assam, Jammu and Kashmir and Left- Wing infected states. The state Police forces were augmented and given a lead role in CI operations. The Union government on its part introduced several Police modernisation schemes to upgrade the capability of the state Police. It is in this context that this paper explores the policing approach of India's CI operations. For that, this paper tries to understand the Police approach from an historical perspective. The methodology used here is descriptive analysis. Here, the counter-insurgency operations of various security forces are described and from that, the role of Police forces are analysed on a case to case basis. The primary cases are selected based on the literature review that mentions about the exemplary role of Police forces in CI operations, that is Punjab, Andhra Pradesh and Tripura. Further, certain successful Police practices from other CI theatres are also included in the paper. With the help of these inferences, this paper identifies some of the most influential factors that defined the Police approach. Further, this research is mostly based on secondary data sources. Nonetheless, the role of Police forces in CI operations is analysed using empirical means.

Here, the data is acquired from various news reports. Most importantly, some of the secondary literatures are the personal experiences of some of the higher ranking Police officers. Apart from this, some minor primary insights from certain Police officers are also included in the study. Given these, this paper will describe and analyse the important factors that shaped the Police approach to CI operations in India.

Background

India's CI experiences begin in the Naga Hills of Assam and the adjoining areas of Manipur and North East Frontier Agency during the mid 1950's. It began as a political unrest and sporadic violence in the Naga hills, unleashed by the Naga National Council (NNC) with which the pre-Independent India had signed the Akbari Hydari agreement in June 1947. The agreement allowed for Naga autonomy for a period of ten years. With the conclusion of ten years, NNC demanded Independence of all Naga inhabited areas. This raised tension in the Naga Hill district of Assam and the state government first dealt the issue by declaring the Disturbed Areas Act in the hills in 1956. And when Naga hills were curved out from Assam and administrated as a Centrally Administrated territory, the Union government enacted the Armed Forces Special Power Act (AFSPA) in 1958.

Initially, it was the Assam Police and Assam Rifles that were entrusted to rein in the insurgency movement under the Disturbed Area Act. Later, when AFSPA was introduced in the hills, the Indian Army was also deployed to fight insurgents. During these phase, the Indian Army fought the Naga underground army like a conventional force. It launched attacks on Naga strongholds and fortifications in order capture the enemy positions. This symbolises the first step in India's evolution of CI operations. Both the Naga underground army and Indian Army were fighting in a conventional style, absorbing significant casualty on both sides. Indian Army incurred more causality due to lack of competency in fighting jungle warfare against an enemy who is well acclimatised with the land and terrain. On the other hand, Nagas felt the weight of the overwhelming Indian forces in a direct confrontation. The army which was well equipped and in greater numbers had taken a heavy toll on the Nagas.

Nonetheless, the Indian Army's conventional tactics didn't work in reining in the insurgency movement. It instead made the situation more chaotic and bloody, as innocent civilians were caught in the fighting. People were traumatised by the horrors of fighting and the Indian Army was accused for many excesses during this period. It is at this juncture that the Indian army changed its tactics and adopted the Malayan model of CI. Here, the army employed the strategy of Area Domination to repel the insurgent activities. In this strategy, the intended purpose is to deny the insurgent the space to use the territory by making large troop deployments. Through this, the insurgents will be denied access to critical supplies like food, shelter and other amenities. Here the presence of security forces will be seen everywhere with constant vigil to fight insurgents. This strategy was an

unprecedented shift from the Army's combat tactics where more troops were deployed in an area, irrespective of enemy strength [ix].

The adoption Malayan model of CI was the beginning of India's experimentation with unconventional warfare. Other aspects of Malayan model were also experimented by the Army. This includes the segregation of population and the winning the hearts and minds strategy. The strategy of segregation or isolation of population was employed in Nagaland, but the noted success came from Mizo hills, while the Army was fighting another insurgency against the Mizo National Front. Here, under the village resettlement scheme around 80% of population was moved into protected hamlets along the highways. This strategy significantly reduced the insurgent ability to wage a guerrilla war.

Meanwhile, India's strategy towards CI also evolved from a conventional approach to a more robust and dynamic one. One of the most noted and the one which had the most profound influence is the Winning the Hearts and Minds strategy. Here, the objective was to gain the confidence and trust of the local population. This strategy was a departure from all conventional notions of military operations where the focus was shifted from the enemy to the population. Here, the army showed a benign face to the people where it constructed roads, bridges, provided health care facilities, vocational training, renovating schools etc. The significant impact of this strategy was that, it built an image of the army which is a friendly force and an approachable entity for the local populace. What transformed here with respect to CI was the flow of intelligence. This was a winning strategy for the army that gained the confidence of people and thereby built an array of intelligence sources among the population. Winning Hearts and Mind was a strategic shift in India's approach towards CI operations.

The evolution of India's CI strategy is ever dynamic, consisting of the experiences from various insurgency movements across the length and breadth of the country. Apart from the above strategies, India in course of time had also developed its own CI strategies. One of the most crucial among them is the Unified Command. Here, the security forces that were deployed in CI operations were integrated into a single command. This helped in coordinating the CI operations. It was during the Khalistan episode that the Unified Command was first experimented, where the Punjab Police under the leadership of KPS Gill spearheaded the CI operations. It was for the first time that the importance of state Police was felt in the CI operations. Till then, CI operations were generally an army centric activity were Police forces played secondary role. Punjab experience had reversed this thought and placed the state Police forces in the forefront in the fight against insurgents.

After the Punjab episode, there was considerable confidence among the Indian government and various security forces that an insurgency could be reined. It was in Punjab that the army also renewed its strategy to fight insurgencies. Until then, Indian Army deployed its regular infantry battalions for CI operations. But its years of experience had prompted the army to raise a dedicated CI force in the country. This led

to the development of Rashtriya Rifles which saw extensive deployment in Jammu and Kashmir. It was during the Army experience from Sri Lanka that India devised a new strategy for its CI operations.

This strategy heavily influenced the CI operations in Jammu and Kashmir. As part of its area domination strategy, Indian army developed the Grid formation where security forces are deployed in a grid format so that in any exigencies the closest formation will act as a rapid action team. Normally, these grids were of platoon size with capabilities for rapid deployment. This strategy placed the security forces in wide disperse area rather than in concentrated formations like Battalions and Companies. This again was an unconventional strategy within the army.

Given these strategies and years of CI operations had enabled the Indian Army to formulate a doctrine. This doctrine is called the Sub-Conventional Warfare Strategy released in 2006 which incorporated army's point of view in combating various Low-intensity conflicts. This doctrine is the evolution of India's approach to the CI operations. The key imperative that Army put forward with regard to CI operations is the role of the security forces are to create a conducive environment for the civil administration to function. Here the army emphasises that insurgencies and other internal conflicts are political issues which require political leadership to find a solution to the problem.

Thus the evolution of India's CI operations have pointed out that insurgencies and other internal disturbances are to be tackled using political tools. But the question here is, can all insurgencies be reined using political means? What are the disadvantages in this strategy? What is the role of Military and Police in tackling the insurgencies? How can insurgencies be optimally resolved? These are the questions that the counter-insurgency discourses in security studies are trying to find answers. The author in this paper would like to investigate into the role of Police forces in the CI operations in India.

Role of Police

As said in the beginning when insurgency broke out in Naga Hills, it was the Assam Police who was the first responder to the insurgent violence. Under the Disturbed Area Act, Assam Rifles, a para-military force was also being deployed. But when Naga Hills were curved out from Assam, the state Police ceased to function in the area. On the other hand, the Assam Rifles continued their operations in the Naga Hills. The intriguing fact about early CI operations in Naga Hills was that the army took the lead in maintaining public order. There was a dire absence of a local Police force in enforcing law and public order. Assam Rifles did conduct policing functions but it was not a localised force. It had a pan-Northeast pool of membership with higher leadership drawn from the army. This author believes that if there was a local Police force in the hills, then there would have been a lesser violent situation, caused by army's conventional use of force. It is here that this paper asserts that the local Police forces are the most appropriate agency to lead the CI operations. This aspect will be dealt deeply in the coming sections.

Constitutional and Legal base

Policing in India is under the supervision of state governments. The Constitution of India placed policing and public order in the state list (entry 1 and 2). So any disturbance to public order should have to be first dealt by the state governments and state Police forces. In every insurgent situation, the local Police was the first responder to the violence. But in most of the cases the state Police forces were augmented by army and other armed forces of the Union.

This is an obligation that the Union government has to follow under the article 355 of the Constitution which states that — "it shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the Government of every State is carried on in accordance with the provisions of this Constitution". So in any situation of internal strife or constitutional failure, the Union government has to intervene to restore peace and order in the states.

Well, this is the constitutional structure for maintaining internal peace in the country. But on the ground level, situations are much more complex. This is because insurgencies are not wars, which require no use of military forces. But due to the severity of insurgent violence, military forces are called in for CI operations in India. This is mostly caused by the general understanding of Indian state that insurgents are armed belligerents who have to be confronted through armed means. That is why, on a stratified basis, the government deploys its armed forces, one after the other. First the state Police forces will confront the insurgents. Then more

equipped and lethal forces like Central Armed Police Forces are deployed. Then finally, the army is deployed as a last resort.

The above given method is the general approach to CI operations in India dominated by a militaristic mind-set. The strategy here is to equip the armed forces (including military, Central Police Forces and state armed Police) with modern and sophisticated weapons and armoury to give an edge over the insurgents. Yes, it indeed is an essential requirement for the fight against insurgents. But this could not be the only preferred approach to CI operations.

Instead, a broad and comprehensive approach is necessary to tackle the insurgent problem. As said early this includes political, economic, developmental, policing and governance approach. The policing have an important role in reining insurgent violence and establishing peace and order, which is the focus of this paper.

State Police

As mentioned earlier, Policing in India is a state subject. It functions under the Criminal Justice System which comprises of Courts, various judicial institutions, law enforcement agency and prisons. The foundation of India's policing system is based on the 1861 Police Act which has, in the course of time, got enacted and adopted into various politico- administrative units in the country. It was then introduced to implement and adjudicate the Indian Penal Code that came to existence in 1860. This, along with several other laws like Criminal Procedural Code, Indian Evidence Act and numerous legislations by parliament and state

legislatures are in the purview of state Police jurisdiction. In the case of insurgencies, the Police forces act in accordance to the above mentioned legal quotations. On top of this, Unlawful Activities Prevention Act, Arms and Explosives Act and several others like Prevention of Terrorist Activities Act, Terrorist and Disruptive Prevention Act were also active instruments for Police actions. Based on these laws, the state Police force acts to rein insurgent violence and restore public order.

During the outbreak of an insurgency, the basic understanding is that insurgents are law-breakers and criminals, who need to be apprehended under the law. This is a long process, where the suspect is prosecuted and has to be proved guilty of the crime in order to be convicted. Most of the state Police forces fail to prove that a suspect is guilty, thus can't prevent insurgent violence. On the other hand, they rely on military and armed Police units in CI operations. Military and other Union armed forces act under the Armed Forces Special Powers Act which gives them exceptional powers to use force against insurgents. As a result, the state Police forces have retreated to provide secondary role in CI operations. But there are exceptions; the cases of Punjab, Andhra Pradesh and Tripura have shown exemplary Police skills in reining insurgent violence. These successes are attributed to several factors, ranging from Police leadership to political alternatives. Among these what influenced the Police is a subject of intense research, and this author would try to shed light into some of these factors.

Police Leadership

No matter how equipped or trained the Police personnel are, the effectiveness of these forces depend on their leadership. Individual initiatives and professional dedication are very much essential in policing on a routine basis. No matter, whether fighting the criminal gangs or mafias, terrorist or insurgents, the Police force require a good leadership under whom the ranks and files of the organisation function as a dynamic entity. Among the numerous cases, the most acclaimed Police leadership came under KPS Gill, who as the Director General of Punjab Police was instrumental in reining the militancy in the state. His bold leadership and stringent approach to the militant violence vanquished the Khalistani insurgency from the state. His exemplary leadership qualities have inspired and boosted the morale of the Punjab Police to fight back the radical fringes of Sikh society, who were otherwise hiding in fear of militant repercussions. Not only Gill was efficient in leading the Punjab Police but also headed and coordinated all CI operations in the state under a unified command that brought synergy between Police, Border Security Force and Army actions.

Likewise, leadership was also a key component in the CI operations in Tripura. The appointment of B. L Vohra as the DGP of Tripura Police had turned the tide in the state. One of his early activities after becoming the DGP was to reach out to every Police personnel working in even the most remote and inaccessible stations and outposts. This built confidence among lower and middle level officers who were motivated

to take leadership roles in CI operations. Boosting the morale of the Police force is quintessential in any CI operation because the adversaries in every case is more armed, knows the terrain, language and are well informed under a string of informers and subversive elements.

Opposing such an adversary required a strong will and determination along with sufficient resources. Vohra was able to build the required will and determination among the Police officers when the state was in utter turmoil. His role as the head of the Police forces also enabled him to bargain for more resources with the state administration. His good relation with the Chief Minister and Chief Secretary had helped him to provide the most needful resources to his troops on the ground.

Succeeding Vohra, G.M Srivastava as the DGP of Tripura Police continued the policies and programmes of his predecessor. He led an already motivated and energetic Police force to fight the insurgents. Under his leadership, the Police forces especially the Tripura Rifles had seen more action and encounters with insurgents. His unorthodox approach significantly reduced the insurgent strength. The most important role of DGP Srivastava was that he made the Tripura Police capable enough to track and eliminate insurgents not only in Tripura but also across the international border in Bangladesh. He significantly augmented the combat efficiency of Tripura Rifles which made the insurgent on the run and seeking shelter across the border in Bangladesh. By coordinating with BSF, which guards the international border in Tripura, and

from the inputs of Intelligence Bureau, he conducted cross-border raids into insurgent hideouts. He was also able to persuade the surrendered cadres from various insurgent groups to launch attacks on the hideouts of their former comrades. As a result of these actions, the insurgent hideouts were moved far into the interiors of Bangladesh, away from the borders. Then Srivastava devised a tactics which used the Bangladeshi mafia to launch attacks on insurgent hideouts in Dhaka and other hinterland areas. They were paid on submitting the video proof of the attack at the border using the money that was ceased from insurgent's camps earlier. This unconventional and unorthodox strategy was fruitful in Tripura under the leadership of DGP G.M Srivastava.

In CI operations, it is not necessary that the higher leadership in Police should play the important role. The intermediate officers can also play a game changing role in CI operations. It was in Andhra that the intermediary officers of the rank of District Superintendent took the lead role. In Andhra Pradesh, the Naxal insurgency was taking severe toll on the state administration, especially in the backward areas of present day Telangana state. Due to its under developed character and lack of employment opportunities, the youth in the area were readily attracted to the radical ideas of Naxalism that persuaded them to take up arms. The Police superintendent in these backward districts was able to track down these youths who joined had militancy and used various means of psychological warfare to dissuade them from taking the insurgent path. The

superintendents of the Naxal-affected district like Warangal, Karimnagar were able make contact with the family of these youths and routinely sent messages to surrender. It was mostly the leadership traits of individual superintendents to innovate policing in district level that was one of the key imperatives in Andhra's successful CI operations. The higher Police leadership had also taken careful decisions to send young and innovative Police superintendents to these Naxal-infected districts.

Therefore leadership is an important factor that determines the success and failure of CI operations. Police as a force requires leadership traits at each level of policing, starting from the beat patrol to the higher echelons. From Constable to DGP, every Police officer has an integral role to play in a CI environment. In the higher ranks, the leadership traits boost and motivate the morale of the Police force as a whole. In the intermediary level, they lead the Police organisation with innovative practices and programmes. And in subordinate ranks, leadership traits are to make sacrifices and head-on the population as a benevolent force.

Operational Coordination

In a CI environment, Police would not be the only responder and in certain cases, not even the first responder. It is because, even if we say it is a CI operation, but in actual these are part of the larger internal security maintenance operation in India, in which state Police forces are one among the components. Depending on the area and the pattern of violence, different agencies are involved in internal security operations. In India, most of the CI operations have been carried out in Northeast India, Punjab, Jammu and Kashmir and Central India against mostly separatist insurgents with one exception of left-wing insurgency. Barring central India, rest of the operations are undertaken close to the international borders. The range of violence in these areas include armed encounters, bomb explosion, subversion, sabotage, murder, extortion, arson, smuggling, counter-feit currency, money laundering, cyber-crimes and so on. Though the state Police have jurisdiction to handle all these crimes, but nonetheless, there are specialised agencies to meet special tasks.

Along the borders, there are number of law enforcement agencies, which include the border guarding organisations like Border Security Force, Indo-Tibetan Border Police, Coast Guard etc. and Customs and Immigration agencies. Towards the hinterland, there are state Police forces, central armed Police forces like Central Reserve Police Force, Central Industrial Security Police and specialised agencies like Intelligence Bureau, National Investigation Agency, Enforcement Directorate, Income Tax department and so on.

Altogether, there are multiple agencies that are working to maintain the internal security order in India.

In CI operations, though we often identify the armed forces as the lead agency, but evidently, they are not the only agency that takes part. CI operations are not any exclusive domain of any armed force or law enforcement agency. It is a collective

and coordinated act of several groups. For instance, during the CI operations in Punjab, due its proximity with Pakistan border, the Border Security Force was also deployed there to strengthen the state Police. When the local Police conducted CI operations in the hinterland, BSF would block any escape root of insurgents out into Pakistan by strengthening its deployment along the border. Likewise, when local Police conducted search operations for suspected militants, the Indian army would cordon the area and provide rear area cover. So, here, the security organisations involved in CI operations had coordinated their military operations. This element of operational coordination had played a critical role in the CI operations in Punjab. Punjab Police, like any other state Police force in the country is not a numerically large force that can provide the required troops for area domination in a CI environment. But instead the Union armed forces had augmented the Punjab Police and carried out a coordinated CI operation. Contrary to various CI operations in India, Punjab Police here took the lead role.

This coordination could be seen in every other insurgent situation where the armed forces coordinated their military operations. Whether it is in Tripura or in Jammu and Kashmir, multiple forces are involved in CI operations. In much of the Northeast, the Army, Assam Rifles and state Police forces conducted joint operations against insurgent groups. For instance, in Tripura, there was BSF who were deployed along the India-Bangladesh border, Assam Rifles who are a dedicated counter-insurgency force in Northeast India and state Police forces in the forefront of CI operations. The successive Police leadership in Tripura had utilised these forces to augment its CI efforts in the state. Here, the BSF ceases and secures the border passages of militants, thus effectively curtailing the free movement of militants to find safe havens. The Assam Rifles with their vast resources was used to provide security to several vital roads and critical infrastructure in the state. On doing so the state armed Police forces were relieved from their static duties and were redeployed for an offensive against the militants into the deep and remote locations of Tripura. This proved a great success in Tripura as local troops who knew the local language, terrain and accustom to people's practices were more effective than the numerically superior forces from outside the state.

Similarly, in the left-wing infested areas, the Central Reserve Police Forces have significantly augmented the efforts of state Police forces there. In fact they have become a force in counter-Maoist operations in these states with a dedicated commando wing called the Commando Battalion for Resolute Action (CoBRA). CRPF as a force has seen extensive deployment all across the country and engages in all major insurgency theatres. In Jammu and Kashmir, CRPF provides security to the rear areas where it conducts joint operations alongside the Army and the State Police. In Northeast, they have been providing security to many vital installations and augment the state Police forces during any CI operation. Apart from CI operations, CRPF is an excellent force for riot controlling, for which it had dedicated

troops for Rapid deployment. It has been a key instrument in providing security to various urban areas in Jammu and Kashmir that are more prone to mob violence.

Notwithstanding any of these, the role of Intelligence Bureau in CI operations is remarkable. IB is the prime agency that keeps vigil on all subversive activities in the country. It shares intelligence about the possible presence of insurgents with Police and other security forces, on which actions taken lead to apprehension or neutralisation of threats. The cross-border raids into hideouts of militant groups of Tripura in Bangladesh are mostly a coordinated operation between state Police, BSF and IB. Similarly, Intelligence led operations and intelligence sharing by IB and various individual forces have augmented the CI efforts by conducting precise strikes on insurgent targets rather than employing large-scale search and cordon operations. Nonetheless, there are several investigative agencies that apprehend the suspected insurgents and their sympathizers under various laws like UAPA, Arms and Explosive Act, Prevention of Terrorism Act and several others in the court of law. National Investigative Agency has specifically dealt with the prosecution of various subversive elements in the country including insurgents and foreign terrorists. Apart from NIA, the CBI, Enforcement, Customs and several others agencies conduct trails against suspected insurgents. These investigative agencies have severely augmented the capability of state Police forces in reining various forms of insurgent violence.

Specialised Forces

Even when there are large number of security organisations that are taking care of the insurgency movements in India, CI operations require a specialised tactical force. The insurgents in general use guerrilla and terrorist tactics to undermine the government's authority. A specialised force trained in guerrilla warfare and urban combat is a requirement in CI operations which had been a key factor in all of the successful cases. One of the most renowned special tactical forces dedicated for CI operations are the Greyhounds of Andhra Police. This is a tactical assault team trained in jungle and guerrilla warfare and proved its metal against the Naxalite threat in the state of Andhra Pradesh. A small group of highly trained and equipped Police officers venture into the deep forests of Andhra to get in contact with Naxal insurgents and neutralise them. Their training was conducted in various parts of the countries by various agencies like the Army, NSG, Central Police Forces etc. They were also provided with the most sophisticated firearms and other equipment currently available under the Police modernisation scheme of Union Home Ministry. Greyhounds were a total package of lethality, supported by a state wide network of local Policemen. This was the major reason why Andhra Pradesh was able to fend off the Naxal violence singlehandedly in the state without the support of central armed forces. On the other hand, rest of the Naxal affected states in the country had to rely on the central armed Police forces to contain the insurgent violence.

It was inspired from the Greyhounds of Andhra that the Odisha state Police had developed the Special Operations Group to conduct anti-Naxal operations in the state. Similar developments could be seen in other Naxal-affected states like Chhattisgarh, Jharkhand and Maharashtra. Likewise, the use of special task forces to counter militancy was also employed by Punjab and Jammu and Kashmir state Police forces. In Jammu and Kashmir, this special CI task force of state Police was called the Special Operations Group which was formed from the surrendered militants. In Tripura, the Tripura State Rifles seemingly performed well against the militant groups and developed it into a high motivated CI force in the state. This is not confined to CI situations, state Police all over India have upgraded their armed forces and deputed its men to certain specific tasks. Since the Mumbai terror attack, the Mumbai Police had trained a dedicated group of Police personnel as SWAT teams for deployment in terrorist and other armed exigencies. States like Kerala and Tamil Nadu with little CI activities have raised special Police task forces for certain particular purpose like anti-Maoist operations and anti-poaching called Thunderbolt and Special Task Force (STF) respectively. In Assam, the state Police have created a specialised unit for CI operations called Commando, trained in both jungle warfare and urban combat.

Given these specialised CI forces within various state Police forces in India, the Armed forces also managed to raise their own specialised troops. First, given the Army's role in CI operations across the country, it had managed to develop a dedicated force called the Rashtriya Rifles. Currently, it is deployed only in Jammu and Kashmir. Similarly the CRPF also raised a specialised force to combat left-wing extremism called the Commando for Resolute Action (COBRA) battalions. These developments have showcased the need for a specialised CI force. Respective state Police forces have developed their own special tactical units to counter certain specific problems like insurgency, bandit, poaching etc.

Hence, a dedicated and skilled group of armed personnel is very essential in any CI operation.

Unified Command

In India's security architecture, the terminology _Counter-insurgency' operations are less favoured. A more accepted concept is internal security' operations. It is because the maintenance of internal security is not the explicit domain of any one government or one agency. A plethora of organisations are involved in this task and in certain cases, their functions also overlap with each other. Here, in general, these organisations work independently under various governments and ministries. As we discussed, there is some degree of coordination that exists between these organisations, mostly at the tactical level. Coordination at an institutional level is something that is non-existential in India. But nonetheless, on a case basis, certain tacit arrangements like the Unified Command were developed in the country to address various insurgency threats. These were theatre commands

where all the armed forces deployed in an insurgent situation function under a single command, to coordinate their security operations. They are mostly an operational command headed by either the Army or Police leadership, where strategic level CI planning is undertaken. At the tactical level, operational coordination between various forces also takes place under the District Superintendent of Police.

Unified Commands are a variable factor in CI operations mostly influenced by the leadership. The most noted example of Unified Command was experimented in Punjab where state Police under the leadership of KPS Gill headed the CI operations. Under the unified command in Punjab the state Police took the lead role which was augmented by the Army and BSF. Likewise a Unified Command structure was also established in Assam and Jammu and Kashmir where instead of the state Police, the Army headed the CI operations. In the Naxal affected states like Jharkhand and Chhattisgarh a unified command headed by the CRPF is in place.

Unified Commands by itself are a tacit arrangement to coordinate security operations in a CI environment. The success of these commands depends on many factors like the structure of the command, its leadership and functional coherence and so on. To illustrate, a unified command is a theatre centric coordination command in which those security agencies that have substantial role in CI operations are included. For example, in Punjab, the unified command included the Punjab Police, Army and BSF. On the other hand,

in Northeast region, not only the state Police forces and army are included, but Assam Rifles and other border guarding forces too. In Jammu and Kashmir, the Unified Commands consist of many security agencies like state Police, Army, CRPF and so on. Thus depending on the insurgent theatre, the structural composition of the unified commands also changes. When it comes to leadership, this author believes the State Police heading the Unified Command is more of an affirm approach to CI operations. On the other hand, the Army and Central Police Forces have headed the Unified Command in Jammu and Kashmir, Northeast Indian states and Naxal effected states in Central India. To be affirmative, the Police leadership of Unified Commands in states like Punjab and Tripura have resulted in a total or near to absolute reduction in the insurgent violence, whereas in other cases the violence continues, but with a notable reduction in the quantity of violence.

Much of these achievements are made through an array of functional coordination measures undertaken by various security agencies under the Unified Command. A joint operation is the most basic level activity here, but this is preceded from intelligence sharing, planning and institutional/ organisational synergy and so on. When all this organisations work independently, the efficiency of Unified Command is questionable. But, for an effective CI operation, there should be functional coherence within the Unified Command. Here, all the organisations/agencies under the command have to comply with the aims and objectives of CI structure, irrespective

of their individual goals. A willingness to adhere to the collective interest of all organisations and the acknowledgment for the losses incurred in a joint operation is the key to functional coherence. Thus the successes of Unified Commands in CI operations are dependent on several factors like coherence, leadership and composition.

Conclusion

In India's CI experiences, the State Police forces had a limited role, whereas the Indian Army and other central armed forces had a substantial contribution in terms of numerical strength and number of insurgent situations engaged. It is mostly attributed to India's experimentation of military forces in CI operations. Nonetheless, the CI operations had also evolved from a conventional military confrontation to a more benign one like Winning the Hearts and Minds. Currently, CI operations have a multifaceted approach where military force, political negotiations, economic incentives, developmental measures, law enforcement agencies and rule based governance are all employed. Given India's CI history, all of these elements have contributed substantially to rein the violent situation.

Among all elements, the Police and law enforcement factors are the one that have received little credits. Bulk of the CI operations were devoted to military actions. However. in the recent years, CI operations have explored for non-military solutions to the conflict. Under the Indian Constitution the state Police forces plays a very important role in reining violence. It is also the closest organisation to the civil

administration in delivering public safety and governance. The contribution of state Police in CI operations is manifold. But there are certain factors that influenced the extra-ordinary role of Police in Punjab, Tripura, Andhra and other states in India. This article finds that leadership, Coordination, Special Forces and Unified Command are some of the most important factors that contributed in the Police exemption in CI operations. Nonetheless, this is not the end by itself but instead there may be other factors that were instrumental in Police CI operations. In the arena of CI operations in India, the state Police forces have performed better despite their relative strength and capacity.

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Stress Management in CRPF: Arunima Ankuran's Survey

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Abstract

CRPF is a versatile, mobile and highly disciplined force which has been extensively deployed in preserving the unity and integrity of the country. CRPF personnel are deployed for prolonged durations in remote/inaccessible/ inhospitable areas. The CRPF personnel in life-and-death situations encounter stress levels that an office-goer would find difficult to imagine. The Arunima Ankuran survey is a step towards addressing the underlying sources of stress (stressors) and identifying strategies to promote effective Stress Management among CRPF personnel. Given the tremendous challenges faced by CRPF personnel in performing their duties, the authors decided to identify stressors and coping strategies in the force. An Online Google Survey by Arunima Ankuran was used to gather responses from CRPF personnel from November 2021 – February 2022. The total number of responses received was 120. The findings of the survey offer an insight into the perspective of CRPF personnel and can provide valuable inputs in designing initiatives for Stress Management in the force.

Background

"In a rush to fly out CRPF personnel…from one troubled spot to another; what Police leaders and the MHA forget is that the men in fatigue are not only tired but reaching their breaking point. Police and security forces leadership must not only understand their psychological and personal problems but should effectively project these problems to the highest echelons of the MHA and the Government of India".

- Dr. K.M. Mathur in Challenges to Police, Human Rights and National Security, 2003. (pg. 202).

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As media reports of unfortunate incidents of suicide/fratricide emerge more often now than ever before, it is a wake-up call for the leaders of the CRPF to act before the situation gets out of hand. Stress in the CRPF is no longer the invisible enemy, rather it has been raising its ugly head through the frequent cases of suicide, fratricide and growing attrition rate.

The problem of stress is not a new one. In his book, Problems of Police in a Democratic Society, Mathur K.M.(1987) observed: 'The Police are under strain largely because they are increasingly being given tasks well beyond their resources….The turbulent nature of contemporary society requires that Police organizations institutionalize the capacity to change and innovate. He envisioned Police training programmes in human relations, social and behavioral science to equip them better to carry out their social responsibilities.

The alarming increase in cases of suicide and fratricide in the CAPFs are merely the tip of the iceberg. There is a need to look deeper and explore the stressors that may be responsible for triggering extreme reactions leading to cases of suicide/fratricide. This survey is inspired by the vision of Dr. K.M. Mathur, a distinguished CRPF officer, who had not only dedicated the best years of his life to the nation but was also a visionary leader 'who walked the talk' by writing research-based books to enrich Police literature in India.

CRPF: Role & Sphere of Duties

The Central Reserve Police Force came into existence as the Crown Representative's Police on 27th July, 1939. It was named as Central Reserve Police Force on enactment of the CRPF Act on 28th December, 1949. CRPF is a 246 Battalions strong force having a sanctioned strength of 3, 24,093 personnel. CRPF is a versatile, mobile and highly disciplined force which has been extensively deployed in preserving the unity and integrity of the country (Mathur, K.M. 2003). It is the largest Central Armed Police Force of the country. The Force is presently handling a wide range of duties covering law and order, counter insurgency, anti-militancy / Anti-Naxal operations, and assisting the State Governments and UT Administrations in maintaining public order as well. It is performing law & order duties, anti-militancy in J&K and counter-insurgency operations in North East and Anti-Maoist operations in Left Wing Extremism (LWE) affected states and other parts of the country. Besides this, CRPF is also providing security to some of the vital installations and buildings. The CRPF has also been entrusted with VIP Security. A specialized Force "CoBRA- Commando Battalion for Resolute Action, has been raised to fight Maoists and Insurgents in Jungles within the CRPF personnel.

Unique Role in Internal Security of the Country

CRPF also played a pivotal role in curbing militancy in Punjab during 1980s and insurgency in Tripura during 1990s. CRPF contributed vastly in wiping out Naxalism from West Bengal and from Kaimur and Rohtas areas of Bihar. The Naxals were flushed out from Saranda forest area of Jharkhand which was a major base area

for them. CRPF also undertook rescue and relief operations during various natural calamities like Orissa Super Cyclone (1999), Gujarat Earthquake (2001), Tsunami (2004) and J&K Earthquake (2005). CRPF has proved its mettle during various overseas UN deployments like Sri Lanka (1987), Haiti (1995), Kosovo (2000) and Liberia (Women Contingent) (2007) also.

Tradition of Honour and Sacrifice

Many brave soldiers of CRPF have made supreme sacrifice of their lives in the service of the nation. For display in operational valour it has been decorated with 01 George Cross, 03 King's PMG, 01 Ashok Chakra, 01 Kirti Chakra, 01 Vir Chakra, 12 Shaurya Chakras,1 Padma Shree, 49 PPFSMG, 185 PPMG, 1028 PMG, 5 IPMG, 4 Vishist Seva Medal, 1 Yudh Seva Medal, 5 Sena Medal, 91 PM's Police Medal for Life Saving and 2 Jeevan Raksha Padak. In last five years CRPF has neutralized 715 militants/ Naxals, apprehended 10626, forced the surrender of 1994, recovered 5176 arms, 162743 number of assorted ammunitions, 54394 kgs of explosives, 2917 grenades, 2298 bombs, 56 rockets, 2063 IEDs, 31653 detonators, 4084 gelatin sticks, 13850 kgs of narcotics and over 10 crores of cash.

Typical Challenges faced by CRPF Personnel in Operational Areas.

CRPF personnel are deployed for prolonged duration in remote/inaccessible/ inhospitable areas (LWE, NE region and J&K- 90 per cent). Total peace area/posting/ locations are about 10 per cent only. As a result, men are transferred from one hard area to another. CRPF personnel often work for 12-14 hours a day and often cannot avail of holidays and Sundays. There is a constant increase in demand of CRPF deployment by the States. The States are over dependent on CRPF for maintaining all kinds of major as well as minor law and order situations. Battalion camping sites/companies' locations provided by States are sometimes inadequate, unhygienic, insecure & poorly maintained. Often State Governments fail to provide basic infrastructure. Due to the absence of adequate/suitable accommodation the jawans are compelled to live in sub-human conditions which affect their dignity, morale and motivation besides affecting their command and control. There is also the problem of poor mobile connectivity which persists in areas of deployment of CRPF personnel. As a participant observer, Mathur KM (2003) had identified certain conditions specific to the lives of CRPF personnel due to operational commitments .Some of them are: loss of contact with families, inadequate parental supervision in education of children, impediments in participating and fulfilling social obligations and providing medical care to the family members, problems in arranging marriages of children, inadequate opportunities for personal growth and professional advancement, living in regimental atmosphere ,disorientation due to frequent movements and living out of the suitcase for long spells. The organizational health of CRPF is indicated in terms of voluntary retirement, suicides, homicides, mental ill health and draining of provident fund reserves of men. (Mathur, KM 2003). There is a need for academicians

and CRPF leaders to collaborate so that appropriate measures can be taken at the individual, group and organizational level to manage the menace of negative stress and its consequences on morale and job performance.

Stress in the CRPF: The Enemy within.

Stress is a dynamic condition in which an individual is confronted with an opportunity, constraint, or demand related to what he/she desires and for which the outcome

is perceived to be both uncertain and important. It impacts one's ability to cope with situations and tasks and feel good. If not managed well, it negatively impacts the employee health and wellbeing, causing loss of output and productivity. Increased stress among employees can lead to absenteeism, loss of motivation and in some cases, suicide or fratricide. Stress has a powerful impact on various aspects of life and there is a need to manage it well in order to achieve optimal outcomes in work and personal life.

While the CRPF personnel are well trained to tackle the challenges posed to internal security, there is a hidden enemy within: Stress. This is emerging as a major threat to the professional and personal life of the personnel. In several cases that have been reported, according to the data provided by MHA, since 2014, more jawans died of heart attack than those who were killed in action. While this may be an indication that the medical facilities provided to the personnel are neither adequate nor up to the mark, it also signifies stress due to continuous deployment in stressful situations and

difficult terrain and irregular eating/sleeping cycles. CRPF personnel are often faced with the "help or hinder" syndrome, therefore the ability to recognize signs and symptoms of stress and cope with them effectively must be a part of their tool kit. The CRPF personnel in life-and-death situations encounter stress levels that an office-goer would find difficult to imagine. In an incident where a jawan killed four of his colleagues and injured three others in an alleged fratricidal incident, it was reported that he may have been suffering from "emotional stress" leading to sudden psychological imbalance. Another symptom of the problem of stress may be seen in suicides among CRPF personnel which have gone up to 55% since 2016. CRPF has seen 58 suicides in 2021. Of these, 13 cases took place in J&K, 7 in the Northeast, 10 in areas affected by Left-Wing Extremism, and 15 in other parts of the country. In 2018, responding to a question in Parliament about suicides in the CAPFs, the then Minister of State for Home Affairs, Sh. Kiren Rijiju had said, "The causative factors in most of the cases were found to be generally the personal and domestic problems, like marital discord, personal enmity, mental illness, depression etc." Interacting with media, a CRPF officer agreed that stress levels are high due to marital discord etc. These days, the presence of social media also throws up problems. Everything that is happening at home is immediately known to the jawan, who cannot go back home, leading to depression and helplessness. Reports in the media have been highlighting that all is not well and stress claims more lives in Central Reserve Police Force (CRPF) than anti- Maoist operations. Minister of

State for Home, Sh. Hansraj G Ahir in a written reply in the Lok Sabha revealed that heart attacks, depression and suicides claims 15 times more of CRPF jawans lives as compared to anti-Maoist operations. The combined data shows that heart attacks, depression, suicides, malaria, dengue and other such reasons constitute 15 times more over operational duties as the major reasons for the death of CRPF jawans and officers in the last two years.

The Need for a Survey of Stress in CRPF.

Only the wearer knows where the shoe pinches. In order to get an understanding of where it hurts most, it is important to get the wearer's perspective. Extending this simple logic to organizational stress, an exploratory survey was designed by Arunima Ankuran to ask CRPF personnel about their experience of stress because of the unique role demands, working conditions and challenges they face. Stress levels are closely linked to work motivation, job satisfaction, productivity, work-life balance for which a more holistic conception of personnel's lives must be emphasized. To prevent episodes of violence, conflict and high levels of stress, the CRPF must build a culture that promotes stress management as an integral part of life .There must not be any stigma attached to psychological issues that men in combat are likely to face. With media reports and growing concern over cases of suicide/fratricide, the CRPF must focus on mental health and well-being of its employees.

Figures of suicide cases for the period of 2017-2021 are mentioned below:

(A) SUICIDE CASES

Sl. No.	Year	Total
1.	2017	39
2.	2018	36
3.	2019	40
4.	2020	54
5.	2021	58
Total		227

(B) FRATRICIDE CASES

Year	No of Incidents	No of Deaths
2018	2	2
2019	3	5
2020	3	3
2021	7	8
Total	15	18

As per a study of suicide / fratricide cases in CRPF and remedial measures, more than 90 percent CRPF troops are deployed in maintenance of Internal Security and CI duties in hostile, adverse, unpredictable and life-threatening conditions, thereby posing a tremendous amount of physical and psychological stress. Stress may play a role in precipitation and perpetuation of the mental and behavioral disorders. Prolonged seclusion and staying away from family for longer duration, are posing additional coping demands on the personnel.

Identifying Stressors and Strategies for coping

India is losing more paramilitary personnel

to stress rather than the enemy's bullets. Fulfilling the expectations of the public, demands of the family, and obligation to his organizational role creates a very difficult situation causing stress to the individual officer (Mathur, Pragya 1994.)

A study of suicide / fratricide cases in CRPF listed the following sources of stress:

(A) WORKING CONDITIONS

1. Tough duty hours in inhospitable terrain and adverse climatic conditions often leads to fatigue, depression and incurable / permanent problems

2. Long separation from families/forced bachelorship

3. Prolonged deployment in high risk areas

4. Unable to cope up with tough nature of duties, resulting in failures leading to suicidal tendencies.

5. Poor / inadequate infrastructure at work place.

(B) SERVICE CONDITIONS

1. Lack of time for rest, recoupment and recreation.

2. Poor grievance redressal mechanism.

3. Frequent movements / unplanned movement

4. Sense of isolation and lack of social and familial support.

5. Administrative / official problems even in getting genuine dues for want of documents from Civil Departments.

6. Leave / rest related problems.

7. Extended working hours, even 14 hours in a day.

8. Discrimination among sub groups, peer group, trauma of abuse, bullying at work place, disciplinary or legal actions.

(C) PERSONAL / INDIVIDUAL ISSUES

1. Mental disorder / psychological problems

2. Previous suicidal attempts.

3. Hopelessness / Depression.

4. Extra Marital relationship of self or spouse.

5. Financial Loss/ debts.

6. Stigma of diseases.

7. Poor education of children due to frequent movements and transfers and non- availability of standard schools.

8. Gradual disintegration of Social relations like joint family and other close relations

9. Easy availability of weapons.

10. Victim of Groupism / casteism / instigation by others on petty issues.

11. Not able to cope up with humiliation / derogatory / abusive remarks at the hands of superior.

12. Rejection on important issues

13. Drug/ alcohol abuse.

14. Domestic issues / land related issues at home.

The Arunima Ankuran survey is a step towards addressing the underlying sources of stress (stressors) and identifying

strategies to promote effective Stress Management among CRPF personnel. Given the tremendous challenges faced by CRPF personnel in performing their duties, the authors decided to identify stressors and coping strategies in the force. Prolonged deployment in remote/inaccessible/inhospitable areas with tangible everyday threats, extreme stress and strain on physical and mental health due to continuous hard area deployments, frequent transfers, and little opportunity for staying with family leading to domestic stress. Identifying stressors and coping strategies through this survey will contribute to paving the way for organizational interventions and psychological support. Every trained soldier of the force is an asset to the nation. There is a need to focus on triggers that are damaging to professional and personal well-being. According Home Ministry data, there were 54 cases of suicide in the CRPF in 2020 for a force of 3.25 lakh personnel. This was nearly double the national average, making it a key cause for concern. The CRPF believes stress- related issues are a major cause for suicide among personnel.

Methodology

An Online Google Form was used to gather responses from CRPF personnel during November 2021 – February 2022. The total number of responses received was 120. The responses received provided inputs for designing interventions and developing strategies for mental well-being of the brave men who are trained to put 'Service before Self' and give their best years to the country. Arunima Ankuran's survey was not designed for clinical diagnosis but rather to get a clearer big picture of 'where the shoe pinches' from the perspective of the CRPF personnel in particular.

It is exploratory in nature and could serve as a way for more in-depth studies. In order to explore the phenomenon of stress with reference to the CRPF particularly, four aspects were included in the survey:

1. Three major stressors/causes of stress.

2. Three commonly reported symptoms of stress.

3. Three major ways of de-stressing (reducing stress) commonly in use.

4. Three major suggestions for Stress Management Initiatives for CRPF personnel.

The online survey findings provided inputs for designing Stress Management Interventions at the organization, group as well as individual level. Each organization has a distinct culture and social climate. In designing stress management strategies, it is crucial that interventions be tailored as per the unique needs of the CRPF personnel rather than 'one size fits all 'approach.

Findings

The findings of the survey offer an insight into the perspective of CRPF personnel and can become valuable inputs in designing initiatives for Stress Management in the force.

Three Major Stressors/ causes of stress

Respondents (CRPF Personnel) were asked

to identify three major stressors in order to get a clear picture of 'what is causing stress'. As Figure 1 reveals, Home front/domestic /Family issues (73.3),uncertain environment(47.5%) and lack of social support(40%) emerged as the major causes of stress among the 120 respondents. Of course there were other important causes of stress i.e. lack of professional / system support, financial issues, lack of rest/sleep and denial / delay in leave.

A deeper look at the stressors that emerged as major ones reveal that there is scope for initiating interventions, especially with reference to the home front/domestic/ family related challenges. The right steps in the right direction at the right time can prevent stressors from becoming threats to organizational functioning.

Figure 1

1. Three major stressors/causes of stress in your view.

120 responses
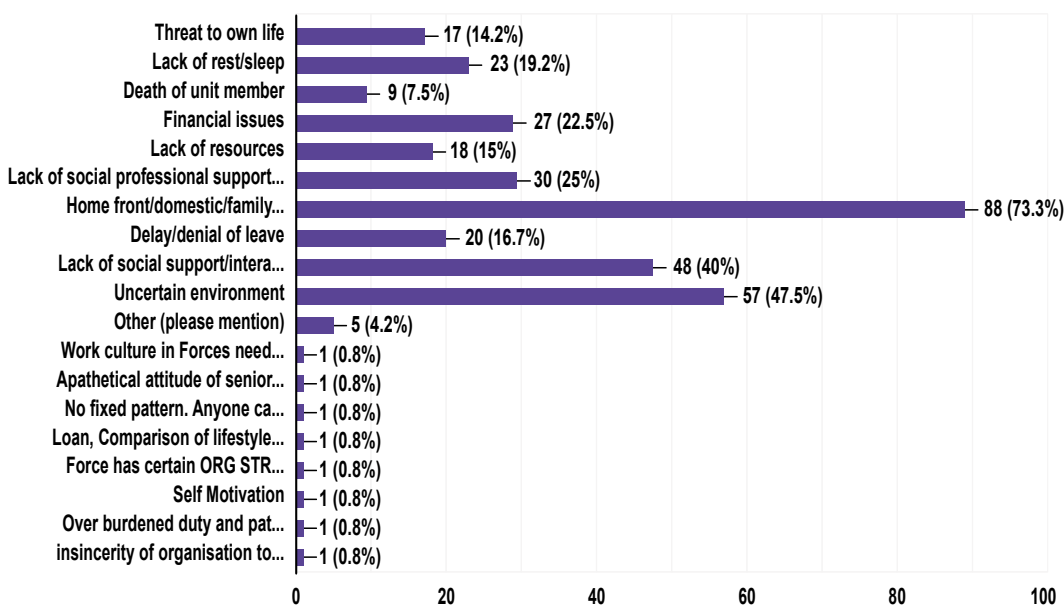
1. **Home Front/Domestic/family:** Most of the force is deployed in ops/disturbed areas due to which soldiers are not able to keep their families, thus leaving their families in their home town. Long period of staying away results in family's issues/problems: Parents illness, Children's education and cut-off from village/town societies.

2. **Uncertain Environment:** Due to dynamic nature of Internal Security duties for example- riots, elections, insurgency, militancy, terrorism, VIP protection, there is always an element of uncertainty in regards to duties. In

one posting, Jawan is fighting terrorists wherein he/she is having lethal weapon and, in another posting, he/she is being posted in RAF, managing of law and order, where he/she is supposed to restrain and use non- lethal weapons. So, there is always an uncertain and dynamic change of environment.

3. Lack of Social Support/Interaction: Posting are at places where local population is hostile to the soldiers. In addition, due to his/her long stay awayfrom home/village society, he/she is cut off from the daily happenings of the place and is being treated as an outsider from near and dear ones. Thus, impacting his psychological

well-being.

Three most reported symptoms of Stress

The respondents opined that most common symptoms of stress were changes in behavior or personality (52.2%), loss of motivation (45.8%) and anger outbursts/ irritability/depression/apathy (44.2%). These are a major cause for concern because operational efficiency requires a high level of motivation as well as mental and physical readiness. It is high time for leaders of the force to assess how psychologists can be involved in dealing with personnel who display symptoms that may aggravate and create bigger problems.

Figure 2

2. Three most reported symptoms of stress.
120 responses
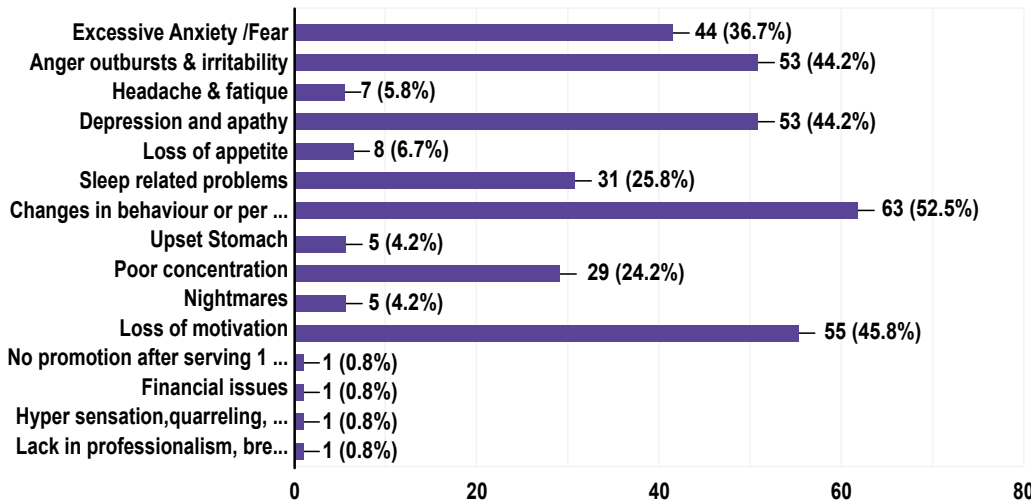
Three major ways of de-stressing (reducing stress) in use presently

Before designing Stress Management

initiatives for the CRPF, an assessment of 'what is in use now" revealed 'talk about it/share (55%), maintain the best possible

routine (45.8%) and physical exercise (33.3%) as the most commonly employed coping mechanisms. The findings in Figure 3 reveal scope for help from mental health professionals. While strategies mentioned as commonly used by respondents may work well in regular circumstances, there is a need for providing psychological assistance from trained professionals to prevent snowballing in case of intense and stressful situations

Figure 3

3. Three major ways of de-stressing (reduce stress) in use presently: 120 responses
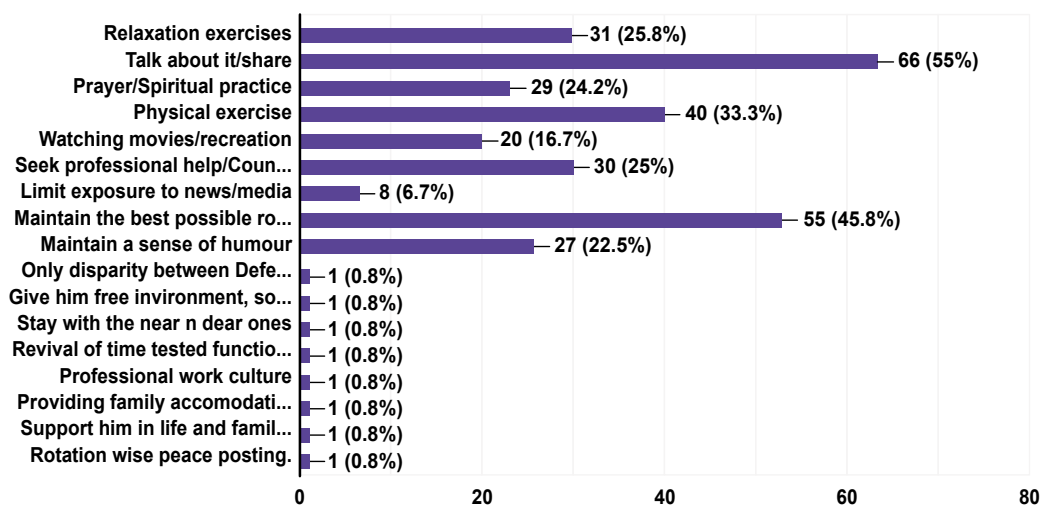
Three major suggestions for Stress Management initiatives for CRPF Personnel

The suggestions given by respondents provide a wealth of information that can be used to customise Stress Management Initiatives for the CRPF rather than employ a 'one size fits all' approach. It is important to keep in perspective the unique challenges and role played by the CRPF that also leaves it with typical problems, unlike those of other state Police or armed forces. The suggestions are perhaps the most valuable contribution of this exploratory survey in that they come from the CRPF personnel themselves. This survey seeks to change the direction of interventions from external to internal, top-bottom to bottom-top. It is at the base of the pyramid that certain specific stressors/challenges are encountered and the solutions must come from there too.

Ready to use intervention programmes offered by external agents may not be able to feel the pulse and therefore, Arunima Ankuran survey focused on the major suggestions for Stress Management initiatives made by respondents/CRPF personnel as follows:

i. Psychological/Counseling Services (54.2%)

ii.   Facilities for relaxation and sports (48.3%)

iii. Family support groups (36.7%)

iv.   Effective leave policy (35%)

v.   Psychological screening (24.2%)

vi.   Stress Inoculation Training (20%)

As far as CRPF is concerned, so far there are no trained psychologists available, not even during AME. As a remedial measure, it can be suggested that at the Officer level, there must be initiative to train them in this respect. Psychologists must be brought on board to train personnel in self-management skills. Additionally, for Special Forces in CRPF like ex- CoBRA, RAF, VIP Security, Parliament Duty Group and Special Duty Group, psychological test must be made necessary. Facilities for relaxation/sports are available and it is must be made compulsorily for each personnel. Commanders must motivate and order their men to participate in games and recreational activities. Family Support Group are the need of the hour. Every Unit and Group Centre must create Family Support Group.

Figure 4

4. Three major suggestions for Stress Management Initiatives for CRPF personnel
120 responses
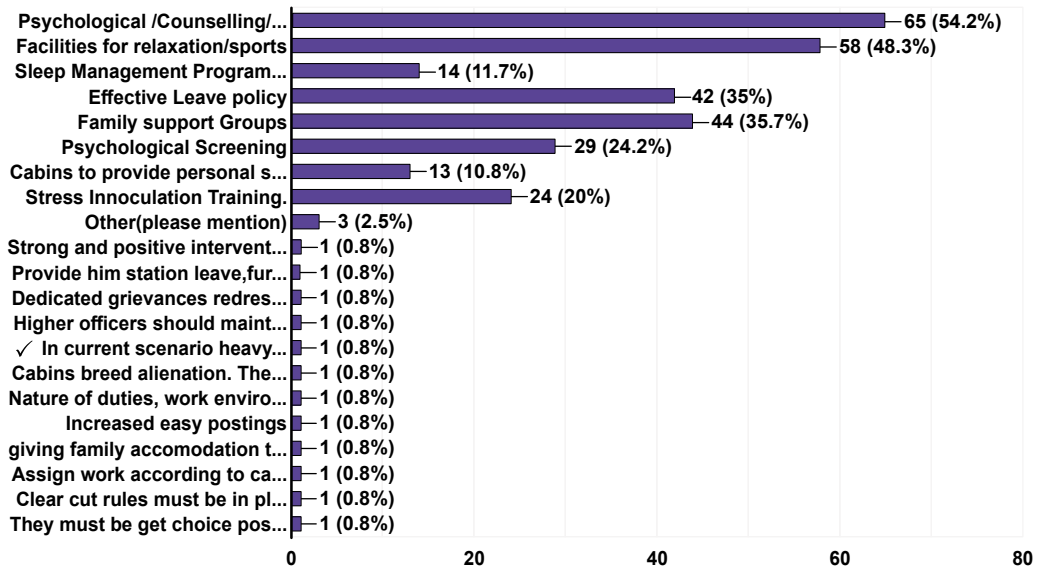
It is important to mention that Stress can become eustress if dealt with effectively at the right time. A strong and effective leave/rest policy may be initiated at CRPF and its positive implementation must be ensured by one and all. At the same time, a balance must be maintained since a certain amount of stress is required to optimise performance. By providing opportunities to maintain a good balance, the CRPF can continue to carry forward its rich legacy of serving the nation with pride and honour.

Conclusion

This is an exploratory survey and there is a need for more in-depth study to uncover the underlying mesh of stress related variables that are at play within the organization and its personnel. The role of CRPF personnel is a demanding one and their leaders need to understand that while stress and fear will always be a part of their job, distress can be replaced by eustress(positive stress). All commanders at all levels should try to create a work environment that can enhance quality of life and optimize stress regulation. Several strategies can help to keep stress at bay as shown in the Stithpragya Model of Mental Health developed by Dr. Pragya Mathur Kumar:

'STITHPRAGYA MODEL' OF MENTAL HEALTH

- ➤ S: Self Awareness, Self acceptance, Self development, Sprituality
- ➤ T: Thought Control (Filters: real or imagined, can or can't control etc).
- ➤ I: Intellect Usage & Introspection (Information should be accurate,factual).
- ➤ T: Time Management
- ➤ H: Habits, Beliefs, Values.
- ➤ P: Positive Thinking, Positive Affirmation
- ➤ R: Restraints, Regulation, Reframing, Resilience.
- ➤ A: Attitude of Positivity, Acceptance and Adaption.
- ➤ G: Gratitude.. Willingness To "Count Blessings".
- ➤ Y: Yoga (healthy Body & Mind), Meditation, Deep Breathing
- ➤ A: Avoid negativity of thoughts, action, speech.

DR.Pragya Mathur Kumar@Arunima Ankuram.

The Arunima Ankuran survey may not be able to provide all the answers but it is a stepping stone in the direction of providing 'Stress Management' support where it is needed and when it is needed. The findings of the survey can be instrumental in designing Stress Management Initiatives that cater to the specific needs of the force. Psychological assessment and trained Police psychologists must be made an integral part of the organizational setup (Mathur, Pragya1999). This survey does not focus on eliminating the challenges but on acknowledging them and devising strategies to deal with them. That the respondents are CRPF personnel as is one of the authors, adds value to the survey findings. This survey is an effort to emphasize that stress management initiatives must resonate with the target group for which they are designed. The authors are hopeful that this survey will be a stepping stone in pursuit of good mental health for the brave sons of the soil serving the country in the CRPF.

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Crimes against Women in Delhi -NCR: Nature, Perceptions and Suggested Strategies

Dr. Suraiya Tabassum*

Abstract

General perception and larger preordained mindset of society against women which is influenced by patriarchy, irrespective of their social and economic background, leads to crime against women. Regressive portrayal of women in media and popular culture is also a culprit along with commodification of women based on capitalist ideology. Idea of consent of women and conformity to the mistakes by men since young age of their socialization process is a reason too. The National Crime Records Bureau data reflects how incidents of rapes have gone up by 12-15%, while other crimes have risen by 3-5%. This paper is based on the research findings of primary research carried in Delhi NCR between 2020 and 2022 with the support of Indian Council of Social Science Research (ICSSR), New Delhi. The nature of crimes against women has been mapped as per the respondents perception and among the 14 types of crimes, stalking (20.2%), cruelty by husband and relatives (13.2%), eve-teasing (12.6%), insult to modesty of women and girl child (12.6%) and voyeurism (12.6%) are viewed to be of very serious nature.

Keywords: *Safety, Crime, Community, Violence, Law and Order, Police*

Introduction

The number, frequency and incidents of violent crimes especially against women that are reported in official statistics (National Crime Records Bureau) are increasing with each passing year in India. Crime causes social, economic, health and psychological effects on victims and society at large.

Such serious crimes are matter of concern and social problem that directly reduces the quality of life of the individuals and the community (O`Block, Donnermeyer and Doeren, 1991). Crime against women has been a curse of India's development efforts. With sex being a taboo in India, evil customs like Dowry and crime statistics showing a large number of crimes registered under

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'Cruelty by Husband and his Relatives', the overall lower status of women further aggravates these crimes. Incidents of rape (and other crimes against women) have risen rapidly over the last few years. The National Crime Records Bureau data reflects how incidents of rapes have gone up by 12-15%, while other crimes have risen by 3-5%.

Objectives

- To understand the form and pattern of crimes against women in the neighbourhoods of Delhi NCR.

- To investigate the community perception on crime, law and order, on factors contributing to violence in the neighbourhood.

- To collate opinion on community policing needs and gaps and doable interventions from experts, practitioners and common people.

- To suggest policy recommendations for stakeholders including government for creating enabling environment for fostering of community policing and good practices.

Research Methodology

Descriptive and exploratory methods have been employed along with feminist epistemological perspective. Descriptive research helped in describing the characteristics of a population or phenomenon being studied but since it would not have answered questions about how/when/why the characteristics occurred. Such gap was covered by employing exploratory research techniques, which helped in understanding the problem in detail.

Tools for data collection

Secondary research consisted of literature review and thematic understanding of the crimes against women and girls, needs and gaps in community policing, nature of policing and analysis of relevant secondary data sources such as journal articles, newspaper reports, research reports, and published online sources.

Primary data collection has been the main focus of the research. Methods of primary data collection consisted of both quantitative (semi-structured questionnaire schedule) and qualitative (In-Depth Interview Schedule, FGDs). Though initially stratified sampling was deployed but simple random sampling and purposive sampling and snowballing techniques were eventually used since it was difficult to reach out to citizen respondents owing to pandemic related mobility restrictions.

Sampling Design

Keeping in mind the parity in distribution of the sample and to avoid statistical bias, respondents belonging to different economic strata of society and diversely located across the geographical regions within the study area were brought in the survey. The field survey has canvassed respondents from Delhi (New Delhi, East Delhi, West Delhi, North Delhi, South Delhi, Central Delhi, North-West, South-West, North-East, South-East and Shahdara) and the ones residing in Gurugram, Noida and

Ghaziabad to cover the National Capital Region (NCR) portion of the sample.

Around 302 respondents comprising of 204 male (67.5%) and 98 females (32.5%) took the questionnaire survey conducted in these aforementioned localities. The sample was divided into four localities in Delhi-NCR: 151 in Delhi (51.7%), 51 in Gurugram (16.9%), 50 in Ghaziabad (16.6%) and 45 in Noida (14.9%).

For NCR the following localities were visited-

•   Noida- Sector 44, 47, 56, 58 and 75

•   Ghaziabad- ward 5 (Maliwara, Prangarhi), ward 10 (Nandigram), ward 21 (Shastri Nagar), ward 79 (Kavi Nagar), ward 8 (Mata Colony), ward 66 (Pratap Vihar), ward 24 (Pasonda), ward 60 (Shyam Park) and ward 72 (Brij Vihar, Chander Nagar). Localities included areas in Hindon river area, Mohan Nagar, Raj Nagar, Vasundhara, Gyan Khand and Indirapuram.

•   Gurugram- Sector 14, 15, 23, 46 and 47.

Variables in the Study

The study has used few groups of variables for better understanding of the causal relationship and association among them. The variables include the following:

a)   Independent Variables- age, gender, annual household income, religion, current employment status, level of education, location, disability status, household size, household structure, number of children below 18 years in household, participation in community

activities

b)   Dependent Variables- crime rate, crime intensity, perception on crimes against children and women, presence of neighbourhood crime watch group, time spent on community activities, perception on the performance of police departments, encounter with crime and police.

Timeline for the Study

The research study was started officially on 3rd March 2020 but was delayed due to the onset of Covid-19 pandemic and was restarted on January 2021. The time in between was utilised for literature review. The primary data was collected in between 1st July 2021 to 30th September 2021. After that data entry, data cleaning and data analysis were performed from 1st October to 30th November 2021. Report writing was done in between December 2021 to January 2022.

Research Key Findings

Perception on the Nature of Crimes in the Neighbourhood against Women

The nature of crimes against women has been mapped as per the respondents perception and among the 14 types of crimes, stalking (20.2%), cruelty by husband and relatives (13.2%), eve-teasing (12.6%), insult to modesty of women and girl child (12.6%) and voyeurism (12.6%) are viewed to be of very serious nature. Sexual harassment, assaults on women to outrage her modesty and harassing phone calls are also thought to be very serious crimes, while

about 31% and 28% of the respondents are ignorant of the crimes such as witch hunting and acid attack to be occurring in their neighbourhoods respectively.

General perception and larger preordained mindset of society against women which is influenced by patriarchy irrespective of social and economic background of them, leads to crime against women. Regressive portrayal of women in media and popular culture is also a culprit along with commodification of women based on capitalist ideology. Idea of consent of women and conformity to the mistakes by men since at young age of their socialization process is a reason too.

Table 1. Seriousness of the crimes against women in the study area for the past 5 years

Crimes against Women	Very serious (%)	Moderately serious (%)	Slightly serious (%)	Not a problem (%)	Don't know (%)	Total (%)
Cruelty by husband and his relatives	13.2	39.1	16.6	28.1	3.0	100.0
Rape	5.0	21.2	23.8	46.7	3.3	100.0
Assaults on women with intent to outrage her modesty	9.3	26.5	17.5	43.7	3.0	100.0
Sexual Harassment	9.6	28.5	25.8	33.1	3.0	100.0
Assault or Use of Criminal Force to Women (Girl Child) with Intent to Disrobe	8.3	23.8	19.2	42.4	6.3	100.0
Voyeurism	12.6	24.8	26.8	30.1	5.6	100.0
Stalking	20.2	30.8	18.9	27.8	2.3	100.0
Insult to the Modesty of Women (Girl Child)	12.6	29.8	17.5	35.1	5.0	100.0
Kidnapping & Abduction	2.0	21.9	18.9	49.7	7.6	100.0
Exposure and Abandonment	3.3	23.8	25.5	39.4	7.9	100.0
Eve teasing	12.6	15.2	34.1	30.8	7.3	100.0
Witch hunting	3.3	5.6	7.9	52.3	30.8	100.0
Acid attack	1.0	2.6	7.9	60.6	27.8	100.0

Harassing/Annoying phone calls	8.9	19.5	30.1	33.1	8.3	100.0
Any Other-	.3	.3	.3	6.3	92.7	100.0

Women respondents (15.3%) perceive domestic violence to be of greater seriousness compared to males, among whom 31% believe it not to be a problem at all. The proportion of men responding to various natures of crimes committed against women as 'not a problem' invariably is very high as compared to women. Incidents of domestic violence has witnessed mammoth spike with National Commission of Women (NCW) reporting a 48.2% rise in complaints immediately following onset of first lockdown in 2020 due to Covid-19 pandemic (Deccan Herald, 2020). To handle the rising domestic violence cases amidst the pandemic, government of India and National Commission of Women (NCW) has launched a WhatsApp messaging number for aiding abused women to seek help confidentially (The Economic Times, 2020).

There is similarity in views among men and women concerning assaults on women with intent to outrage her modesty, kidnapping and abduction, exposure and abandonment where almost equal proportion of both genders think the crimes to be of a very serious nature. A relatively higher proportion of men think voyeurism (14.2%) and eve-teasing (13.7%) to be very serious as against 9.2% and 10.2% of women respectively.

Table 2. Seriousness of the crimes against women by Location in the study area for the past 5 years

Crimes against Women	Study Area	Very serious	Moderately serious	Slightly serious	Not a problem	Don't know	Total
Cruelty by husband and his relatives	Delhi	19.2%	39.7%	17.3%	20.5%	3.2%	100.0%
	Gurugram	0.0%	0.0%	3.9%	96.1%	0.0%	100.0%
	Ghaziabad	14.0%	64.0%	14.0%	4.0%	4.0%	100.0%
	Noida	6.7%	53.3%	31.1%	4.4%	4.4%	100.0%
Rape	Delhi	6.4%	17.9%	19.2%	51.3%	5.1%	100.0%
	Gurugram	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
	Ghaziabad	6.0%	42.0%	42.0%	10.0%	0.0%	100.0%
	Noida	4.4%	33.3%	46.7%	11.1%	4.4%	100.0%
Assaults on women with intent to outrage her modesty	Delhi	8.3%	23.7%	18.6%	46.2%	3.2%	100.0%
	Gurugram	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
	Ghaziabad	18.0%	48.0%	16.0%	10.0%	8.0%	100.0%
	Noida	13.3%	42.2%	35.6%	8.9%	0.0%	100.0%

Sexual Harassment	Delhi	10.3%	23.7%	35.9%	26.3%	3.8%	100.0%
	Gurugram	0.0%	0.0%	3.9%	96.1%	0.0%	100.0%
	Ghaziabad	14.0%	56.0%	16.0%	10.0%	4.0%	100.0%
	Noida	13.3%	46.7%	26.7%	11.1%	2.2%	100.0%
Assault or Use of Criminal Force to Women (Girl Child) with Intent to Disrobe	Delhi	7.1%	23.1%	19.2%	42.9%	7.7%	100.0%
	Gurugram	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
	Ghaziabad	14.0%	52.0%	16.0%	12.0%	6.0%	100.0%
	Noida	15.6%	22.2%	44.4%	8.9%	8.9%	100.0%
Voyeurism	Delhi	17.9%	31.4%	28.2%	19.2%	3.2%	100.0%
	Gurugram	0.0%	0.0%	9.8%	90.2%	0.0%	100.0%
	Ghaziabad	18.0%	36.0%	28.0%	8.0%	10.0%	100.0%
	Noida	2.2%	17.8%	40.0%	24.4%	15.6%	100.0%
Stalking	Delhi	21.2%	33.3%	24.4%	19.9%	1.3%	100.0%
	Gurugram	0.0%	0.0%	7.8%	92.2%	0.0%	100.0%
	Ghaziabad	34.0%	46.0%	10.0%	6.0%	4.0%	100.0%
	Noida	24.4%	40.0%	22.2%	6.7%	6.7%	100.0%
Insult to the Modesty of Women (Girl Child)	Delhi	14.1%	28.8%	24.4%	27.6%	5.1%	100.0%
	Gurugram	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
	Ghaziabad	26.0%	42.0%	8.0%	12.0%	12.0%	100.0%
	Noida	6.7%	53.3%	24.4%	13.3%	2.2%	100.0%
Kidnapping & Abduction	Delhi	1.9%	14.7%	19.9%	52.6%	10.9%	100.0%
	Gurugram	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
	Ghaziabad	0.0%	46.0%	30.0%	18.0%	6.0%	100.0%
	Noida	6.7%	44.4%	24.4%	17.8%	6.7%	100.0%
Exposure and Abandonment	Delhi	5.1%	23.7%	26.3%	35.3%	9.6%	100.0%
	Gurugram	0.0%	0.0%	2.0%	98.0%	0.0%	100.0%
	Ghaziabad	2.0%	38.0%	36.0%	12.0%	12.0%	100.0%
	Noida	2.2%	35.6%	37.8%	17.8%	6.7%	100.0%

Eve teasing	Delhi	17.3%	17.3%	42.3%	21.2%	1.9%	100.0%
	Gurugram	0.0%	0.0%	3.9%	96.1%	0.0%	100.0%
	Ghaziabad	16.0%	26.0%	28.0%	12.0%	18.0%	100.0%
	Noida	6.7%	13.3%	46.7%	11.1%	22.2%	100.0%
Witch hunting	Delhi	5.8%	5.8%	11.5%	56.4%	20.5%	100.0%
	Gurugram	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
	Ghaziabad	0.0%	2.0%	6.0%	18.0%	74.0%	100.0%
	Noida	2.2%	15.6%	6.7%	22.2%	53.3%	100.0%
Acid attack	Delhi	1.9%	2.6%	10.9%	69.2%	15.4%	100.0%
	Gurugram	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
	Ghaziabad	0.0%	4.0%	8.0%	22.0%	66.0%	100.0%
	Noida	0.0%	4.4%	6.7%	28.9%	60.0%	100.0%
Harassing/ Annoying phone calls	Delhi	10.9%	22.4%	30.8%	29.5%	6.4%	100.0%
	Gurugram	0.0%	3.9%	15.7%	80.4%	0.0%	100.0%
	Ghaziabad	6.0%	16.0%	42.0%	14.0%	22.0%	100.0%
	Noida	15.6%	31.1%	31.1%	13.3%	8.9%	100.0%
Any Other-	Delhi	.6%	0.0%	.6%	5.1%	93.6%	100.0%
	Gurugram	0.0%	0.0%	0.0%	11.8%	88.2%	100.0%
	Ghaziabad	0.0%	0.0%	0.0%	6.0%	94.0%	100.0%
	Noida	0.0%	2.2%	0.0%	4.4%	93.3%	100.0%

Gurugram can be viewed to be safer as per the perception of the residents. Domestic violence (19.2%), exposure and abandonment (5.1%), eve-teasing (17.3%), witch-hunting (5.8%), and acid attack (1.9%) are the crimes against women which respondents from Delhi perceive to be of a very serious nature in their locality as compared to other three locations in Ghaziabad, Gurugram and Noida. But crime is rampant and more serious in Ghaziabad as sexual harassment (14%), voyeurism (18%), stalking (34%), insult to the modesty of women (26%) are thought to be very serious among them. Child rape cases has witnessed 20% rise in the last five years in Ghaziabad district. POCSO cases increased from 116 in 2015 to 141 cases in 2019 and around 1477 POCSO cases were pending in court (Times of India, 2019).

Interestingly, Mr. Gaurav Kumar; a social activist believes that, *'Crimes against women are due to high expectations both at the women's and men's sides before and after the marriage, substance usage. Premature deliveries are due to a lack of negligence of women's health.'* According to few study respondents, *'alcoholism, lack*

of respect for traditional value systems, problem-behaviours showcased in media channels via movies, television, complicity of police with mafias and criminals, mobile phones, systemic corruption' are some of the reasons for rising crime rates against the susceptible groups. Further, neglect to solve caste-related crimes, shortage of women police officers to oversee women related crime issues, absence of strict actions on mafias and smugglers of illegal weapons and liquors and child labour, by the police system are the reasons why crime rates have amplified and widened its scope in recent times. There were strong suggestions for curbing child labour, domestic violence and crimes from the study respondents.

'A group should be formed with the help of zakat money and make a fund to invest in the community schemes for preventing child labour and higher studies to make them a community leader.'- said one of the respondents.

'Marital and family counselling may easily resolve the confrontation and tussle within the matrimonial relations among the couples.'- one of the respondents.

'Vocational training to children and youth can also prevent various crimes. Social counselling is needed.'- one of the respondents.

'Though in Delhi, 33 per cent posts are reserved for female police officers. But in other states, it should be increased.' - Beat officer, Mayur Vihar, Delhi Police.

In a FGD conducted with the undergraduate students of Jesus and Mary College, Delhi University, the crimes against women and its determinants were discussed elaborately which is summarized hereafter. General perception and larger preordained mindset of society against women which is influenced by patriarchy irrespective of their social and economic background, leads to crime against women. Regressive portrayal of women in media and popular culture is also a culprit along with commodification of women based on capitalist ideology. Idea of consent of women and conformity to the mistakes by men since at young age of their socialization process is a reason too. Lack of moral policing and no one to condemn the wrongdoing of the accused from family, peer group and neighbours encourages perpetrators. In some communities, committing a crime is glorified and valorized. Lack of sex education which is a taboo subject pushes youth to indulge in gender-based violence and sexual crimes. Crimes against women are normalized in India rooted in the ideology of dominance and subordination of women and pleasure derived from it.

Conversation during the survey with a police officer in Ghaziabad revealed that there has been decline in cases of dowry death and attempt to murder in the last one year and only less than 50 cases have been registered under Indian Penal Code Section 307 for attempt to murder. Police attributed the decrease to the lockdown as people stayed indoors. On the other hand, it has been also reported that *'the selling and buying of illegal liquors has increased drastically. Nobody follows the rules here, be it traffic rules, throwing away litter, construction rules. People have their own*

way here.'

While talking to the women activists, in Mehrauli, South Delhi, it was revealed that women conceal the incidences of domestic violence due to disgrace just like they do in the cases of sexual offences. One of the respondents articulated that, *'the guts and gumption that a woman needs to be equipped with to report the incidences of sexual offences are unimaginable especially to the police. That speaks volumes about the helplessness that a woman has to face while negotiating her terms for a respectable status in the society.'*

A FGD with the post graduate students of Sarojini Naidu Centre for Women's Studies, Jamia Millia Islamia University was conducted and the thematic discussion that emanated are summarised below.

- Some of the participants were in agreement with the common perception that police do not pay heed to the crimes against women with much zeal, but there were many who quoted their own example whereby police alertness and sincerity even in the night when she had to return late home helped her immensely. One of the participants narrated about the vulnerability of residing in the Girl's Hostel also. *'Stalkers sometimes reach even at the gate of the hostel'* she informed. They also pinpointed towards the domestic violence which is the most prevalent phenomenon as far as crimes against women are concerned. Child labour is the most common crime against children. But crimes against senior citizens are not

that much common. It is limited to property related issues only.

- Participants were unanimous on the point that dowry is the prime reason behind perpetration of domestic violence. It is also commonly seen that most of the in-laws are not comfortable with the aspirations of a girl to go out and earn. Consequently, these "adventurous" ladies are subjected to violence by their own family in-laws, fearing that independence of woman may do away with their diffidence and shyness. In-laws are also apprehensive about the growing trend of reporting the cases of violence by the victims themselves as they fear societal shaming and backlash and damaging the family name and reputation.

- *'In Posh residential colonies, neighbours rarely know each other. So, they don't bother about the overt injustice being meted out to vulnerable sections of society, let alone the incidences happening in clandestine environment.'* – group participants said.

- There are cases where step mothers also involved in the crimes against minor girls and children. The perception of household sanctity and privacy is aggravating the whole situation.

- Participants also put the point that due to the innovative ways of eve-teasing, sometimes victims are entirely confused whether a particular action should be considered as eve-teasing or not.

- Since, we are among the intellectual leaders of the community, we should realise our role. We must advice/counsel people about the relevant action that should be taken in any particular situation or to whom one should approach. It is not justifiable and acceptable to tolerate crimes in society and we must make people realise it.

- In the backdrop of a high possibility of women often being hesitant to report the crime, community elders must come forward and discover the mechanism to ascertain the incidences of exploitation and crimes against women, children and elderly. These elders should themselves report those crimes to the police rather than being just the moral preachers.

- Timely and strict police action are instrumental and necessary to prevent crimes to scale down the heinous acts. The role of civil society and community is vital too.

Conclusion and Recommendations

There is need for overhauling the law enforcement systems in India to combat the growing threats from anti-social activities and rising crime rates. India has been a signatory to Convention on Elimination of All Forms of Discrimination against Women (CEDAW) since 1993, United Nations Declarations to Human Rights since 1948, United Nations Convention against Transnational Organized Crime (UNTOC) and its three protocols since 2011, and recently India was elected by acclamation to United Nations Commission on Crime Prevention and Criminal Justice for a three-year term beginning on January 1, 2022 in addition to being elected to the Executive Board of the UN Entity for Gender Equality and the Empowerment of Women (UN Women) for a three-year term beginning on January 1, 2022 (Business Standard, 2021). Therefore, it becomes the responsibility and accountability of the Indian government even more to align its law-and-order structures to prevent crimes within the country and trans-nationally, to restore peace and stability and retain social and community integrity. Community policing emerged as a new philosophy of law enforcement which emphasised on Police to have intensified direct involvement with local citizens tempered with lower levels of formalities and protocols to alleviate root causes of crime in the community. In a decentralised mode, community policing facilitates local police more authority and discretionary powers to solve the neighbourhood problems (Lawrence and McCarthy, 2013).

"Crime Prevention comprises strategies and measures that seek to reduce the risk of crimes occurring, and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence their multiple causes."- Guidelines for the Prevention of Crime ECOSOC Resolution 2002/13, Annex (UNODC, 2021).

"There is clear evidence that well-planned crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to sustainable development of countries. Effective, responsible crime prevention

enhances the quality of life of all citizens. It has long-term benefits in terms of reducing the costs associated with the formal criminal justice system, as well as other social costs that result from crime." (Economic and Social Council resolution 2002/13, annex) (UNODC, 2021).

In the basic principles for the prevention of crime in the Guidelines for the Prevention of Crime, ECOSOC Resolution 2002/13, Annex) there is strong and clear reference 'cooperation and partnerships between government ministries and authorities, civil society organizations, the business sector, and private citizens are required given the wide-ranging nature of the causes of crime and the skills and responsibilities required to address them (UNODC, 2021). This calls for bridging the gaps in functioning of community policing strategies in India. In community policing the local police sets up local people from the community as eyes and ears and informers of crime, conflict and unrest happening. They are better acquainted with the ground reality.

The entire community needs to be involved in preventing crimes against women. Political leadership is essential for articulating the standard behaviour, accountability for delivering on their oath as public representatives. This influences the public opinion and action is steered. Police often ignore small crimes and wait for people to report the crime and then take action. There is ignorance among the people about discrimination which is a reality and happening in society. They take this as normal, which with learning and sensitization can be rectified. Police

training must be efficient and sincere, toll-free emergency numbers and personnel maneuvering that must be prompt and efficient to respond to potential crimes timely. Awareness workshops should be conducted for women to know about their entitlements, laws and redressal mechanism. Community can come together and work in collaboration with Police.

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Crime Data in India: Need to Move towards Realistic Figures

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Abstract

Crime figures reported by NCRB(National Crime Record Bureau) are far from the real crime figures. There is a need to change the methodology of crime reporting and registration of crime i.e. through an online crime reporting portal and doing away with offline" informing OC of Police station verbally or in writing". Allowing extensive use of 157(1)(b) CrPC to Police would empower the Police not to investigate all the criminal but a select few where investigation is needed. In this way NCRB can report realistic crime figures. Thus, the public and government are better informed regarding crime levels, reducing harassment of the public and reducing the burden of Police and court.

1. In India, the official crime data is directly linked with the number of FIRs registered in the Police stations. NCRB is the official aggregator of crime data. It means that if any Police station registers only 10 out of 30 cases of theft reported, the NCRB data will capture only 33 per cent of the incident which occurs in the Police station jurisdiction. The 20 incidents of theft are thus not captured in the crime data permanently. There are many reasons for Police stations not to register FIR. Some of the reasons are (a) lack of manpower and other resources (b) pressure from superiors to solve all the crimes once they are recorded in the Police station (c) avoid wastage of man hours in investigating crimes where chances of finding pieces of evidence leading to prosecution are bleak (d) lack of propensity to use 157(1)(b) of CrPC "if it appears to the officer in charge of a Police station that there is no sufficient ground for entering on an investigation, he shall not investigate the case" (e) tendency to drag investigation and not closing case even when no evidence is forthcoming, thus increasing caseload of Police stations.

2. So the crime data in India is the aggregation of FIRs recorded by all officers in charge of all the Police stations of the country. All crimes

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reported at Police stations do not transform into FIR, so this data is incomplete.

3. The law for the registration of FIR is also very interesting. Though it is incumbent upon the officer in charge of the Police station to register FIR (u/s 154 of CrPC) whenever information reveals cognizable offence. There are provisions of law which say that if any person is dissatisfied with the Police station for not registering an FIR he can approach the Superintendent of Police or the CJM for registration of FIR and investigation of a complaint, thus indirectly allowing OC not to register a complaint as FIR. This loophole has been recognised and "not registering FIR" by thana in-charge or concerned official has become a criminal offence if the incident relates to crime against women.

The Gap: Incidents Reported and FIRs Registered

There is a major gap between the crime (cognizable) being reported and the crime being recorded(FIR). There are many strong data indicators proving a substantial gap between the number of crime incidents being reported and criminal cases being recorded. Some of them are enumerated below:

a. One of the most popular online crime registration portals is the National Cyber Crime Reporting(NCRP) portal. The number of cyber-crimes being reported and the number of these reported cyber-crimes being recorded

as FIR is very different. Less than 1% of the incidents being reported are being converted into FIR and detailed investigations are being done.

b. A large number of complaints which relate to the theft of mobile phones are recorded as missing general diary.

Two instances where simple order of the Head of the Unit for non-refusal of complaints i.e. registration of all complaints altered the crime figure of the unit massively.

c. There is a well-documented "Jalpaiguri Experiment" (The Indian Police Journal Vol LVI-No3, July- September 2009) by Sri Tripurari Atharva, IPS. who ordered that all complaints being submitted at the Police station should be converted into FIR if the complaint contains element(s) of cognizable offence. This innocuous order resulted in 6 times the registration of FIR compared to the previous years. Thus the crime figures, in general, jumped six times for the district Police without there being any actual increase in the incidents of crime.

d. Maharashtra railway Police saw a surge of cases(FIR) registered from 7684 in the year 2016 to 34076 and 46461 in the subsequent 2 years i.e. in the year 2017 and year 2018 respectively. The percentage share of cases registered by Maharastra Railway Police (on all India basis) shot up to 45.7% in the year 2018.

4. The FIRs which are being registered in Police stations depend on the wisdom,

and discretion of the officer in charge of the Police station, the unit in charge i.e. Superintendent of Police/DCP or Superintendent of Railways Police, Commissioner of Police etc. These indicate that the crime data which we get to see in "Crime in India" published by NCRB is not reflecting the real crime situation and the crime figures which are being reported are far away from the real figures. "Crime in India" may give only indicative numbers but the actual number may be massively different from the data which is compiled by the NCRB based on the FIRs registered in different Police stations of the country.

Need Change in Methodology for Calculating Crime Figures

The harassment faced by many victims of crime and complainants in getting FIR registered in a Police station is common knowledge and common experience of many citizens of the country. This needs to be stopped immediately and the citizens should have the right to register any incident of crime with the Police. Simultaneously Police authorities should have the liberty to take up a detailed investigation of any reported incident of crime only when Police think it to be a fit case to be investigated in the larger public interest and to give justice to the victim and to bring the accused to the books. There are also many minor incidents which have ingredients of criminal offence as per IPC and other criminal acts which can be dealt in some other manner even if it has evidence. There are many incidents of crime where pieces of evidence are difficult to collect and the incident is not of

greater public interest so spending time on investigation of such cases results in loss of man-hours for the Police and the criminal courts. Thus given the resource constraint including the constraint of investigating officers, there is a need for Police to prioritise the investigation of crime being reported based on criteria of public interest, the severity of the crime, available pieces of evidence in connection with the crime etc.

There is only one important question which needs to be answered before we shift to an online mode of reporting and registration of criminal cases with Police as there is well-founded apprehension that crime figures will be altered massively once Police allow online registration of crimes. The question arises is whether there is a need of going into a detailed investigation of all "incidents of crime" reported to the Police. The answer is clearly no for reasons like 'insufficiency of evidence, no public interest involved, unidentified accused etc.

FIRs and Reported Incidents of Crime

As per the law (CrPC) the officer-in-charge of the Police station "shall" register an FIR whenever a complaint revealing a cognizable offence is logged in the Police station. Lodging an FIR in a Police station generally triggers an investigation in which the Criminal Court has to be kept in the loop for all the actions of Police and in the end the Police have to file a final report which may be challenged by the complainant. There is scope for not investigating the case for which FIR has been registered under 157(1) (b). This section is rarely used by Police stations. There is a need to change

the mindset of Police to use this section extensively and where this section is not applicable the investigating officer should close the investigation as soon as he finds that there are evidential difficulties or the accused is not being identified. In fact, this figure (the number of cases having evidential difficulties or the accused not being identified) is more than 75% in the UK where crime is reported online.

To understand the need of not investigating extensively (which is the general practice in India) all the crimes reported, one can look into the functioning of the UK Police. If one looks into the crime data of England and Wales Police, one will find that the crime figures are very high (5.3 million). Less than 6 per cent of crime reported goes to trial. The process of dealing with the crimes being reported to the Police has evolved over years in the UK and it is found that the exhaustive investigation of only those cases are taken up which are serious/heinous in nature, in which sufficient evidence exists and the investigation is in the public interest. The criminal cases are taken for trial only if during investigation sufficient pieces of evidence are gathered and the prosecutor gives a go-ahead for prosecution.

Right of Citizens to Register Crime, Investigation of Crime by Police and Aggregation of Crime Figures

Reporting of crime should be a fundamental right of the citizens of the country and Police should not have any discretion to unacknowledge the incident being reported by any citizen. This can easily be done by using digital technology. All

incidents of crime should compulsorily be reported on a digital platform and there should not be ordinarily any interface with the Police while filing a complaint on the digital platform. The complainant reporting the crime should disclose his full identity to prevent any misuse of this facility. The crime reporting portal should be designed in such a way that a proper crime report is generated(place of occurrence, nature of the crime, time, name of accused, pieces of evidence etc.) and an acknowledgement is issued to the complainant for further reference. The Police department should go through every complaint, do some fact-checking and preliminary inquiry and then take a call on whether the incident needs to be investigated in detail. Simultaneously, Police should categorise each reported crime. This will ensure that every citizen, victim of a crime or otherwise, will be able to file a complaint before the Police. The crime figures should be calculated on the "curated figures" of incidents of crime reported on the digital platform. This figure would be a realistic figure without any influence of Police officers. This figure should be published, apart from other reports and tables, in the "Crime in India" report published annually. However, the detailed investigation of only selected cases, where pieces of evidence are forthcoming, accused are identified etc. should be conducted by the Police. This change will ensure many things:

a. Most importantly a government portal to register crime electronically will ensure that all citizens can report a crime to the Police without any obstacle and the general complaint

that the Police station does not give a response whenever a person goes to the Police station to file a complaint in connection with a crime incident, will go away.

b.   The courts will be less overburdened by frivolous cases being investigated and unsubstantiated charge-sheet being filed and the Police will be properly focusing on important cases for investigation. The prosecutors will be able to concentrate on the trials and society will get better results from the criminal justice system.

c.   There will be a better understanding of crime patterns emerging in any area for senior officers to appreciate and develop strategies to deal with them.

d.   It is also a fact that the real picture of crime does not come out because of the non-recording of FIR in many incidents of crime. Crime data is essentially dependent on one person in a Police station who is the Station House Officer, whose decisions are essentially motivated by his interest like limited manpower and resources etc. This situation needs to be changed immediately, both to get a clear picture of crime in any Police station area and for acknowledging any complaint that any ordinary citizen of this country wants to register before the Police authority.

The change in the methodology of aggregating and collecting crime figures will also ensure that the figures are uniformly recorded throughout the country and thus the data collected is likely to be free of local influences and real crime figures are generated. Data analytics may then be used over the authentic data to understand the pattern of crime, and the reasons thereof. Proper policing strategy and policy may be developed based on '*real*' crime data rather than on the number of '*FIRs*' registered for investigation by Police stations.

The *paradigm shift* as discussed above of how crime is to be reported and crime figure is to be generated is very easy to be implemented in the present time of a highly digitised ecosystem. The Police should be given the liberty to decide whether the crime recorded needs to be investigated based on different criteria which may include the sufficiency of the evidence to proceed for a full investigation and subsequent prosecution, allowing the victim for out-of-court settlement(formal and informal), provision of fine and warning to accused by Police magistrate etc. The criminal incident being investigated should be taken to a court of law for prosecution only if there is sufficient trial evidence. This will ensure the unburdening of our courts with frivolous proceedings and a focused approach on serious crime and also on the quick trial of all charge-sheeted cases.

This shift by way of recording all complaints online will require very little change or no change in CrPC. Sec 154 of CrPC says that "every information relating to the Commission of a cognizable offence if given in writing or reduced to writing shall be signed by a person giving it and the substance thereof shall be entered in a book to be kept by such officer in such form

as the state government may prescribe in this behalf. Book to be kept by such officer in such form can be construed to be an electronic book on a government portal on which any person can disclose information in a format which will ensure that information regarding the informant or the complainant is captured perfectly in the electronic format apart from other information required for the purpose of initiating an investigation". Police should go through each complaint filed, make a preliminary inquiry and inform the complainant as required under section 157(1) (b) if they are not conducting an investigation into the complaint. In State of Haryana vs Bhajan Lal AIR1992 SC 604 1992, it was held that the Police officer has to satisfy himself subjectively as to the existence of sufficient grounds for embarking on an investigation. The Police should make note of reasons for not investigating any incident of crime for each complaint. The decision not to launch an investigation under 157(1)(b) CrPC may be treated as an administrative decision. It may be noted that the UK Police annual report discloses that "the median length of time for investigations to be closed with no suspect identified for all offences was 3 days". Thus only a limited number of cases (which can yield substantial evidence for trial) may be taken up for detailed investigation by Police. Provisions in CrPC and rules, if required, may be made to this effect. Crime figures should be calculated based on crime incidents reported to the Police and not based on the number of cases registered by Police in Police Station. Online registration of crime is in practice in many countries which not only ensures that there is no interference of Police in crime reporting but simultaneously gives realistic crime data.

The change in the methodology of registering complaints with Police and allowing Police to investigate a limited number of cases will help generate more realistic crime figures, thus helping policymakers and the public be better informed.

Nomenclature of Ranks and Jurisdictions in Ancient Indian Policing

Azad Md. Abul Kalam*

Abstract

This study was to examine the epigraph of the ranks and jurisdiction of policing in ancient India. This depiction about ancient Indian Police administration is through accumulation from various indigenous Vedic and divine literatures as well as an initiation to accumulate and assert various references regarding the ranks, designation. This study was conducted to portray the ancient Indian policing system from all the available documents, sources, scriptures and journals. The objective of the study was to encompass all the relevant sources to trace out the prolonged ancient Indian policing history. The documents used here were relevant, supported and reliable sources. It was said by the western scholars that the ancient Indian policing vicegerency was amorphous, ecclesiastical and not well organized but a lot of literatures including Kautilya's Arthasastra proved that a functional policing system existed in ancient India. This intensive methodological study traced out the organizations, institutions and stratified policing bureaucracy where designated Police officers performed their duties within their jurisdiction.

Key Words: *Ancient Indian Policing, Police Science, Danda, Dharma, Jurisdiction, Designation, Rank, Espionage and Kushan Period.*

Introduction

This paper was intended to trace out the name of the ranks and the places where the Police officers were appointed. The place of appointment was their jurisdiction. The era of the examined period was Vedic and onward ages in ancient India. Generally the history of Police in ancient age denotes the period from 5000 BC to 1066 AD (Champion & Michael, 2003, P.38). This study was examined through the available paper, Vedic literatures, ancient scriptures and journals. The organization of Police was one of the important aspects of the whole administration even in ancient India for the maintenance of peace, tranquility and order and it was first and foremost duty of a *Raja* (King) as *Rajdharma* (Duty of a king) as

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well. For the dissemination of duty of state to deter the *Adharma* (ritually undesired manners) as well commission of crime and deviation from the normal path, a system was effective in the then ancient India. This study will investigate those Police officers where they worked to protest the *Adharma* implementing the then religious rituals and social values.

An effective *Dandaniti* (Penology connotes punishment system) was introduced to prevent crime and unlawful acts on behalf of king as chief of Police (Doongaji, 1986, p.79). Making a crime-free country or society was prime duty of a Raja and subjects' or citizens' desire was to reside in make crime-free country or society of their Raja. To make the country or society crime-free was *'Rajdharma'* of a *Raja* (King). *Raja* keeps his *'Rajdharma'* effective through application or implementation of *'Rajdanda'*. *Rajdanda* was penology applied by king and the execution of *Rajdanda* was administration of a *Rajya* (kingdom). It was considered that the country was blessed where the crime was least and it the expectation from a *Raja* to take his kingdom to this stage. Raja appointed *'Amatyavarga'* (Bureaucracy) to make his *Rajya* and society crime-free. These appointed *'Amatyas'* were Police officers and sometimes were known as *'Dharm-Mahamatras'* (Shripad, 1992, p. 539).Different Police officers with different designations were posted within different jurisdictions. This Study will examine how the then king deployed these Police officers, what were their ranks and where their jurisdictions were.

In ancient India there was an ideal state and this reference was seen in *Mahabharata*. King felt proud for his country to be crime free. King *Aswapatokaikeya* being justifiably proud declared to the visitors- 'In my kingdom there no theft, no miser, no drunkard, no man without a sacrificial fire, no ignorant person, no adulterer, much less an adulteress' (Müller, 1879, P.85). With the growth of larger kingdoms, stringent laws came to be framed for detection and punishment of the criminals following traditional system of local responsibility based on *Rajdharma*. The Vedic and divine literature of ancient India gave us an interesting account about the law and order maintenance system. In ancient India man and god worked together for the maintenance of law and order to preserve peace and parity and how Police administration worked. It also depicted how the rapacity and propensity of the evil force was controlled by man and gods through working together to foil the devils in the human society. If the collective initiative of man and gods failed to bring the devils to order and control, then the gods disappeared in disguise. The *'Prajapati'* was responsible for the maintenance of peace, security, order and parity of the universe to keep the society peaceful. *Prajapati* asked to know from the gods about the disappeance from the world reminding them of their duties for the security and benevolence of unprotected human beings. *Prajapati* said to the gods, 'who will protect the people in the world when you all leave the world? The people being unprotected will be unrighteous and will deviate from the right path. We are to give them the proper way of life' (Mishra, 1987, P.8). The disappeared gods assured *Prajapati* that the responsible

authority of public security of the world will create another form of *Rajya* (kingdom) and *Raja* (king) to protect the mankind. This statement indicates that human society would institute the *Rajya* and the *Raja* would make responsible *Amatya* (Bureaucrats) for order, peace and security (Mishra, 1987, P.8).

During the study this paper covered the following inter-alia:

• State and Bureaucracy in ancient India

• Ranks, designation and function of Policing Bureaucracy

• Different types of Policing

• Policing in Maurya and Gupta Period

• Jurisdiction and Designation

• Police Officers at field level

• Policing in Pala and Sena Period

• Policing Espionage in Ancient India

Objectives of the Study

It was visible that after the formation of 'London Metropolitan Police Act-1829' (Barrie, 2008, P. 6) Police reached at the desideratum level with explicit shape and organizational structure from the amorphous concept. The father of Police, Dr. Patrick Colquhoun first proposed to consider policing as 'Police Science' (Melville, 1901, Introductory Chapter VII). Now at present, policing is being studied in many institutions, academies, universities and colleges of the world. The Police we see were not in the indigenous form at all (Madan, 1980, p. Introductory Chapter XIII).For the recognition as academic discipline it is imminent to trace

out the evolutionary semiotic backdrop. As academic discipline 'Police Science' has particular objects with theories, methods, specific technical terminologies, specific research scope, institutional recognition, accumulated specific subject matters and findings. But 'Police Science' has not been studied enough yet and has a lot of scope with enriched historical background. As an academic discipline, 'Police Science' includes planning, organizational frame work, stratified staffing, directing and ordaining for operation, reporting and budgeting. But the focal and centric subject matter of 'Police Science' was the historical evolutionary background that shaped the policing organizational frame work.

Police took a prolonged period of time to reach at desideratum structure from the amorphous form to present explicit shape. It is a momentous component of an academic discipline to trace out its embryonic form and evolution stages. The focal and centric subject matter of this study was to search the abstracted, vaporous and gloomy historical embryonic name, designation, jurisdiction and the role of Police officers in ancient India. This study was intent to trace out those historical rudimental ranks, designation and jurisdiction of the Police officers in ancient India. Taking the above realities into account the objectives of this study were-

(1) To trace out the name of ranks and designations of the ancient Indian Police officers,

(2) To delimit the jurisdiction of the appointed Police officers.

Methodology of this Study

This study was conducted through reviewing the divine scriptures in ancient India, historical antiquarian, archaeological document analysis and research. Principally, historical material and research activities were investigated to have insight from relevant document analysis. The origin surname of the ancestor administrative ranks, designations and jurisdiction sin India were primarily divine scriptures based. The investigation reviewed several research works as well as the mythological Indian literary works since sufficient elaborative account was not available. Nevertheless, mythology and folktales always do not reflect the true picture of social settings, they help sociological analysis to identify structure of social organizations and system of values and morality of the understudy society to some extent. The ancient divine scriptures were important documents as well. This analysis and study illustrates the historical and old data and documents. The historical documents were mainly descriptive. So the methodology was descriptive as well as analytical. This study explained the documents as secondary data and not based on numerical information. The weak side of using mythological sources was that it can be distorted from the true reality as the power relation sometimes overshadowed the accurate scenario of the social world. The method of the study was Qualitative type which explored some historical documents, reports, traditional surname in existing laws, rules, instructions, policies and the then dynastic ruling regime's patronymic. This qualitative study was also exploratory in nature as well. These data were collected from the documentary of the then shifting society of ancient India.

State and Bureaucracy: The renowned professional diplomat and politician in ancient India Kautilya in his *'Arthasastra'* mentioned that in the then India, 18 types of officers were employed to operate the state's functions and all together they were called *'Ashtadasa Tirthas'*. Some of them were ministers. Some of them were policy makers, some of them were advisers of the king and some of them were related with law and order maintenance. The *'Ashtadasa Tirthas'* were (Mukharjee, 1952, P.123) -

(1) *Mantrin* **(Minister):** They were advisers of the king

(2) *Purohita***:** They were religious leaders of the community and collected information from the society for the king.

(3) *Senapati* **(Chief of Army):** was basically an army officer though he used to help to maintain the law and order in the kingdom.

(4) *Yurvaraja* **(Crown prince):** He took preparation to be the next descendant after the present ruling king. Sometimes he used to participate in the war as *Senapati* or leader in the battle field.

(5) *Dauvarika***:** He was like a sentry at the Palace and kept surveillance on the way where the king travelled. The observation of *'Dauvarika'* played an important role for maintenance of security measures of the king and palace.

(6) **Antarvaniska:** These types of spies worked in the palace to observe the persons suspected by the king. *'Antarvaniska'* was lady spy and worked as in-charge of the deployed in the palace.

(7) **Prasasta:** Worked like military Police and was responsible for arms of the state.

(9) **Samaharta:** He was responsible for the collection of revenues treasury.

(10) **Pradeshta:** *Pradeshta* was district level revenue collecting officer. If necessary, sometimes he worked in judiciary and law-order maintenance activities.

(11) **Nayaka:** Military Police

(12) **Paurovyavaharika:** He was chief administrator in the city.

(13) **Karmantika:** Police who was responsible for mineral wealth preservation and maintenance.

(14) **Mantri Parisad Adhyaksha**: Chief adviser of the king.

(15) **Dandapala:** Military as well as Police officer who executed different types of punishment.

(16) **Durgapala:** Chief security officer of the cantonment.

(17) **Antapala:** Chief border security officer. He protected the peace in the city and maintained security of the business as well. He checked the travelers on the way to entry and exit from the city.

(18) **Atavika**: The officer gave shelter to those who worked in the forest The chief of the *Atavika* was called

'*Atavikapala'*.

Rank, Designation and Function of Policing Bureaucracy in Ancient India

Implementation of '*Dandaniti*' according to *'Dharmaniti'* was the basic principle of policing in ancient India and the 'Raja' himself played the role as the chief of Police. During the policing the *Dharma*, *Danda*, *Dharmashastra*, *Dharmasruti*, *Dharmaniti*, *Dandaniti*, *Rajdanda*, *Rajdharma*, *Tribarga*, and *Mokasa* principle would be followed. Different types of Police with their name of post, designation, ranks and functions are discussed below-

Stobhaka: *Stobhaka* was basically the informant of that day like today's watcher under Special Branch (SB) or District Special Branch DSB). *Stobhaka* collected information secretly and transferred them to the king (Doongaji, 1986, p.80).*Stobhaka* collected information from grass root level so that the people cannot breach the peace. Breaching the peace was considered as anti-state, subversion and rebellious act of treason (Tripathi, Vol-5, 2018, P.5).Treason was considered as offence against the king as well as state (Champion &, Hooper, 2002, P.52).

Suchaka: *Suchaka* was basically an investigating officer (Doongaji, 1986, p.80). Sometimes the nature of crime was so vague that it was almost impossible to detect the case or crime. For the detection of the crime, information was essential and *suchaka* was appointed to collect that information. *Suchaka* had no regular salary but got remuneration for his labor from the king as prize.

Mahamatras: During the age of Emperor Asoka the loyal people travelled in the kingdom in disguise to collect secret information for stability of the kingdom. The loyal spy was like today's 'District Intelligence Officer' (DIO) (Tripathi, 2018, P.5).

(Dandanayaka and Mahadandanayak): This term was used during the *'Kusan'* empire period in ancient India. The *'Kusan'* empire was Greek dominant. This term was equivalent of 'Prefect of Police'. 'Prefect of Police' was as like a 'Commissioner of Police' of today's Police administration. The 'Prefect of Police' was 'General Magistrate' as well. This *'Kusan'*- Indo-Greek Empire was in effect from 120 to 220 AD (Mishra, Chapter-1, Introduction, p.36).

Pradesta and Nagaricka: *Pradesta* was the rural Police. They worked outside the capital city. *Nagarika* was town Police and performed duty in the city. Collection of revenue and maintenance of chain of command of kingdom was also supervised by them (Giriraj, 1999, p.34).

Sthanika: *Sthanika* worked in rural as well as in city.

Sthasniya: This Police officer was responsible for 8 (Eight) hundred villages and at the center of 8 hundred villages, the Headquarter was situated (Giriraj, 1999, p.34).

Dronamukha: Police officer for 4 (Four) hundred villages (Giriraj, 1999, p.34).

Kharavata: Police officer for 2 (Two) hundred villages (Giriraj,1999, p.34).

Sangrahana: Police officer for 10 (Ten) villages (Giriraj, 1999, p.34).

Samaharta: The *Samaharta* officer was very senior official of the kingdom. He looked after the Finance, Home and Judiciary as well. Law and order maintenance as well as investigation was his prime duty (Giriraj,1999, p.34).

Gramabhrtaka, Gramika, Gramabhojaka, Jataka, Gramadhyaksa and Gramakuta: They were village level officers who ensured law and order in the respective village (Giriraj,1999, p.34).

Gopa: Responsible Police officer of 5 or 10 villages (Giriraj,1999, p.34).He was responsible to observe the movement of the suspects in a city, collection of revenue,collected information within the fortified palace and disseminated to the king (Giriraj, 1999, p. 44).

Nagar Pala or Kota Pala: Chief of City Police and accordingly the term *'Kotwal'* was derived from this word (Giriraj, Vol-1,1999, p.7).

Different Types of Police: In ancient India there were a lot of Police who were assigned different duties. A short description about the then Police of ancient India is given below (Mishra, 1987, P.20)-

Coragrudhya*:* Thief catcher.

Corarajjuka: The officer who arrested the thief and robber during the night.

Cauraddhranika: He was in-charge of stolen property like today's chief of *Mahafejkhana* or recovery property. The recovered goods after detection were kept under the custody of ' *Cauraaddhranika'.*

Cauraddharir: He was chief thief taker.

Danadabhojika: He also deterred the criminals.

*Dandika***:** A simple Police officer

*Dasaparadhika***:** He was responsible for ten types of fixed crime.

Daushadhasadhanika: Was not possible to know the responsibility of the Police officer. But some sources say that this Police officer was assigned the duty to catch the dangerous robber.

*Cata-Bhata***:** They were in-charge of investigation of crime.

Dandashakti: Was simple Police officer.

Mahapratihara: Door-keeper.

Khola: Was an in-charge of intelligence department or spy.

Cara: Simple spy in the kingdom.

Ganikadhyaksha: was in charge of prostitution.

Mudradhyaksa: He was in charge of counterfeit currency confiscation.

Policing in Maurya and Gupta Period: During the Maurya age, powerful Police administration was in effect. This administration's continuation was till the Gupta age. The administration of Police during the age of Maurya and Gupta was as follows (Altekar, PP. 156-170)–

Table No. 1
Comparison between present and Maurya-Gupta period

Jurisdiction		Designation		Person
Former Name	Present Name	Former Name	Present Name	Emperor or King himself
Empire/ Kingdom/*Rajya*	Country	Emperor/King	Chief of State or Head of Government	
Desh or Bhukti	Province	*Kumaramatya*	Vice-Roy	Crown prince
Province or *Vishaya*	Division or District	*Ayukta*	Divisional Commissioner or Deputy Commissioner	Government Employees

Policing under Maurya-Gupta regime.

Jurisdiction and Designation

Between the age of Maurya and Gupta there was no fundamental change in the administration. During the period of 320 to 540 AD, some administrative jurisdiction with designation was depicted in the history. The crown princes helped the king.

The Kingdom was divided into *Desha* or *Bhukti* (Province), the *Desha* or *Bhukti* were divided into *Pradeshta* or *Visaya (*Districts or Divisions*)*. The administrative chief or in charge of *Desha* or *Bhukti* was called *'Kumaramatya* and the administrative chief or in charge of *Pradeshta* or *Visaya* was called *'Ayukta'*. The 'Ayukta' was the key

person of local administration (Giriraj, 1999, p. 45).

The king or crown prince was the apex of the administration. Other princes or loyal persons were the chief of provincial *(Desha* or *Bhukti)* administration. At field level administration, *'Ayukta'* was lowest administrative unit and its chief was *'Kumaramatya' (*Ghosh, 1993, P.18*)*. In comparison, the *'Kumaramatya'* was as well like 'Deputy Commissioner' of today's district level. The administrative Bangla word *'Amatyavarga'* or *'Amla'* was derived from the Sanskrit word *'Kumaramatya'.* Some administrative names of units and designation of post during the Maurya and Gupta age were as below (Kautilya Arthasahtra, (Translated in Bangla), 1905, p.19) -

Table No. 2

Police Officer's Designation with Jurisdiction during Maurya-Gupta period

Designation	Jurisdiction
Uparika	Divisional Head
Vishaypati	District Head
Dashagramika	Head of a Cluster of ten Villages
Gramapati	Village Headman
Prantapala	In-charge of Border Security
Dussadha-Sadhanika	In-Charge of Specially Difficult Assignments or In-Charge of Special Task Force
Gudhapurusha	Officers of Secret Service

Jurisdiction of policing under Maurya-Gupta regime.

Police officers at field-level in ancient India

The Administrative Bureaucracy from very beginning followed the dichotomy policy (Rahman, Vol-VII, 1989, P.87). Administrative Bureaucracy was treated as linchpin of statehood system (Spangenberg, 1976, p. 12).This hierarchy stratified (Bayley, 1969, p.35) the Administrative Bureaucracy into commanding level and field level. This administration during British regime (1757-1947) in India developed Mercantile Bureaucracy and later on Civil Bureaucracy as covenanted and non-covenanted civil service (O'Malley, 1931, P. 3).Theologically 'Covenant' was a biblical term (9:9,9:12, 17:2,17:4, Genesis) and was used extensively in biblical context connoting the situation of social or political treaty for social setting that meant a lifelong friendship agreement. The appointment of state-owned servant was covenanted service in well rule bound administrative system (Misra, 1977, p. preface).But the rudiment and embryonic stage was before long past. This dichotomy and stratification was in effect in ancient Indian bureaucracy at root level rural area. In ancient India at root level the name of Police bureaucracy was as given below with jurisdiction (Giriraj, 1999, p.26)**–**

Table No. 3
Designation and Jurisdiction of Ancient Indian Policing

Designation	Jurisdiction
Gramini	Village Pradhan
Coragraha	He was probably a thief catcher.
Raksinah	Constable.
Chorarajjuka	He was an officer who arrested robbers and fettered them.
Churdharanika	He was officer in-charge of recovered stolen property and held charge of ten types of criminal activities.
Dandanayaka	He was a Police officer who held the fetters or noose of punishment.
Dandapasika	He was a Police officer who held the fetters or noose of punishment.
Dasaparadhika	It was probably the designation of a class of officers who were in-charge of specified kinds of criminal offences as Aparadhas.
Dandaqhiparin	He was Chief of Police.
Araksika	He was a watchman
Cata-bhata	They were perhaps official in-charge of the investigation of crime.
Rajasthaniya	Was an expression whose actual function was almost vague.
Nagaraka	He was Chief of Police.
Dandasakti	He was also a Police Officer.
Mahapratihar	He was the chief of door-keepers.
Khola	He was in-charge of intelligence department.
Gudhapurusha	He was a secret service man.
Cara	He was a simple spy.
Mahadandanayaka	He was a high ranking official.
Praharapala	The Policemen were on duty for three hours, which was known as prahar, therefore, those who did watch duty for a fixed period were known as praharpala.

Policing in Pala and Sena Period:

The ancient administrative organogram in India during the age of Pala and Sena (600 AD to 1142 AD) was in effect till before Muslim regime. This information was available from copper and steel plate during the Pala and Sena regime. From the available information we got the following administrative segment (Giriraj, Vol-1,1999, p.27)-

Table No. 4
Meaning of Designation of Police Officers During Pala-Sena Period:

Designation	Meaning of Designation
Gramhuntaka/Gramika	The Executive Police Officer
Nagarika	The City Police Officer
Purushas	Intelligence Police Officer
Vivitadhyakshas	Police Officer who works between the village and city and watches the movement
Antapala	Frontier Police Officer who controlled the border check-post
Mudrakadhyaksha	Counterfeiting and Passport Officer
Ganikadhyaksha	Prostitution Controlling Police Officer
Gopas	Local Police Officer

Jurisdiction and Designation under Pala-Sena regime.

Policing Espionage in Ancient India

Espionage or spying was intelligence collection or obtaining secret or confidential information without the permission of the holder of the information. The person who commits espionage was the agent or spy of the enemy or antagonist country. The espionage agent or spy helped the appointed country to uncover the secret information. The concept of internal security though different from external security, also needs secret information for survival, maintenance, preservation and protection of the nation-state-system (Sharma, 1988, P.1). During the military and policing operation and to prevent sabotage, espionage was very important. In ancient India espionage system was very powerful and was in effect. All the states were rivals and enemies of each other. In ancient India there were many types of espionage or spies who have been referred to by Kautilya in his famous book Arthasatra. It categories spies into -*(kápatikachhátra),* a recluse *(udásthita),* a householder (*grihapaitika),* a merchant *(vaidehaka),* an ascetic practising austerities *(tápasa),* a class-mate or a colleague *(satri),* a fire-brand *(tíkshna),* a poisoner *(rasada),* and a mendicant woman *(bhikshuki),* orphans *(asambandhinah)* palmistry *(angavidya),* sorcery *(máyágata),*legerdemain *(jambhakavidya),* augury *(antara-chakra),* learning by social intercourse *(sam sarga vidyasatrinah).*fiery spies *(tíkshna),* woman ascetic *(parivrájiká),* women with shaved head *(munda)* and wandering spies *(sancháráh)* (Kautilya, Arthasastra) They played important role to collect information in favor of *Raja* (King) and *Rajya* (kingdom).

(1) ***Kapatika***: In disguise as student and tourist, in search of knowledge the spy collects secret information within and outside the kingdom.

(2) ***Udasthita:*** In disguise of monk the spy left house for collecting information. Sometimes these types of people were engaged in home-works inside the palace of the king.

(3) ***Grihapatitha:*** Theses spies suggested the people to be attentive to the family.

(4) ***Vedehaka:*** To re-engage a person who had been cheated in business was *'Vedehaka's* responsibility.

(5) ***Tapas:*** This spy showed the people that he was passing his time in prayer. In disguise of this praying he would collect information. They lived near town and spread words among the students that they were yogi.

(6) ***Satree:*** The Satree spies were close to the King *(Raja)*. They briefed the king about everything. The Satree spy kept wandering from one place to another place to collect information and for communication.

(7) ***Tikshan:*** The Tikashan spy was like today's commando and as well trained to fight to save the king from the wild beast during wandering the forest. They were also brave warriors and men of integrity.

(8) ***Rasad:*** These spies were ready with the instruction of the king to kill anybody with poison who seemed to be a threat to the king. Their duty was to watch the close relatives, collect information from them and to inform the king about their intentions.

(9) ***Parivarajika***: These types of spies were poor, widow, and old men and worked inside the palace to serve to the queens. They went to the senior officers home as well to know their integrity. They informed the king about the officers role.

These spies (*Gudhapurusas* or *Caras*) (Mishra, P.35) collected secret information and communicated them to the king secretly so that the king took the right decision. The role of spies played an important determinant factor in the general administration and politics.

Findings and Conclusion

The Vedic religious scriptures were the main source of data during the investigation of this study. Among those scriptures 'Kautilyam Arthasastram' (Kautilya's Arthasastra) was one of them, which is now being treated as 'Science of Administration'. The amorphous structure and shape of policing and its organization in ancient India was depicted and portrayed explicitly in 'Kautilyam Arthasastram'. He depicted the organizational shape, ranks, designation, responsibility, secret service, espionage and performance. Before the period of *'Matsyanyam',* goodness of the people precluded the need of the creation of king or state and 'the State of Nature' evaporated. The statehood (*Rajya*), King (*Raja*) and Kingship (*Rajdanda, Rajdharma* or *Dandaniti*) came into being to make peace in the society. Sri Krishna ordained and guided Arjuna after the end of *Kurukshetra* war to establish the statehood (*Rajya*), King (*Raja)* and Kingship (*Rajdanda, Rajdharma*or *Dandaniti*) to ensure peace and order in society. With the help of Police

Chief Arjuna, King Yudhistira established Hastinapur *Rajya* and introduced *Dandaniti* (criminal administration and jurisprudence) as *Rajdharma* (Kingship) establishing *Rajya* (state, the jurisdiction of enforcing rule of law). Within the statehood (*rajya*) policing it was considered as an inevitable instrument for maintenance of rule of law. Well organized *'Ashtadasa Tirthas'* made *the Rajya* crime-free state and this policing continued in ancient India uninterruptedly. Different types of Police officers were in effect with particular assigned jobs within certain jurisdiction. This well-organized policing with ranks, designation and jurisdiction as well as espionage to collect information enabled *Rajya*, *Rajdharma* and *Rajdanda* to be functional in Maurya and Gupta period. This ancient policing was in effect till Pala and Sena regime in ancient India. The objectives of the study were to delimit within a small compass of ranks, designation and jurisdiction of ancient Indian Police officers by reviewing the existing and available documents. This intensive investigation accumulated the epigraph of name of the ranks, designation and jurisdiction. This epigraph asserts the indigenous ministrant policing ranks, designation and jurisdiction of the Police officers in ancient India.

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Empowering Women through Women Policing: A Quest for Quality

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Abstract

Equity is an ideal whose fulfilment is the prime goal of every institutional setup. The same is also reflected in the Global Goals of the United Nations, specifically Sustainable Development Goal 5 which talks of Gender Equality. Gender equity is achieved through equitable participation as well as influence in decision making processes. The Indian Constitution also venerates the ideal through targeted affirmative action for women and children. Despite such positive constitutional prerogatives, women centric policy interventions are the need of the hour. The patriarchal Indian outlook has prevented the Indian female from resorting to legal refuge as a solution to violence and crime that she faces in the confines of her household. According to World Health Organisation, Violence against Women Prevalence Estimates 2018, about 1 in 3 women at the global level have been victims of physical/sexual intimate partner violence during the course of their life. According to National Family Health Survey (NFHS-5), 2019-21, proportion of married women in the age group of 15-49 years facing intimate partner violence in the duration is 24%.The Police, which is the prime law enforcement watchdog, are reluctant in formally taking note of such crimes. The authors with the help of case studies and an analysis of policy interventions by states argue that positioning women officers on the frontlines of policing through Mahila Thanas and help desks are positive interventions that can empower women to seek legal refuge against violence at the hand of their so-called confidantes and kin.

Keywords: *Gender Equity, Intimate Partner violence, Mahila Thanas, Policing, Women Help Desks.*

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Introduction

"Choose to live, by choosing to leave.

If it disturbs your peace. It is not working out.

If it ruins your happiness, character, behavior, reputation and drains your energy. If it gives you pain, wounds, sorrow, heartbreak, headache, stress, grief, sleepless night and discomfort."

-De Philosopher DJ Kyos1

The above words are reflective of the ideals of liberty, choice that the society has constructed as well as disseminated through its institutional apparatuses, such as schools, colleges etc. However, the question arises whether the same is followed in reality or is just a dogma of a utopian society. The quote assumes importance in the light of the prevalence of Gender based violence globally. According to Violence against Women Estimates 2018[2], the proportion of women exposed to violence at the hands of their intimate partner, is 640 million in the age group of 15 and above, amounting to 26 per cent of women globally. These estimates highlight the gravity of the problem at hand. Now the question arises as to the meaning of the term Gender Based Violence (hereinafter referred to as GBV). GBV is the violence perpetrated against an individual, owing to one's gender, or the subjection of an individual belonging to a distinct category of gender to violence.[3]

Human Rights, i.e. the rights that are available to an individual by the virtue of being human, incorporate the seminal concept of dignified existence. The same concept is jeopardised, when a woman, owing to her existence as a woman is objectified, viewed as a weak being supposed to be under the subjection of another individual. This ingrained societal malady needs effective targeted response mechanisms, which if not eliminated, can increase the evils of the patriarchal system that women have to face in the society. One such response mechanism is having female officers in law enforcement. As far as representation of women in law enforcement is concerned, there is a lack of global data on the same. As per a study conducted by United Nations Office of Drugs and Crime in collaboration with UN Women and Interpol, the percentage of women in law enforcement can be seen from the figure below[4]

1   "Gender Based Violence GBV Quotes (41 Quotes)" (*Goodreads*) <https://www.goodreads.com/quotes/tag/gender-based-violence-gbv> accessed October 1, 2022 .

2   (World Health Organisation) rep <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures> accessed October 11, 2022

3   "What Is Gender-Based Violence?" (*European Commission - European Commission*February 5, 2021) <https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/gender-based-violence/what-gender-based-violence_en#:~:text=Related%20links-,Gender%2Dbased%20violence%20(GBV)%20by%20definition,of%20a%20particular%20gender%20disproportionately.> accessed October 2, 2022

4

Diagram 1
(UN Office of Drugs and Crime, 'Women in Law Enforcement in ASEAN Region' (2020))
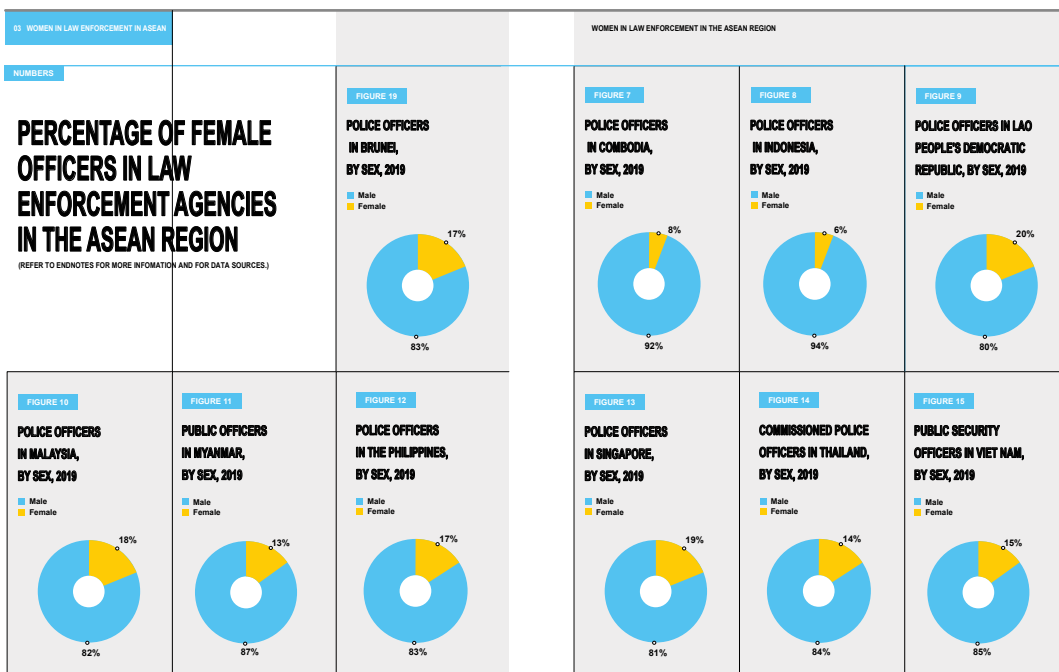
The above statistics show that the percentage of women in law enforcement ranges from 6 % in Indonesia to 20 % in Lao People's Democratic Republic. A gender equal workforce is symbolic of a pluralistic law enforcement mechanism built on trust and community participation, in a better position to act as a watchdog of the society. There is a common perception that law enforcement is a prerogative of the male, however there has been research that shows females to be less susceptible to evils of corruption, more sensitive to women centric issues which strengthens the call for greater inclusion of females in law enforcement.[5] Furthermore, the inclusion of women into professions tangled in a patriarchal mind-set such as law enforcement brings about equity as well as makes the men in such professions more receptive to women centric issues.[6] Secondly, the rising prevalence of violence against women as can be gleaned from the 2018 global estimates,[7] portraying the gravity of the situation.

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5   Brollo F and Troiano U, "What Happens When a Woman Wins an Election? Evidence from Close Races in Brazil" (2016) 122 Journal of Development Economics 28

6   Dahl GB, Kotsadam A and Rooth D-O, "Does Integration Change Gender Attitudes? the Effect of Randomly Assigning Women to Traditionally Male Teams*" (2020) 136 The Quarterly Journal of Economics 987

7   WHO, (n2).

Diagram 2
*((World Health Organisation) rep https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures)*

> **" The data show unequivocally that violence against women is pervasive globally. ""**

These are the first estimates on violence against women produced during the United Nations Sustainable Development Goals (SDG) era, 2015–2030.

THE 2018 GLOBAL COMBINED ESTIMATES INDICATE THAT OVERALL:

31% (UI 27–36%)[a] of women aged **15–49 years**

and

30% (UI 26–34%) of women aged **15 years and older**

[a] UI: uncertainty interval (95%).

...have been subjected to:
- **physical and/or sexual violence from any** current or former **husband or male intimate partner**, or to
- **sexual violence from a non-partner**, e.g. strangers, acquaintances, friends, peers, teachers, neighbours, family members, or to
- **both of these forms of violence combined**

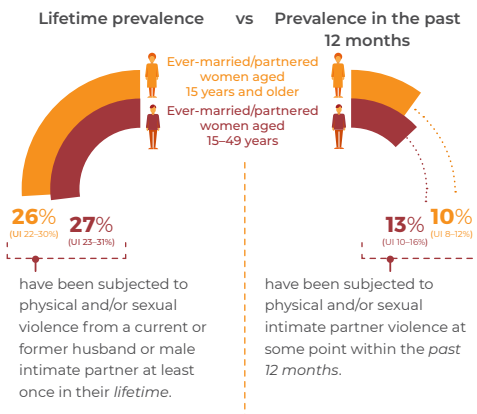at least once in their lifetime (i.e. since the age of 15).

On average, **736 million** and up to **852 million women** who were aged 15 years or older in 2018 (nearly **1 in 3** women) have experienced one or both of these forms of violence at least once in their lifetime.

These estimates confirm that physical and sexual intimate partner violence and non-partner sexual violence remain pervasive in the lives of women and adolescent girls across the globe.

DATA COLLECTION

The results are based on data collected between 2000 and 2018. During this time, there has been an increase in the number of countries and areas with at least one population-based prevalence survey.

2010 — **82** countries and areas with survey data

2018 — **161** countries and areas with survey data

GLOBAL PREVALENCE ESTIMATES OF INTIMATE PARTNER VIOLENCE

Lifetime prevalence vs **Prevalence in the past 12 months**

Ever-married/partnered women aged 15 years and older

Ever-married/partnered women aged 15–49 years

26% (UI 22–30%) **27%** (UI 23–31%)

13% (UI 10–16%) **10%** (UI 8–12%)

have been subjected to physical and/or sexual violence from a current or former husband or male intimate partner at least once in their *lifetime*.

have been subjected to physical and/or sexual intimate partner violence at some point within the *past 12 months*.

Intimate partner violence starts early.

Almost **1 in 4** ever-married/partnered adolescent girls (24%, UI 21–28%) in the youngest age cohort (15–19 years old) is estimated to have already been subjected to physical and/or sexual violence from an intimate partner at least once in their *lifetime*, and

16% of adolescent girls and young women aged 15–24 have been subjected to this violence within the *past 12 months*.

Global prevalence estimates show that **6% of women** over the age of 15 have been subjected to **NON-PARTNER SEXUAL VIOLENCE** at least once in their lifetime.

Furthermore, as far as India is concerned, the latest data by the study is as under,[8]

8   ibid.

Diagram 3
((World Health Organisation) rep https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures)
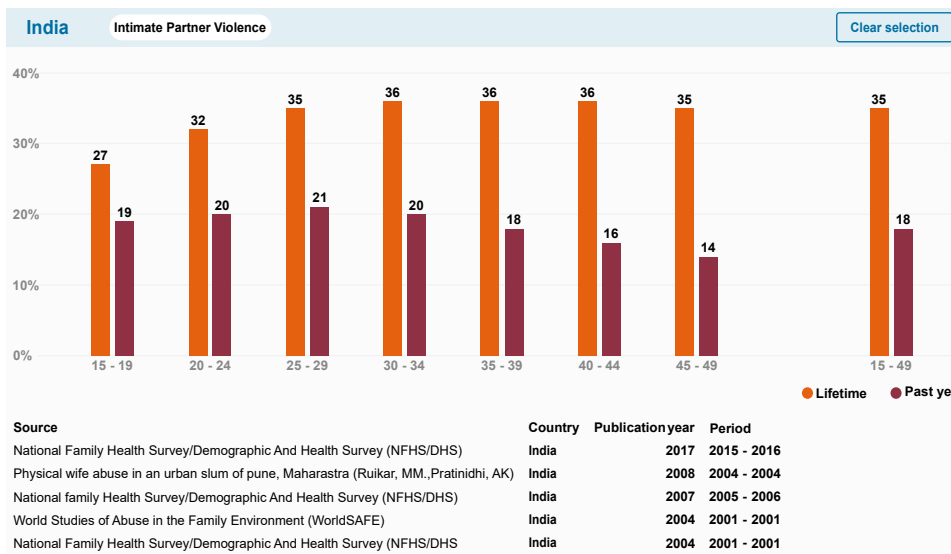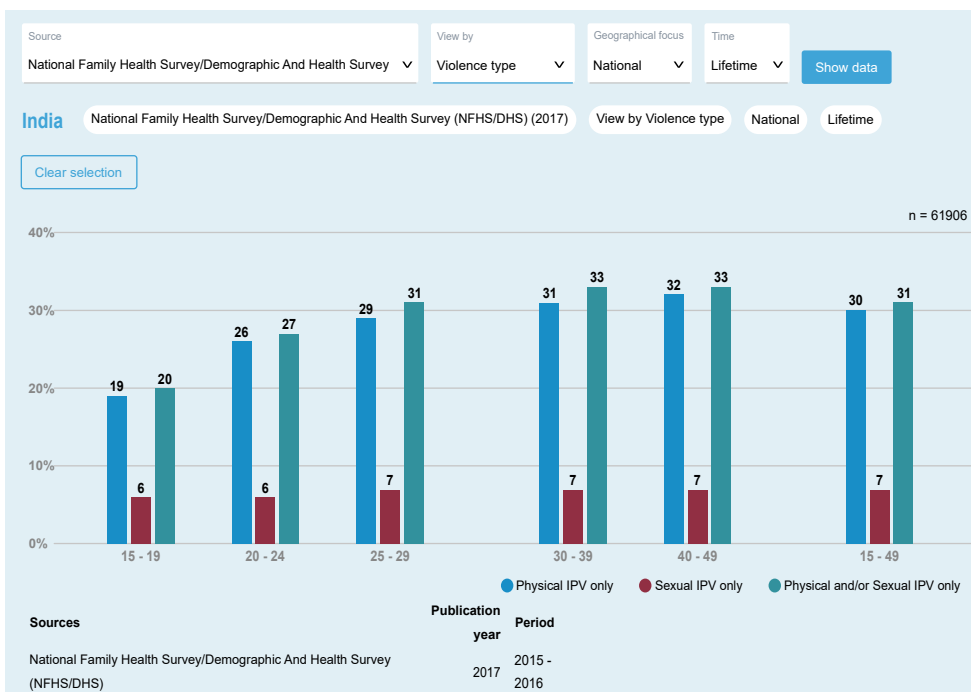

Source	Country	Publication year	Period
National Family Health Survey/Demographic And Health Survey (NFHS/DHS)	India	2017	2015 - 2016
Physical wife abuse in an urban slum of pune, Maharastra (Ruikar, MM.,Pratinidhi, AK)	India	2008	2004 - 2004
National family Health Survey/Demographic And Health Survey (NFHS/DHS)	India	2007	2005 - 2006
World Studies of Abuse in the Family Environment (WorldSAFE)	India	2004	2001 - 2001
National Family Health Survey/Demographic And Health Survey (NFHS/DHS	India	2004	2001 - 2001

Diagram 4
((World Health Organisation) rep https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures)

Sources	Publication year	Period
National Family Health Survey/Demographic And Health Survey (NFHS/DHS)	2017	2015 - 2016

The rising prevalence of violence against women as perceived from the data above shows the need for rapid and effective responder mechanisms. Apart from the Indian Penal Code 1860 (hereinafter referred to a IPC), India has a host of legislations targeted to curb GBV such as The Immoral Traffic (Prevention) Act 1956, The Dowry Prohibition Act 1961, The Indecent Representation of Women Act 1986, The Commission of Sati (Prevention) Act 1987, Protection of Women from Domestic Violence Act 2005, The Information Technology (Amendment) Act 2008, The Sexual Harassment of Women at Workplace Act 2013, The Criminal Law (Amendment) Act 2013 also known as the Nirbhaya Act. Despite a slew of legislations targeting GBV, a research conducted by Bharatiya Stree Shakti, funded by the Ministry of Women and Child Development found that despite the slew of legislations targeting GBV, the situation remains grim since the responders do not interpret or enforce the laws from the perspective of gender justice.[9]

The gravity of the situation highlighted by the authors above makes women centric and equitable solutions the need of the hour. The authors in the article have argued for a solution to the problem highlighted above through the implementation of all Women Police Stations (Hereinafter referred to as WPS). The methodology adopted by the authors is descriptive as well as analytical. In the first part of the article, the authors have traced the genesis of the concept of WPS at the global level as well as India. Then, the authors in the second part of the article have cited successful case studies as well as researches around the world that come to the findings that WPS's are a successful responder mechanism to mitigate the menace of violence against women. In the third part of the article, the authors highlight various policy challenges as well as suggest recommendations for the same.

Women Police Stations: Genesis at The International and National Level

The genesis of the opening of the first WPS in the world can be traced to Brazil. The success of the experimental inaugural opening can be gleaned from the media reporting by TV Cultura, a free public television network headquartered in Sao Paulo, Brazil. As per media reporting on August 6, 1986, a year after the opening of first WPS in Sao Paulo, [10]

The media venerates it as a success, the opening of the WPV, as a marker of trust and legitimacy. The WPV has gained respect amongst all the alleyways as well as communities in the state of Sao Paulo. The task of inaugural running of the same was given to a 36 year old Police lady Rosemary Correa, with tenure of 15 years with the Brazilian Police force. Rosemary had the crucial task of lifting the veil of domestic claustrophobia and taking charge of situations where women are the silent, invisible victims of abuse that remains invisible within the four walls.

The above media reporting is the analysis

9   (Ministry of Women and Child Development 2017) rep <https://wcd.nic.in/sites/default/files/Final%20Draft%20report%20BSS_0.pdf> accessed October 12, 2022

10   Santos Cecília MacDowell, Women's Police Stations Gender, Violence, and Justice in são Paulo, Brazil (Palgrave Macmillan 2005)

of the successful operation of Delegacia de Polícia de Defesa da Mulher (Police Station in Defense of Women), a Police station established exclusively by females run under the administrative control of the state government of Sao Paulo, Brazil. The birth of this specialised institutional apparatus can be attributed to the transitionary phase that Brazil was in from military to civilian rule. With the burgeoning of the civil society activists in Brazil in the 1970's post the 1964 military coup, the civil society activists pressured the government to initiate *Abertura Politica* or political liberalization. Further, the 1980 elections expedited the same wherein several feminist leaders as well as activists came to the forefront as active participants of civil reform with access to public offices, wherein being at the helm of decision making, as well as ground breaking change was possible. This political change led to the creation of the first women Police station in Brazil.[11]

This change and establishment of a new institutional apparatus was amidst a society plunged in patriarchy wherein law enforcement was seen as a domain exclusively manned by males. The rise of feminist activists as well as civil society actors broke this societal norm, as they vehemently highlighted the lackadaisical attitude of the Police when it came to issues of domestic abuse. The lack of sensitivity as well as callous approach, when it came to crimes against women. The narrative

was not on the establishment of WPS, but the gendered approach to deal with crimes against women, of which WPS was a means to an end. This also led to the end of a taboo surrounding such issues, which were always meant to be kept as a secret within the four walls of the house to an issue that spread like a plague with in the society, which needed to be controlled and eliminated. Apart from tackling the societal peril, it also came to be viewed as a means to achieve equity as well as parity in employment in law enforcement. Such a move was heralded by the state government of Sao Paulo as breaking stereotypical narratives of society as well as breaking the prejudices that the women face while reporting crimes of such a nature before the Police.[12]

The WPS in Brazil deal with cases such as homicide, attempted homicide, suicide, infanticide, abuse of children, women as well as perpetration of violence against them, cases of sexual abuse, desertion of children , women etc.[13] The number of WPS in Brazil approximately stands at 500.[14] The WPS are constructed in the vicinity of normal Police stations, primarily staffed by women Police officers. Although there is a certain percentage of male officers as well for security reasons, owing to additional security requirements while patrolling areas as well domestic visits to homes with complaints of frequent violence. The WPS in Brazil are a cadre distinct from military Police, with no requirements of a uniform as

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11   Ibid.

12   Abbassi J and Lutjens S, "Constructing and Negotiating Gender in Women's Police Stations in Brazil. ," *Rereading women in Latin America and the Caribbean: The Political Economy of Gender* (Rowman & Littlefield 2002)

13   Perova E and Reynolds SA, "Women's Police Stations and Intimate Partner Violence: Evidence from Brazil" (2017) 174 Social Science & Medicine 188

14   Ibid.

well as no protocols of street patrols, which is the prerogative of the military Police. The investigation of the Police begins with the receipt of a complaint and further handling by the prosecution.[15]

However, prior to the developments in Brazil, the issue of violence against women was already gaining traction in India. A gendered approach to law enforcement as well as treatment of offenders, came to the forefront during the Prime Ministership of Smt. Indira Gandhi, with the inauguration of first women Police station on 27 October, 1973 in the state of Kerala. As per the data by Bureau of Police Research & Development, spanning from 2006-2018, currently there are 613 WPS in India. [16] The maximum number of WPS' are in the state of Tamil Nadu, 40 per cent of the national proportion, with the first WPS set up in the year 1992 under the leadership of Smt. Jayalalitha Jayaraman. These stations primarily deal with crimes against women, which were initially set up to curb the growing menace of dowry related crimes, their ambit has widened ever since. As far as the organizational structure of a WPS is concerned, the same is headed by a woman inspector or sub-inspector, who is under the control of a commissioner or assistant commissioner of the Police. [17]

The strength of a WPS is generally, 15 women Police officers including 3 head constables and 12 constables. The first step taken by the WPS to resolve the issue is that of reconciliation, before resorting to full court proceedings. For instance, in case of a dispute between a couple or of a woman with her in-laws, the initial step taken by the officials after a preliminary inquiry, is to refer the dispute to an in-house counsellor or through collaboration with a women's organization.

Gendered Approach to Law Enforcement : A Review of The Best International Practices

At the international level, United Nations has been at the forefront vociferously advocating for the inclusion of women in participatory as well as inclusive governance. The same has been emphasised through United Nations Resolution 1325 on women, peace and security which highlights the above mentioned aspect. Apart from the same, there are a slew of other international conventions as well as resolutions that reiterate for gender inclusivity as well as equity in law enforcement.[18]

15 Natarajan M and Babu D, "Women Police Stations: Have They Fulfilled Their Promise?" (2020) 21 Police Practice and Research 442
16 Ibid.
17 Natarajan M and Babu D, (n 15).
18 UN Office of Drugs and Crime (n4).

Diagram 5
(Source : UN Office of Drugs and Crime, 'Women in Law Enforcement in ASEAN Region'
(2020))

- United Nation Security Council resoltion 1820 (2009), 1888 (2009), 1889 (2010), & 1960 (2011), 2016 (2013), 2122 (2013), 2242 (2015), 2467 (2019) and 2493 (2019).
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- 1995 Beijing Declaration and Platform for Action
- 2030 Agenda on Suistainable Development, including its 17 Sustainable Development Goals (SDGs):
  - SDG 5: Gender equality and empowering women and girls.
  - SDG 16 : Peace, justice and strong institutions

Such international efforts are an important precursor as well as push to the states to introduce such trust building as well as equitable measures in their municipal laws. The implementation as well as operationalization of the same largely depends on societal factors as well as economic prowess of each state. However, it is the uptake of initiative that is of prime importance. Regional collaborations as well as dialogues can act as a catalyst to boost such implementation mechanisms. The same is clearly evident from the adoption of best practices as well as initiatives taken up by several nations which will be elucidated in the coming paragraphs by the authors, to gender inclusivity in law enforcement which clearly shows that gender equity in law enforcement leads to better reporting of violence against women as well as shattering of prejudices that surround females in speaking out against abuses of such nature.

There are several studies that support the above stance. A research in the United States of America found that positioning women Police officers led to an increased reporting of crimes against women, specially crimes by intimate partners.[19] The same phenomenon was also responsible for a reduced prevalence of intimate partner violence as well as decrease in homicide cases by such partners.[20] A study of a similar nature in Brazil, wherein the effectiveness of WPS in reducing female homicide cases in metropolitan areas was studied where it was found that WPS turned out to be effective institutions of change with female homicide cases reduced by 50 per cent.[21] Further a study by UN Women based on a sample size of 39 countries also shows that a gendered approach to policing led to increased reporting of sexual violence cases by women.[22]

19 Miller AR and Segal C, "Do Female Officers Improve Law Enforcement Quality? Effects on Crime Reporting and Domestic Violence" (2018) 86 The Review of Economic Studies 2220

20 ibid.

21 Perova E and Reynolds SA, "Women's Police Stations and Intimate Partner Violence: Evidence from Brazil" (2017) 174 Social Science & Medicine 188

22 (UN Women) rep < www.unwomen.org/~/ media/headquarters/attachments/ sections/library/publications/2011/ progressoftheworlds women-2011-en.pdf.> accessed October 12, 2022

The inclusion of women also assumes importance in light of the fact that there are certain crimes where proportion of female perpetrators is more as compared to men. According to a study by United Nations Office of Drugs and Crime,[23] as far as crime of trafficking in persons is concerned, the proportion of female perpetrators is higher as compared to male with the rate of prosecution of females being 35 per cent and conviction rate standing at 38 per cent. This data also highlights the importance of having women at policing frontlines. Several countries have taken the initiative of introducing a gendered approach to policing specially in the aftermath of major civil conflicts, so that the responder mechanisms are more sensitive as well as prompt in responding to issues pertaining to women. The same was witnessed in the case of Liberia. The representation of women in the Liberation National Police spiked from 2 per cent to 17 per cent in the years spanning from 2003-2013. This was made possible in collaboration with civil actors, United Nations, as well as government institutions.[24] Although it failed to achieve the target of 20 per cent of women Police officers, but the same is a positive step in a gendered approach to women policing.[25]

All these studies strongly suggest that the inclusion of women in policing is an effective way to build a Police force built on trust as well as inclusivity. In certain communities, the inclusion of women can also have a positive impact on Police-community relationship.

The following visuals are symbolic of the efforts taken by nations to enhance gender equity as well as inclusivity in law enforcement.

Diagram 6
(Source : Singapore Police Force, "Saluting our female officers.")

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23 (United Nations Office on Drugs and Crime 2018) rep <www.unodc.org/documents/ data-andanalysis/glotip/2018/GLOTiP_2018_BOOK_web_small.pdf.> accessed October 13, 2022

24 Bacon L, "Liberia's Gender-Sensitive Police Reform: Improving Representation and Responsiveness in a Post-Conflict Setting" [2017] Development Assistance for Peacebuilding 90

25 ibid.

Diagram 7
(Source : 70 YEARS OF WOMEN IN POLICING 1949-2019": Singapore Police Force 2019A, PP. 16-17.)

Diagram 8
(Source : TACKLING A SITUATION IS ABOUT SKILL NOT ABOUT STRENGTH". Singapore Police Force, Facebook Page)

Furthermore, The Philippines has a Magna Carta of Women that explicitly talks of a gendered approach in law enforcement. It explicitly bars any kind of discrimination against women in Police as well as military, with an emphasis on inclusion of gender centric measures that act as a catalyst to foster women inclusion in law enforcement. The Magna Carta reads as under,[26]

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26   UN Office of Drugs and Crime, 'Women in Law Enforcement in ASEAN Region' (2020)

Diagram 9
(Source : UN Office of Drugs and Crime, 'Women in Law Enforcement in ASEAN Region' (2020))

Magna Carta of women 2009 (R.A. 9710)78

SEC.15. Women in the Military - The state shall pursue appropriate measures to eliminate discrimination of women in the military , police, and other similar service, including revising or abolishing policies and practices that restrict women from availing of both combat and noncombat training that are open to men, or from taking on functions other than administrative tasks, such as engaging in combat, security-related, or field operations. Women in the military shall be accorded the same promotional privileges and opportunities as men, including pay increases, additional remunerations and benefits, and awards based on their competency and quality of performance. Towards this end, the state shall ensure that the personal of women shall always be respected.

Apart from this there is a Philippines National Action Plan on Women, Peace and Security of 2017-2022, which is as under,

Diagram 10
(Source : Office of the Presidential Adviser on the Peace Process, Government of the Philippines 2017.)

Philippines National Action Plan on Women , Peace and Security 2017-2022

ACTION POINT 5: Improved the role and status of Women in the security sector77

5.1 Policy and comprehensive programmatic design formulated fir the recruitment, training, development and career-pathing of women in the military and the police.

5.2 Enabling institutional mechanism for the strategic maximization of women's contribution in the security sector created.

5.3 Increased the number of women in decision-making position in the military and the police.

5.4 Increased the number of women in leadership positions specific to in civil-military operations (CMO) and community-police relations (CPR).

5.5 Increased number of women participating in International committees and inter-state initiatives (e.g. UN Peacekeeping, ASEANPOL, INTERPOL etc.) related to gender, conflict- related sexual and gender-based violence (SGBV) and human trafficking, and WPS.

The Philippines also maintains a strength of 10 per cent of its Philippines National Police to be women under the Republic Act 8551.[27] There have been recent calls by civil society actors as well as government officials to raise the quota to 20 per cent.[28] Indonesia also has a framework specifically dedicated to women, peace and security through the Presidential decree (No. 18) on the "Protection and empowerment of women and children during social conflicts 2014-2019".[29] A policy framework of a similar nature has also been developed by Cambodia. The same is developed through collaborative efforts of Ministry of Women's Affairs and the Cambodian National Council of Women.[30]

The above international best practices as well as researches are indicative of the fact that gendered approach to policing has a positive co-relation with increased reporting of crimes against women, breaking of prejudices as well as inclusion of equity as per the international mandates.

Gendered Approach to Policing: An Indian Perspective

As far as India is concerned, women Police officers comprise only 10.5 of the Police force as on January 1, 2021. The Ministry of Home Affairs in 2013, emphasised on the equal inclusion of women in the Police as a crucial to good governance.[31] Based on the recommendations of the Second Administrative Reforms Commission set up in 2005, the Central Government has been repeatedly issuing advisories to states to increase the quota of women in Police to 33 per cent of their mandated strength.[32] However, the goal hasn't yet been achieved as can be gleaned from the data below,

27   The Philippines. Philippines National Police Reform and Reorganization Act of 1998 (Republic Act. No. 8551)

28   Cabico GK, "CHR: Limiting Female Cops Goes against Magna Carta of Women" (*Philstar.com* November 8, 2018) <https://www.philstar.com/headlines/2018/11/08/1866900/chr-limiting-female-cops-goes-against-magna-carta-women> accessed October 2, 2022

29   "An Initiative of the Women's International League for Peace and Freedom" (*1325 National Action Plans*) <https://1325naps.peacewomen.org/> accessed October 2, 2022

30   Cambodia, National Action Plan to Prevent Violence Against Women II 2014-2018.

31   "Genderstats 13: Women's Representation in India's Police Force" (*CEDA* August 25, 2022) <https://ceda.ashoka.edu.in/genderstats-13-womens-representation-in-indias-police-force/> accessed October 2, 2022
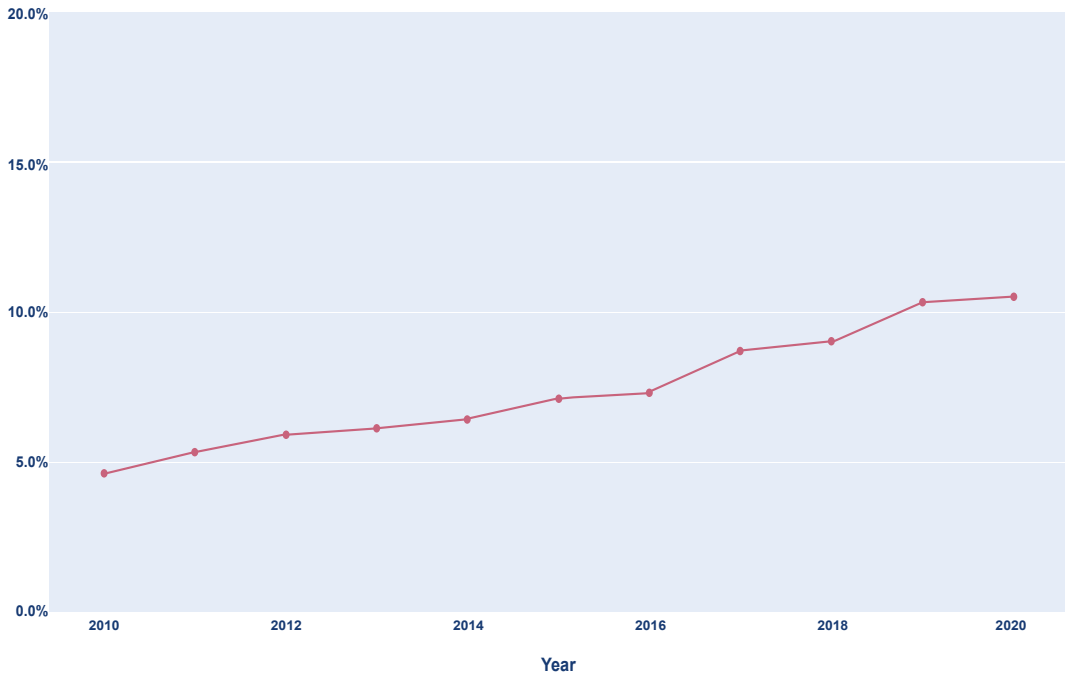
32   ibid.

Diagram 11
(Source : Data on Police organisation reports of the Bureau of Police Research and Development, collated for multiple years by the Indian Justice Report (2022))

The share of women in the police has been rising, but the pace has been slow

Despite the recommendations of the Second Administrative Reforms Commission as well as advisories by the Central Government from time to time, the mandate hasn't yet been fulfilled as can be seen from the visual representation below,

Diagram 11

Women make up only one in ten of all police personal across India, and no State/UT has achieved 33 percent representation yet
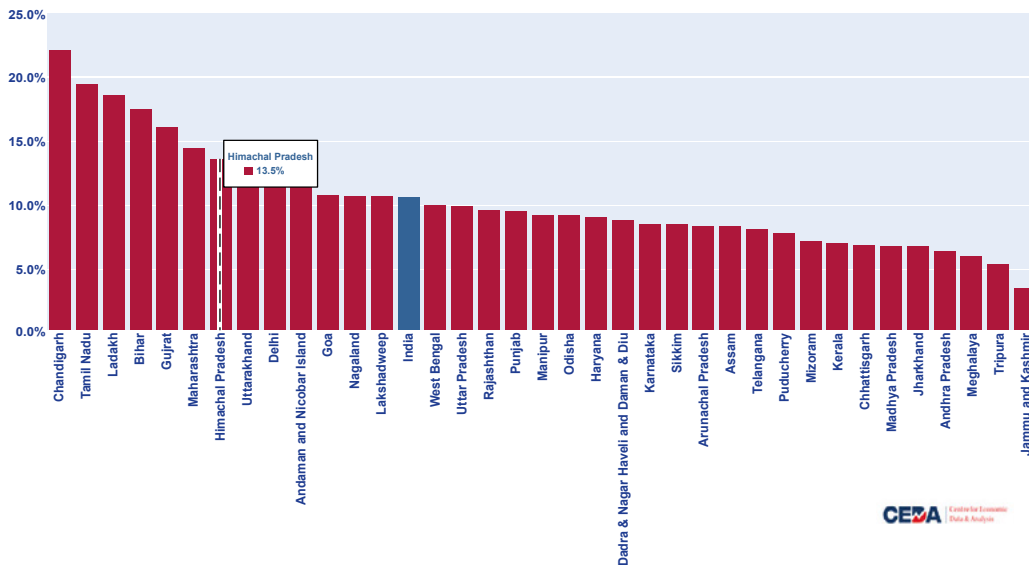
Data as of Jan 1, 2021. The strength of Police includes Civil, District Armed Reserve, Armed and Indian Reserve Battalion.
Source: Data on police organisations, Bureau of Police Research and Development (2022)

It has been elucidated by the authors above that a gendered approach to policing has a positive impact on crime reporting as well as law enforcement. Despite such evidences, the approach in India has been stagnant as can be seen from the data above. The same was also reiterated by Committee headed by Justice J.S. Verma which emphasised on the inclusion of women in Police force and setting up of women help desks as the same breaks the social stigmas and encourages women to report instances of abuse to the Police.

In pursuance of the same, the Ministry of Home Affairs has instituted a fund called the Nirbhaya Fund, under which it has initiated a project called the Women Help Desk Project.[33]

The Nirbhaya Fund, available to the States and Union Territories' has been set up with an aim to bolster women safety as well as security efforts. One of the projects under the Fund is the Women Help Desk (hereinafter referred to as WHD) , targeted initially to 10,000 Police stations in the country, with an aim to expand the same to the rest of the country on the basis of the experience of first year. The main objectives of WHD are as under:-[34]

33 "Women Help Desk Project" (*Home | Ministry of Home Affairs | GoI*) <https://www.mha.gov.in/> accessed October 2, 2022
34 ibid.

- Gender centrism in law enforcement through WHD wherein Police stations become easily accessible to women and women sensitive

- WCD's as primary contact for any aggrieved women walking into a Police station.

- Targeted gender inclusive training to officials of a WHD specifically trained to handle women issues.

- Setting up of a bank of experts such as lawyers, counsellors who provide assistance to such women in times of distress through WHD's.

- A complete follow up of cases by such WHD's and repeated checks on the stages of investigation.

Thus, the above mentioned initiative is a step towards gender targeted policing. The success of WHD's has also been studied by in a random control trial in the State of Madhya Pradesh,[35] wherein it was found that assigning of women Police officers on WHD's led to an increased reporting of crimes against women as well as an increase in the registration of FIR's in such instances. Such Indian centric statistics bolster the argument of the authors for the establishment of WPSs as well as WHDs. The same has also been supported through global researches as well as global best practices.

Furthermore, a study by Mangai Natarajan and Dhanya Babu, shows that the establishment of WPS and WHD has led to an increase in the number of WPS, representation of women Police, rates of crime against women, rape and dowry prohibition act crimes over time and the decrease in the rate of dowry deaths.[36] The same can also be seen graphically,[37]

Diagram 12
Table2. WPS, representation of women, in police and gender based violence in India (2005 - 2007).

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
WPS(#)	291	315	317	320	321	376	416	477	479	518	535	586	613
Women Policy %	2.84	3.26	3.23	3.89	3.65	4.25	4.59	5.33	5.87	6.11	6.44	7.10	7.3
Dowry Death *	1.37	1.53	1.63	1.65	1.69	1.69	1.47	1.40	1.38	1.44	1.30	1.30	1.1
Dowry Prohibition Act	0.65	0.91	1.13	1.12	1.14	1.04	1.13	1.54	1.83	1.71	1.69	1.65	2
Rape*	3.7	3.9	4.18	4.3	4.3	4.5	4.1	4.3	5.8	6.3	5.9	6.6	5.2
Cruetly by husband & relatives *	11.8	12.7	15.3	16.4	18.0	18.9	16.9	18.2	20.3	20.9	19.3	18.8	16.1
CAW*	31.3	33.2	37.3	39.5	41.1	34.3	39.0	41.7	52.8	57.6	55.8	57.8	50.3

*Denotes rates per 100,000 population

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35 Sukhtankar S, Kruks-Wisner G and Mangla A, "Policing in Patriarchy: An Experimental Evaluation of Reforms to Improve Police Responsiveness to Women in India" (2022) 377 Science 191

36 Natarajan and Babu, (n15).

37 ibid.

(Natarajan M and Babu D, "Women Police Stations: Have They Fulfilled Their Promise?" (2020) 21 Police Practice and Research 442)

Thus, the above studies make out a strong case for gender inclusive policing which also fulfils the international mandates as well.

Conclusion

Gender Policing is not the addition of women in the Police force. It is the transformation of the institutional apparatuses set up with the mandate of maintenance of law and order to be inclusive of gender. The same also resonates with the universal concept of human rights with equitable access to public offices as well as curbing the menace of crimes against women.

Furthermore, the institution of WPS and WHD should not be viewed as well as treated as surrogate panchayats, wherein it has been observed through several researches that rather than resolution of dispute through legal processes, the couple is first advised to resolve their disputes within the confines of their homes. This dilutes the concept of a WPS. The need of the hour is gender targeted training as well as education to women personnel and to break their personal prejudices and biases constructed due to the patriarchal nature of the Indian society so that the mandate with which they are set up can be fulfilled.

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Assessing the Applicability and Significance of Handwriting Analysis in Indian Legal Cases: A Critical Review

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Abstract

Handwriting analysis is essential to forensic document examination since it provides crucial information about authorship and evidence in various Indian legal issues. Handwriting analysis has been used as a crucial forensic tool to establish authorship, confirm signatures, or connect suspects to crime locations. However, there have been concerns and disagreements regarding the accuracy and dependability of handwriting analysis as admissible evidence in Indian courts. This study thoroughly analyzes the conclusions about handwriting analysis in Indian legal processes. The main objective is to assess handwriting analysis's applicability, dependability, and significance in the Indian legal system. This work aims to improve our comprehension of the function and limitations of handwriting analysis in Indian courts by carefully reviewing significant rulings and their implications.

Keywords: *Handwriting Analysis, Accuracy, Applicability, Limitations, Implications.*

Introduction

Handwriting analysis has long been employed as a forensic tool in legal proceedings worldwide, including in India. The identification of handwriting and signatures played a role in legal and administrative concerns in the distant past when handwriting analysis in India first began to develop historically. It promises to unscramble anonymities concealed within handwritten documents, such as detecting forgery, identifying authorship, and verifying the document's authenticity. The examination of disputed handwriting may well be the antecedent of forensic science. It is one of those rare disciplines to have been born as a forensic necessity rather than as a discipline established first in its own right for other reasons and later harnessed for forensic tasks. The practice of forgery and related fraud involving documents evolved almost as early as the development of

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writing. The relevance of documents in criminal and civil litigations largely depends upon the document's origin and authorship. Handwriting examination is believed to be launched as a distinct discipline by Albert Osborn in North America at the turn of the twentieth century. In the Indian legal landscape, handwriting analysis has gained traction, shaped the outcome of numerous cases, and influenced the course of justice. However, the validity and impact of handwriting analysis in Indian legal cases remain subjects of critical examination and debate. It is significant to note that different courts and legal systems have different approaches to whether handwriting analysis is admissible as evidence and how much weight to give it. Expert judgments obtained from handwriting analysis are given substantial weight in some jurisdictions, while caution is used, and it is only one piece of evidence among many.

This article critically reviews the validity and impact of handwriting analysis in Indian legal cases. It assesses the conclusions drawn from handwriting analysis in Indian instances, aiming to shed light on its effectiveness, limitations, potential biases, and broader implications for the legal system.

Some of the fundamental questions that are to be answered during the examination of a questioned document include:

a) Where did the document come from?

b) Which person or machine made the document, and how was it made?

c) Whether the document has faded, or has any alterations or obliterations on

it?

d) What are the changes made in the document, if any?

e) Is it a genuine document or a fake one?

f) Is it an original document or a reproduction from the original, and if so, which generation does it belong to?

Figure 1: Purpose of a Document Examination

Origin

Production Source and Process

Inscription

Chastity

Integrity

Legitimacy

Legal Aspects of Admissibility and Opinion on Handwriting

The essential sections about handwriting opinion as per Indian Laws are as follows:

Section 29 Indian Penal Code, 1860- Document: It explains the word 'document.' "The word "document" denotes any matter expressed or described upon any substance by means of letters, figures, or marks, or by more than one of those means, intended to

be used, or which may be used, as evidence of that matter."

Section 45 Indian Evidence Act, 1872 - Opinion of Experts: Section 45 allows the court to rely on experts' opinions in relevant scientific, technical, or specialized fields. It includes handwriting experts who provide their opinion on the genuineness, authorship, or forgery of handwriting.

Section 47 Indian Evidence Act, 1872 - Opinion as to handwriting, when relevant: The section states that when the court has to form an opinion about the handwriting of any person, a comparison of the disputed handwriting with that person's handwriting is admissible as evidence. This allows the court to consider handwriting analysis to form an opinion regarding the handwriting in question.

Section 73 Indian Evidence Act, 1872 - Comparison of signature, writing, or seal with others admitted or proved: This section empowers the court to compare the handwriting with a person's handwriting when it is necessary to ascertain whether a document was written or signed by that person. Handwriting experts play a crucial role in conducting such comparisons and providing their opinion on the similarity or dissimilarities of the handwriting samples.

Section 293 Code of Criminal Procedure, 1973- Reports of certain Government Scientific Experts: Any document claiming to be a report written by a Government scientific expert to whom this section applies and pertaining to any matter or thing duly referred to him for examination, analysis, and report in the course of any proceeding

under this Code may be used as evidence at any inquiry, trial, or other proceeding under this Code.

These provisions of the Indian Evidence Act, Indian Penal Code, and Code of Criminal Procedure recognize the value of expert opinions and handwriting analysis in establishing the veracity, authorship, and forgery of handwriting. In Indian courts, they offer a legal framework for the admission and applicability of handwriting opinions, allowing expert testimony and analysis to be considered as evidence. It is significant to note that the admission and weight assigned to a handwriting expert witness ultimately depend on the court's discretion, considering their credentials, area of expertise, and trustworthiness.

Legal Precedents establishing the Relevance of Handwriting Analysis

Legal precedents are significant when determining the applicability and validity of handwriting analysis as evidence in courts. Several significant cases have shaped the adoption and application of handwriting analysis in court processes over time. Here are a few noteworthy legal cases that have helped demonstrate the applicability of handwriting analysis:

The Rajesh and Nupur Talwar Murder Case (2013): Handwriting analysis played a crucial role in the investigation and subsequent trial of Rajesh and Nupur Talwar, who were accused of murdering their daughter and domestic help. Handwriting samples were collected from various documents and compared to the samples provided by the accused. The forensic

document examination helped establish a link between the accused and the crime scene.

The Jiah Khan Suicide Case (2013): Handwriting analysis played a role in investigating Jiah Khan suicide case, a prominent Bollywood actress. Handwritten letters and notes were examined to determine the authenticity and authorship. The analysis helped shed light on the deceased's mental state and provided insights into the circumstances leading to the tragic incident.

The Vijay Palande Murder Cases (2012): Handwriting analysis played a role in investigating multiple murder cases involving Vijay Palande, a notorious criminal. Handwritten documents, including fake passports and forged identity cards, were examined to establish the links between the accused and the crimes committed. The analysis provided critical evidence to prove the accused's involvement in the murders.

The Sheena Bora Murder Case (2012): In the highly publicized Sheena Bora murder case, handwriting analysis was used in the investigation and trial. The links between the accused and the victim were determined through handwritten letters, diaries, and fake papers. The analysis supported witness accounts and contributed to the accused's conviction.

The Nitish Katara Murder Case (2002): The Nitish Katara murder case's investigation and trial both used handwriting analysis. In order to determine the link between the victim and the accused handwritten letters and texts were analyzed. The

analysis contributed to the conviction of the defendants by helping to present proof of their involvement.

The Jessica Lal Murder Case (1999): In the Jessica Lal murder case, handwriting analysis played a role in corroborating witness statements and identifying the accused. Handwriting samples from the accused were compared to signatures on various documents, including the visitor's register at the crime scene. The analysis helped establish the authenticity of the signatures and link the accused to the crime, leading to their conviction.

The Uphaar Cinema Fire Case (1997): In the tragic case of the Uphaar Cinema incident in Delhi, where a large fire destroyed the theatre and killed 59 people, handwriting analysis proved the theatre proprietors were careless. Inspection reports and correspondence between the cinema owners and authorities were among the handwritten documents inspected. The analysis uncovered inconsistencies and safety protocol violations, which helped lead to the conviction of the accused for negligence that resulted in the loss of lives.

The Priyadarshini Mattoo Murder Case (1996): Investigation into the high-profile murder of Priyadarshini Mattoo, a law student, included handwriting analysis. The analysis presented necessary proof of the accused's fixation and intent. The accused were found guilty after reviewing handwritten letters and diary entries to show a connection between the victim and the accused.

The Harshad Mehta Securities Scam

Case (1992): Handwriting analysis was employed in the high-profile scam case involving stockbroker Harshad Mehta. Examining forged bank receipts, stock transfer letters, and other documents helped identify the individuals responsible for the fraud. Handwriting experts analyzed the discrepancies and similarities in the signatures and handwriting, providing crucial evidence to convict the accused.

The Hawala Scam Cases (1990s): In the 1990s, handwriting analysis was used in several high-profile Hawala scam cases in India. In these instances, falsified paperwork and financial records were examined to determine who was responsible for the unlawful money transfers. In order to determine the legitimacy and origin of the documents and support the prosecution of individuals involved, handwriting experts looked at signatures, handwriting patterns, and document modifications.

Handwriting analysis plays a vital role in the Indian legal system, and the above examples elucidate its impact on shaping case outcomes.

Case Laws Proving the Admissibility of Handwriting as Evidence in Court

Raja Ram v. State of Madhya Pradesh (2017): In this case, the Supreme Court of India reaffirmed the admissibility and relevance of handwriting analysis in court proceedings. The court held that expert opinions derived from handwriting analysis are admissible as substantive evidence. It stressed the importance of relying on the expertise and reliability of the handwriting expert conducting the analysis.

Raju v. State of Karnataka (2017): In this case, the Karnataka High Court addressed the admissibility of handwriting analysis as evidence. The court held that expert opinion on handwriting analysis is admissible, provided the expert has followed reliable scientific methods and can explain the basis for their opinion. The court emphasized the importance of establishing the qualifications and expertise of the handwriting expert and the need for them to demonstrate the methodology employed during the analysis discretion.

Ramraj Pandey v. State of Jharkhand (2014): In this case, the Jharkhand High Court emphasized the need for the handwriting expert to explain the scientific basis and methodology used in the analysis. The court held that the expert must provide a clear and cogent opinion, supported by logical reasoning, to ensure the reliability of the handwriting analysis evidence.

State of Punjab v. Gurmukh Singh (2012): In this case, the Supreme Court of India recognized the significance of handwriting analysis as corroborative evidence. The court held that the expert opinion on handwriting analysis could be considered along with other evidence to strengthen the prosecution's case and establish the accused's guilt.

R. Prakash v. State of Karnataka (2011): The Karnataka High Court, in this case, upheld the admissibility of handwriting analysis as evidence. The court acknowledged the significance of handwriting analysis in establishing the authenticity and authorship of documents. It emphasized that expert opinions from handwriting analysis can be

considered substantial evidence in court proceedings.

State of Andhra Pradesh v. T. Malla Reddy (2006): The Andhra Pradesh High Court emphasized the importance of obtaining a complete handwriting sample for analysis. The court highlighted that a mere signature or a small portion of writing might not be sufficient for a conclusive analysis and that a more prominent and representative sample is required for accurate comparison and opinion.

State of Gujarat v. Jaswant Singh (2005): In this case, the Gujarat High Court relied on handwriting analysis as evidence to establish the authorship of incriminating letters. The court accepted the expert opinion of the handwriting analyst, considering it a substantial piece of evidence that supported the prosecution's case.

State of Maharashtra v. Shakuntala Bai (2003): In this case, the Supreme Court of India acknowledged the admissibility of expert opinion on handwriting analysis. The court held that the opinion of a handwriting expert could be considered evidence if it is accompanied by an explanation of the basis and criteria used for the analysis.

State of Andhra Pradesh v. Rayavarapu Punnayya (2003): The Andhra Pradesh High Court upheld the admissibility of handwriting analysis as evidence in this case. The court acknowledged that handwriting analysis, when conducted by a qualified expert, is a valuable tool in determining the genuineness or forgery of documents. It emphasized that such expert opinions can be considered substantial

evidence in court.

Ram Bihari Yadav v. State of Bihar (1998): In this case, the Patna High Court recognized the admissibility of handwriting analysis as evidence. The court emphasized the importance of handwriting analysis in cases involving forged documents or signatures. It held that expert opinions derived from handwriting analysis are valuable evidence that can be considered in court proceedings.

State of Rajasthan v. Shakir Ali (1976): In this landmark case, the Supreme Court of India identified the admissibility of handwriting analysis as evidence. The court emphasized the importance of handwriting analysis in establishing the authorship and authenticity of documents. It held that expert opinions from handwriting analysis could be considered substantive evidence in court proceedings.

These case laws provide legal precedents establishing the admissibility of handwriting analysis as evidence in court. They emphasize the significance of expert opinions from qualified handwriting experts in determining documents' authenticity, authorship, and forgery. It is important to note that these cases highlight the need for reliable and well-documented handwriting analysis conducted by qualified experts to ensure the admissibility and weight given to such evidence in court proceedings.

Digitization and the Challenges Posed to Handwriting Analysis

Conventional handwriting analysis faces several difficulties due to the paradigm shifts that digitization has brought about in how

we interact and record information. The use of handwritten documents has declined due to the widespread usage of digital devices and the transition to digital documentation. For handwriting analysis in legal matters, this change poses challenges. The loss of uniqueness and tangible writing in digital form is one of the main issues. Digital text, in contrast to handwritten documents, lacks the distinctive physical traits and individual variances that handwriting researchers rely on for analysis. Handwriting analysis is further complicated using digital signatures and fonts because they are simple to change and copy. Analyzing and comparing handwriting patterns is also uncertain due to the diversity of digital writing tools and software.

Creating standards, verification methods, and specialized digital forensic tools is crucial for ensuring the validity and dependability of digital handwriting analysis. The analysis process becomes complicated due to integrating biometric data and automatic handwriting recognition. Furthermore, it becomes increasingly challenging to identify and differentiate between natural and modified digital handwriting due to the development of advanced digital editing and forgery tools.

Additionally, because digital writing does not use actual ink or paper, it loses essential forensic clues like pressure, pen angle, and ink flow that handwriting analysts usually rely on. Furthermore, the increasing usage of touchscreens and stylus pens creates new challenges because the variety of writing implements and levels of pressure sensitivity can impact the consistency and

quality of digital handwriting samples. Although these technologies have effective processing and identification capabilities, they could not have the contextual awareness and subtle interpretation that human experts in handwriting analysis have. To preserve the integrity and validity of handwriting analysis in the face of these new problems, the digitalization landscape is changing, necessitating continuous study and methodology adaption.

Scientific Bias in Handwriting

The term "scientific bias" in handwriting analysis refers to the possibility that personal preferences and prejudices will affect how handwriting samples are interpreted and what conclusions they can take. The subjective nature of human perception and interpretation might create biases that may affect the objectivity and reliability of the analysis, even though handwriting analysis is regarded as a scientific field. The following are some elements influencing scientific bias in handwriting analysis:

Interpretation Subjectivity: Letter forms, slant, spacing, and rhythm are only a few of the elements of handwriting that can be subjectively interpreted through handwriting analysis. Analysts may view and interpret these traits differently, resulting in various findings. Unintentional influences on the analyst's interpretation can come from personal prejudices, experiences, and previous assumptions.

Confirmation Bias: Confirmation bias arises when the examiner selectively interprets or emphasizes evidence that supports their preconception to confirm their preconceived

notion or anticipation about the outcome of their analysis. This bias may result in a skewed analysis that ignores contradictory facts and may compromise the objectivity and correctness of the conclusions.

Contextual Bias: Contextual biases may be introduced since handwriting analysis is frequently done in the context of a particular instance. The details presented about the case, the parties involved, or the desired result may impact analysts. These contextual biases can affect how handwriting samples are interpreted and jeopardize the analysis' impartiality.

Training and Experience Bias: Due to their education, experiences, or personal preferences, handwriting specialists may develop prejudices. Methodologies and interpretations used by experts may be influenced by their personal preferences and ideas. Different mentors or training programs may emphasize particular theories or techniques, affecting the analysis and results.

Several measures, including developing Standard operating procedures, continuing professional education and training, collaboration, and quality control measures, are necessary to mitigate this scientific bias.

Advancing Standardisation and Scientific Accuracy of Handwriting Analysis

Development of Standard Operating Procedures: Creating Standard Operating Procedures (SOPs) is essential for maintaining consistency and dependability in handwriting analysis. SOPs specify the methods, procedures, and quality assurance standards that must be followed while analyzing handwriting. They help reduce irrational interpretations and biases by giving analysts precise guidelines.

Accreditation & Certification: Implementing accreditation and certification programs for handwriting specialists can improve the objectivity and legitimacy of their research. Accreditation guarantees that forensic laboratories and professionals uphold recognized standards of excellence. Certification programs certify the knowledge and skill of handwriting specialists, fostering uniformity and professionalism in the industry.

Research & Validation Studies: For the scientific foundation of handwriting analysis to advance, research and validation studies are necessary. Exploring the validity and reliability of different handwriting analysis techniques through rigorous scientific study can help to build evidence-based practices. Validation studies can support handwriting analysis methodologies' adoption within the scientific and legal communities by demonstrating their accuracy and consistency.

International Standards & Guidelines: Global uniformity and acceptance are enhanced by integrating handwriting analysis practices with international standards and guidelines. Handwriting specialists should be conversant with relevant international standards, such as those established by the International Organisation for Standardisation (ISO), American Society for Testing and Materials (ASTM) guidelines, and the Scientific Working Group for Forensic

Document Examination (SWGDOC). This will help foster standardization and reinforce the handwriting analysis field's scientific foundation.

Peer Review and Collaboration: Peer review and teamwork among specialists in handwriting can promote scientific conversation, knowledge exchange, and quality control. A peer review enables professional to assess one other's work, offer helpful criticism, and guarantee adherence to scientific principles. Collaboration among specialists from various institutions and authorities encourages standardization and aids in the discovery of best practices.

Education & Professional Development: Handwriting experts should participate in ongoing education and professional development initiatives, webinars, and workshops to stay informed on recent developments and research. They can increase their knowledge, hone their abilities, and encourage a culture of continuous education and development by participating in workshops, conferences, and training programs.

The scientific rigor and standardization of handwriting analysis can be improved by implementing these measures. These initiatives support the legitimacy of handwriting analysis as a forensic tool, encourage trust in its conclusions within the legal system, and ultimately guarantee an impartial and trustworthy judicial procedure.

Conclusion

Considering the reliability and significance of handwriting analysis in Indian legal situations

highlights the complexity of this forensic field. Even though handwriting analysis has been widely used and recognized as evidence in Indian courts, it is still vital to use caution and a critical eye when applying it. The review has emphasized the advantages and disadvantages of handwriting analysis. Several case laws have established the applicability and acceptability of handwriting analysis, acknowledging its value in authenticating signatures, spotting forgeries, and identifying authorship. The experience of trained handwriting experts and the application of scientific methodologies has aided the reliability of handwriting analysis as a forensic technique. However, ensuring the objectivity and uniformity of handwriting analysis can be difficult. Consideration should be given to the subjectivity of interpretation and the possibility of scientific prejudice. Legal professionals, forensic specialists, and the justice must objectively assess handwriting analysis evidence, considering its advantages, disadvantages, and potential for scientific biases. When determining the admissibility and weight of handwriting analysis evidence, the courts should consider the reliability of the handwriting specialists, the technique used, and the circumstances of the case. Pursuing ongoing research and adapting accordingly is crucial to maintain the relevance of handwriting analysis in the Indian legal system amidst technological advancements and emerging modes of communication. Handwriting analysis can remain valuable in legal proceedings by addressing the challenges and proactively embracing changes. The ultimate objective is to guarantee an impartial and trustworthy

legal system, where handwriting analysis can be critical in determining the truth and protecting justice.

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