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SUBJECT:		Test Code:	1	0	7	7
Name of Candidate	Sumit Kumar Ravi					
Medium Hindi/Eng.	English	Registration Number	6	0	7	1
Center	ORN	Date	26	08	18	

INDEX TABLE				INSTRUCTIONS
Q. No.	Page No.	Maximum Marks	Marks Obtained	
				1. Do furnish the appropriate details in the answer sheet (viz. Name, Registration Number and Test Code). उत्तर पुस्तिका में सूचनाएं भरना आवश्यक है (नाम, प्रश्न-पत्र कोड, विद्यार्थी क्रमांक आदि)।
				2. All questions are compulsory. सभी प्रश्न अनिवार्य हैं।
				3. The number of marks carried by a question/part is indicated against it. प्रत्येक प्रश्न/भाग के अंक उसके सामने दिए गए हैं।
				4. Answers must be written in the medium authorized in the Admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided. No marks will be given for answers written in medium other than the authorized one. प्रश्नों के उत्तर उसी माध्यम में लिखे जाने चाहिए जिसका उल्लेख आपके प्रवेश पत्र में किया गया है और उस माध्यम का स्पष्ट उल्लेख प्रश्न-सह-उत्तर (क्यूसीए) पुस्तिका के मुख्य पृष्ठ पर अंकित निर्दिष्ट स्थान पर किया जाना चाहिए। उल्लिखित माध्यम के अतिरिक्त अन्य किसी माध्यम में लिए गए उत्तर पर कोई अंक नहीं मिलेंगे।
				5. Word limit in questions, if specified, should be adhered to. प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए।
				6. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off. उत्तर पुस्तिका में खाली छोड़ा हुआ पृष्ठ या उसके अंश को स्पष्ट रूप से काटा जाना चाहिए।
Total Marks Obtained:				

1/8-B, 2nd Floor, Building- Apsara Arcade, Near Gate-7 Karol Bagh Metro Station, Pusa Road, Karol Bagh, Delhi – 110005

EVALUATION INDICATORS

1. Alignment Competence
2. Context Competence
3. Content Competence
4. Language Competence
5. Introduction Competence
6. Structure - Presentation Competence
7. Conclusion Competence

Overall Macro Comments / feedback / suggestions on Answer Booklet:

1.

2.

3.

4.

5.

6.

All the Best

Section A

1. Accountability in India's police Services: Who watches the watchmen?

_____ x _____ x _____ x _____

"IPS in India is still seen as a police force and not as a police service"

— National Police Commission, 1977.

The above comment was made by National Police Commission (NPC) in 1977 while evaluating the performance of Indian Police Service (IPS). Even after 40 years the same feeling persists in a vast section of society. The perception of police as a force creates a trust gap between citizens and police. More than the trust gap there is a wider issue of changing this perception in masses. Accountability of police is going to be the critical factor in changing that perception.

The issue of accountability in India's police forces have been brought into light by various Commission and Committees, there have been many media reports, personal stories which have highlighted

police excesses in day to day life. Given that police is supposed to be the society's watchmen, the big question that hovers is: who will watch the watchmen if they do wrong?

The theme of this essay will revolve around the same concept. We will first analyze the various forms in which police accountability is being questioned on issues of fearfulness or excesses, then will look into the causes behind such behaviours and will attempt to address these problems. We will analyze the various steps already suggested, why they have not worked, what are the best practices we can learn and at the same time we will see the entire issue from the perspective of a normal policeman also.

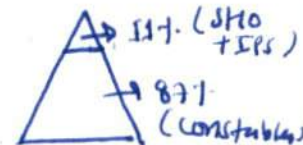
To start with various ways in which police's actions bring concern or questions will be looked into. The most crucial aspect is the behavioural aspect of police. First, it creates fear among masses and especially in poor and weaker sections of society. In villages the sight of

police in itself means that trouble is enroute. Second, it promotes poor answerability and accountability of police towards public. There is a well recognised issue of police brutality in various cases. Custodial brutality being one of them. Then there is issue of police being misused as a tool of oppression in politician's hands. Politicisation of police has also been highlighted as a problem by Prakash Singh in his PIL in Supreme Court. The issue of bane being taken by police, caste prejudices of police force and incidents like Bhagalpur beatings further create a negative image of police. Very recently Uttar Pradesh police was in news due to increased cases of police encounters. Thus there is allegation of bypassing normal justice and resorting to extra-judicial killings.

All these issues bring discussion of police accountability to the centre. The issue of fake police encounters equates to protector becoming the predator besides violating article 21

of the Constitution. Similarly, police brutality goes against the "Police Service" concept. Now the next question arises is: Why this happens?

The reasons behind such behaviour is multi-fold. First, the politicisation of police and political interference in appointment, promotion, transfer and day to day working of police makes police system ineffective. Instead of neutrality, a biased police system is created. Second, the institutional structure of police system is highly hierarchical. It has more than 10-11 levels, however its base, made of police constables is highly tapered.



This creates a system where obedience is followed unquestionably. This becomes a problem when conflicting ideas/orders arise as the police cannot use its free mind. Third, the institutional culture of police still borrows heavily from the colonial mindset of authoritative, coercive, controlling and people-avoiding police force. Fourth, the lack of proper training in police force, especially

to its base (B.T. police constable) make police less sensitive to public. Fifth, lack of proper grievance redressal mechanism against police excesses make police less accountable. Sixth, the citizen side accountability demand is missing, part of the reason can be lack of "questioning the authority" culture. Our education system can also be made responsible for this as we do not promote such values like raising voice against administrative excesses.

These six reasons broadly decide the police ecosystem of India. They put most of the blame on a poorly structured, poorly functioning police system. However, we should also see the situation from a policeman's eye to understand the totality of the situation. In India, police is working in a de-humanized conditions, police has a very poor work-life balance, many of them have to work for more than 12-14 hrs on a daily basis. All these create mental and psychological stress. Lack of respect for police

will only create frustration in them. The nature of police job is also such that they have to be on duty on national holidays. Recently Tamil Nadu High Court asked its state DGP to ensure that police personnel get weekly off to allow them to have quality family time. This understanding is necessary to provide a Comprehensive solution to police problem in India.

Now coming to the question of what are the way forward to bring police accountability. Already various committees and commissions like National Police Commission, Ribeiro Committee, Padmnabhaviah Commission, Soli Sorabjee Committee, SC's Prakash Singh judgment, K.T. Thomas Committee have given key ideas. For example, to reduce political interference, a State Security Commission (SSC) to be set up, a Police Establishment board (PEB) will help in matters of promotions, transfer of police personnel. Similarly, a State Complaint Committee and district Complaint Committee to be set up to

address citizen grievances towards police functioning.

So already solutions have been suggested. However most of these solutions have not been implemented in their full faith and spirit.

So, what is the way forward? We need to understand the police models before making a change. In India, we inherited our police system based on British colonial police system. This system was based on what is called Irish Constabulary model. This model is based on control and authority. British used this model to suppress Irish nationalists back home. In India, same model was followed. Thus today's Indian police system carries the inheritance of Irish Constabulary model. The opposite of this model is called "London metropolitan model" started by Robert Peel. This is based on concept of "police as a citizen in uniform". Thus it promotes the police service aspect. Our Indian model needs to move toward this.

Moving to this model will require certain changes. For example: Community Policing can be practised. This has already been used in various states. Additionally, the structure of the police needs to be changed; the number of hierarchy needs to be reduced. Recently NITI in its report on police reforms in India suggested recruiting B.Tech graduates from prominent institutions like NIT, IIT as Sub-Inspector. This will improve the technical expertise as well as functioning of police stations. The Sensitivity training has to be made essential for police. Further, their working ~~life~~ style needs to be introduced by providing mandatory one day leave to all policeman.

All these efforts would attempt to change the Indian policing model and bring it more closer to London metropolitan model. However, this in itself cannot be a solution in entirety. We also need institutional level mechanism to control police excesses. In this regard the Supreme Court's directions have to be implemented

in a spirited manner. The police brutality cases must be dealt in a fast-track court and justice must be delivered. The police must feel that they are not above law, then only the arbitrariness in police behaviour can be checked. We also need legislative mechanism like anti-torture bill to prevent police torture especially in custody. The prison system has to be reformed simultaneously bringing more accountability of people for prison violence and custodial deaths. On the issue of communication of police, a fast-track court mechanism must be set to fix police responsibility. Now a days the rise of vigilantism, mob lynching and alleged role of police inactivity also has to be addressed through a legislation on mob lynching. These measures would ensure that the watchmen are being watched.

Police is supposed to be the protector of police. Their impartial, transparent and accountable

functioning ~~to~~ is key to success of a functional democracy. When police becomes the rule-breaker or predator in few cases, the public has very limited options to get justice against them. This is a blatant violation of the trust that citizens put in hands of state under a social contract. Way back the Greek scholar ^{Plato} ~~Aristotle~~ talked about public guardians concept. Police is nothing but those public guardians. It is vital that they stay true to their role and ensure that public is guarded from both: external elements and police force itself!

Section B

- (4) When government fears the people, there is liberty.
When the people fear the government, there is
tyranny.

_____ x _____ x _____

Kim-un-Jong, the leader of North Korea met Donald Trump, the president of USA. Two leaders represented two entirely different Countries: different in the sense of state's relationship with people. In north Korea, the Kim government controls everything, officers are executed on slight disagreement with the "Supreme leader", people have to show utmost respect to Kim and his family. The result: a tyrannical government. Here people fear government in North Korea which is different than USA. In USA, government fears people in the sense of heavy criticism, lack of popular support that can come due to government decisions and policies. The result: there

is liberty at its best in USA.

The story of North Korea and USA show that between government and people, who fears whom can bring a lot of difference. In this write-up we will explore similar ideas from various parts of the world, we will also see how within a state there can be "selective fear" concept, how a state can control its authoritarian tendencies, the case of ~~and~~ India, role of Constitution and similar ideas.

The ~~the~~ origin of state, in Rousseau's terminology is a Social Contract between citizens and state. citizens give up certain rights in order to be protected by state. But what will happen if state does not honour its side of the deal? This is when people start fearing the government. The government has the legitimacy and power which can be misused to control people. History ~~has~~ been witness that many states have seen this phenomenon.

To start with, the same USA which we saw as champion of liberty was not so once. It was once ruled by Britain and at that time the residents of 13 colonies feared the British rule. As a result there was complete tyranny. Even after US's independence, there was "differential and selective fear" for Black citizens. It resulted into tyranny in form of slavery in South Colonies. It was only in 1865 when Civil War brought an end to the practice of slavery. Nonetheless, the fear among black people continued even in 20th century. This was again addressed in form of Civil rights movement under Martin Luther King Jr.

This example shows that there might be a country which seems democratic, but certain sections of society can feel fear from the government. This happened in case of Black people in USA. Even today, President Trump's policies have brought fear in

few groups like Mexican immigrants and Muslim population. This brings a tyrannical rule for these people amidst an environment of unpredictability and selective repression.

Similar type of repression can be seen in case of Rohingya of Myanmar. These people live in constant fear of Myanmar government due to its hate policies. As a result, the worst form of tyranny has been bestowed upon them.

The entire middle east also shows trend of people ~~fearing~~ fearing government. This is the reason that most of the countries are under dictatorial regime. It was only in 2003 when the Jasmine revolution started, Arab spring happened and governments started fearing people for their outburst. However, this seems to have lost its zeal.

Going back further we can see tyranny in France before 1789 revolution, when the people fear autocratic rule of Louis XVI.

In comparison United Kingdom had seen a glorious revolution in 1688 which reduced monarchy fear in people. Thus there was more liberty available to British than to the Frenchmen at similar point in history. This had an impact on rise of industrial revolution in Britain (first country where it happened).

However the liberty offered to British at home should not be seen as a saintly act of action by British government. This is the same government which ruled India. The pre-independence India and post-independence India in this context present contrasting relationship between government and citizens. In pre-independence India, the people feared government, as a result there was tyranny. Gradually they started protesting, there was a freedom struggle, many great sons of the country sacrificed their life. As a result now the government started fearing. This

resulted into mechanisms like a series of round table Conferences (RTCs) and increased role of Indians in government. Ultimately British left India in 1947.

The year 1947 thus marks a departure in Indian history. We understood the message that people should not fear government in a democracy. But how do we ensure that? The Constitution is one way to ensure that. It gives people legitimate rights, while controlling State's arbitrary power. Thus people in post-independence India do not fear government and hence there is no tyranny like British era.

This brings us to a discussion of "Does government fear people in India?".

On a practical scale, government worries about public opinion and if government's concern is to ensure its power, then yes it fears public.

That's why it makes policies which does not

bring public wrath. This creates an environment where people have more liberty. Indian electoral system and for that matter Election Commission of India is thus the best friend of Indian citizen in controlling the authoritarian tendencies of government.

The discussion of authoritarian tendencies should draw our attention to 1975-77 emergency era which is considered to be a blot on our democracy. Why did government impose emergency? who was afraid of whom in this case? We can see that the government first "perceived" their fear from people and reacted in a manner to control their rights. Later when emergency was imposed, people started fearing government which resulted into a tyrannical system.

The above illustration proves a point that sometimes it is not the actual fear, but the perception of fear that can

also make a big change in a government's actions. Here the Indira government perceived fear from people (public resistance against mal-governance, Inflation, food price rise) and went on to curb their liberty.

Thankfully the same act has not been repeated again since then. However that does not mean everything is good in modern India. The people might not directly fear the government but sometimes the vested interests can use government to create fear in people. The rising vigilantism and mob lynching creates fear in certain section of society. This brings tyranny for them. In this case the role of Supreme Court, Parliament becomes important to remove fear from minds.

Removing fear from people's minds is thus the fulfillment of government's side of deal under social contract. Under an ideal set up, people should fear government

upto a certain extent so that law and order is maintained. They should not treat government as their property. Similarly, the government should fear people upto certain extent, especially through public feedback. This acts a barometer for government. This fear of public ensures that government actions are in best interest of all. Thus ~~the~~ certain level of mutual fear is in best interest of citizens and government.

This philosophy of ^{minimal} mutual fear makes social contract effective. A government should not become North Korea, but at the same time should not become a banana republic. The journey of India since independence has shown the way forward in this regard. Our Constitution has institutionalized the rule of people, removing the unnecessary fear of government that had

become a norm in colonial times. Further successful elections create an empowerment mechanism for people. This along with public debates, public feedback, civil society and media activism ensure that government of the day has certain level of fear of people. This is the key to success of Indian democracy and this is what both - Kim-Un-Jung and Donald Trump should learn from India.

Liberty

Tyranny

→ Hook

Should government fear the people?



Fear: ↗ ↘

Weingstan's paradox

India →

Pre-independence India

America before civil war (1965 → Slave sys.)

→ Constitution ↓
deduct government fear

magontarianism

↓
mob lynching, vigilantes

Myanmar ? Rohingya fear the myanmar govt
→ Tyranny

Selective fear 1984 / Brg Bots

Middle east civil rights led { North Korea → fear the

HW

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Don't write anything this margin
(इस भाग में कुछ ना लिखें)

Question 3

Accountability in India's police service : who watches the watchmen?

- Explain the statement
- Some field experience : ground level reality, people's experience with police

→ who watches the watchman

- Police brutality → custodial deaths
- Police Encounters
- 1993 Bombay blast

Representational police

Liquor ban → Police involvement at border

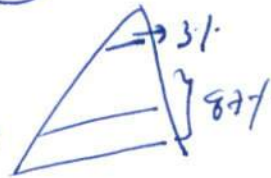
- Accountability
- Public
 - farmers
 - politically motivated actions
 - short-circuiting the justice system
 - oppressing

Police brutality : Bhagatpur case

○ Cuckoo

Highways → Truck ban

Fix accounts → Constable / 1000



A glimmering hope

de-humanization of police, stressful working

Condition, lack of understanding by Karnataka's home ministers visit Germany

→ Munich police

Padmanabhaiah, NPC Commission, Reberio Commission