

Those police regulations and we

MUHAMMAD NURUL HUDA

BANGLADESH polity, as of now, witnesses heightened concern about the necessity of good governance. In animated debates, symposia, seminars and dialogues many passionate advocates would recommend wholesale striking of older rules and regulations, particularly those of pre-1947 period. Some among them would term those rules and regulations as colonial and therefore, anachronistic, for a democratic society. Such utterances find attentive and sympathetic ears particularly amongst the post-liberation generation. One, however, does not always benefit by learning about the options that are there in place of those colonial and archaic provisions.

This writer, having served in a manifestly regulatory department like police for thirty-one years and claiming no right to pronounce on other jurisdictions, ventures to look at the so-called colonial dimension of the Bengal Police. Central to the understanding of the subject is browsing, at the least, if not reading through the police regulations of Bengal whose initial compilation dates back to 1927. These regulations numbering 1290 and popularly known as PRB, is the essential guidebook for all police functionaries. It is divided into three volumes, the first dealing with the police organisation, its establish-

ment, different police units and their activities etc in 26 chapters, the second detailing the different manuals, forms and registers relevant to police work and the third one containing the index.

Let us now look at some of the above mentioned colonial regulations and examine their relevance or otherwise to the present context.

Behaviour towards the public

Regulation 33 (a) says, "No Police Force can work successfully unless it wins the respect and goodwill of the public and secures its cooperation."

Regulation 33 (b) says, "Rude-ness, harshness and brutality are forbidden; and every officer of superior rank must take immediate steps for the punishment of any offenders who come to his notice."

Regulation 33 (c) says, "No officer should be recommended for promotion who habitually disregards the above instructions."

Regulation 33 (d) says, "Every officer, shall be easily accessible... to Indian gentleman, whether official or non-official and to other respectable persons and shall encourage them to communicate their opinions to him freely."

Regulation 33 (e) says, "Officers responsible for training a probationary Assistant Superintendent shall impress upon him the necessity for showing courtesy ... and teach him how to conduct himself...."

Are not the above regulations clear and explicit enough about the expected behaviour pattern of the policemen of yesteryears, at least on paper? The colonial masters may not have been as eloquent as the authors of our constitution or the universal declaration of Human Rights but they definitely displayed their fair intent. It was not in so many words.

Improper use of public servants

Regulation 113 says, "The employment of subordinates as if they were

and appraisal

Regulation 118 says, "The great mass of crime consists of offences against property, against which the police can afford a large measure of protection, either directly by regular and efficient patrolling, or indirectly by the exercise of proper surveillance...". The above direction still holds good and our overall crime scenario can register substantial improvement if we stick to the above guidelines.

Regulation 119 very rightly says that, "The successful detection of such crime as the police cannot or do not prevent is also of the greatest

criminal administration and management and an admirable piece of appraisal guideline? The colonial masters were realists.

Use of firearms

Regulation 153 (b) says, that "... Independent firing by individuals on their own is forbidden except when it is justified as being in the exercise of the right of private defence. The responsibility of proving that circumstances invoked the right of private defence will rest upon the individual who fires or gives the order to fire, but provided

half-margin memorandum shall be used when the reply can be given in a few words..."

Regulation 181 (b) says, "The unnecessary use of service portage stamps... shall be avoided."

Regulation 181 (c) says, "It is forbidden to use official stationery or service stamp for private correspondence or to enclose private correspondence with official communications..."

The above directions are still relevant when seen in the background of the state of our public offices.

The so-called colonial rulers were pragmatic and circumspect and they could think ahead of their times. They were good managers and the regulations crafted by them are still in the book and as such binding on the police officials who serve now. So what has gone wrong to make the general public feel less-than-comfortable in their dealings with police? One view is that those police regulations have not been followed in letter and deeds and there has been very little effort to improve upon them.

an officer's personal servants, for procuring supplies... is prohibited as being an indefensible abuse of authority..."

How serious and earnest are public servants in Bangladesh about not indulging in the above mentioned impropriety? The colonial authority probably understood the sub-continental mindset better and as such forewarned possibly with a view to creating the proper service ethos.

Appreciation of crime

importance. But an officer will be judged not by the percentage of successes in the investigation and prosecution of offences, which is to some extent a matter of fortune, but by his display of method and intelligence in detection, his general efficiency and keenness, his management of subordinates and above all by his knowledge and control of the local charge committed to him."

Is not the above appreciation a brilliant display of pragmatism in the action is taken in good faith, that individual has no need to be apprehensive of the outcome of any enquiry."

One can see in the above paragraph the commendable judiciousness combined with the compulsion of acting properly under trying circumstances.

Economy in communication

Regulation 178 says, "In all departmental correspondence,

Concern for environment and health

Regulation 203 says, "A police station should be a pattern of order and cleanliness both inside and out. There should be a place for everything and the officer-in-charge shall be held responsible that everything is in its place... The compound shall be kept tidy and free from jungle by the constables, and hollows and depressions which hold water shall be filled up.... The officer-in-charge shall also see that his subordinates mend any holes that may have been made in their mosquito nets and that they look after their clothing with due care..."

The above paragraph would demonstrate that nearly 100 years ago there was a praiseworthy eco-consciousness and concern for the well-being of the human body.

Avoidance of harassment of the public

Regulation 260 says, "Investigating officers should carefully

abstain from causing unnecessary harassment either to the parties or to the people generally. Only those persons who are likely to assist the enquiry materially should be summoned to attend. Where possible the investigating officer should himself go to the house of the witness to be examined. The proceedings should be as informal as possible. The questioning of witnesses should ordinarily be conducted apart and in a manner that will not be distasteful to them."

The present day investigators have a lot to learn from the above directives if they and their superiors are earnest in projecting a desirable image of the service in public estimation.

Avoidance of unnecessary arrest and granting of bail

Regulation 317 says, "The police shall be careful to abstain from unnecessary arrests. In petty cases it is hardly ever necessary to arrest on suspicion during the course of an enquiry, and never necessary to arrest after the enquiry is over, when the case is not to be sent up..." "A free use shall be made of the discretion given by section 497(2) of the code of criminal procedure, to accept bail in non-bailable cases..."

The above regulation while telling the police not to hesitate to arrest on suspicion, clearly reminds them that only "reasonable suspicion" will justify the arrest and that if there is no "responsible grounds for believing in his guilt" such arrest should be at once followed by an offer of release on bail under section 497(2) of the code. The exercise of such discretion relating to bail by police, at present, is almost non-existent for reasons that may be discussed but the redeeming feature that cannot escape our

attention is that police was expected to be active but responsible. Human liberty and freedom was taken into consideration by the colonial rulers.

Use of handcuffs

Regulation 330 says, "...The use of handcuffs or rope is often an unnecessary indignity. In no case shall women be handcuffed, nor shall restrain be used to those who either by age or infirmity are easily

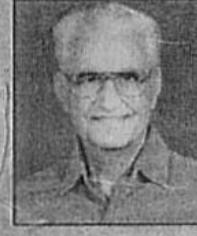
and securely kept in custody."

The above regulation shows the sensitivity and admirable caution of the colonial rulers and are without doubt worth emulating.

Many more regulations could be cited but only a few have been discussed keeping in mind their universal applicability and their being free from any controversy. From the foregoing discussions and the comments made hereinbefore one point becomes clear -- that the so-called colonial rulers were pragmatic and circumspect and that they could think ahead of their times. They were good managers and the regulations crafted by them are still in the book and as such binding on the police officials who serve now. So what has gone wrong to make the general public feel less-than-comfortable in their dealings with police? One view is that those police regulations have not been followed in letter and deeds and there has been very little effort to improve upon them. Adhocracy has reigned supreme and lamentably there has been very little scope to fulfil the organisational need and introduce a strategic plan. The professionals and the politicians have not worked in unison. The managers could not be groomed properly.

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Immoral and illegal



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writes from Karachi

baggage of having oppressed Jews for centuries, as most Europeans and Americans do; one sees Israel as committing a political and moral crime against Palestinians. Nor has one ever shared the European liberals' bad conscience and the anxiety to somehow recompense Jews at someone else's expense at the start of the 20th century. Most of the third world saw the collusion with Zionists that ultimately resulted in Israel's creation as a highly immoral act of seeming

Anglo-American powers' influence in 1945-48 made the newly-born UN accept what had nearly been made a fait accompli by the unavowed Anglo-Zionist partnership in Palestine. But be it noted that world opinion as such, and more particularly in the third world, regarded the creation and acceptance of the State of Israel in a well-recognised Arab territory was a monstrous wrong. Inside the UN no one had left the so-called big powers in any doubt by Pakistan as much as

for nothing else impresses their oppressors. But two or three facts may be noted.

First, Anglo-American power in the field of communications has erased all distinction between freedom fighters and simple terrorists who act violently to make individual gain. All violent acts are terror acts for them. Period. A frightening number of governments are succumbing to this self-serving view of great powers whose actions invite resistance in many parts of the

world. It is important that impartial Humanists continue to uphold Palestinians' right to resist. But looking at the concrete reality, they must think of ways of putting real pressure on Israel and the US to relent and accord some recognition to Palestinians' rights.

Thirdly, old and tired notions like pan-Islamism or even pan-Arabism of the earlier monarchical kind need to be thrown overboard. One look at the OIC and its record since 1969 will show that Suhrawardy was right when he repeated that zero plus zero plus zero -- will still be zero. Is there one walk of life where the 46 or so potentates assembled in OIC and a few elected leaders came in two versions: one was the galaxy of hereditary rulers, all blue-blooded toadies, ready to dance to imperialists' tune. They hate the Palestinians and are reluctant to support any refugee from Palestine on their own soil, though they might discreetly give some money for the cause once in a while. The second version comprises Nasserite Arab Nationalism that briefly had a honeymoon with Baathist Syria which lasted a few years. There were other dictators supporting the cause like Qaddafi and Saddam Hussain. Advice to Palestinians can therefore be not to depend on pan-Islamic or pan-Arabist support: they are all, in some way, subservient to the US and tied to its coattails.

Outlook for the Palestinians is dark indeed. They have to stand on their own two feet, as best as may be possible in these dark days. There is going to be no real foreign support. The only support they can count on is from freedom-loving resistance produces only more counter violence. Israel in fact deliberately provokes so as to invite a violent response -- like targeted killings of prominent individuals with a view to wreaking havoc and advance what is Israeli right wing's Final Solution of the Palestine Problem. It is probably to occupy all the Palestinian land with no Palestinian control of Israel-controlled West Bank areas to be packed in them like sardines -- for pressure cooking perhaps -- with no real economy or state. The way Israel politics has steadily moved to extreme Right is frightening for its potential because the process is continuing.

One says this because no one with a conscience can ask the Palestinians, the rightful owners of all of Palestine areas of Ottoman Empire over which Britain had acquired control, not to resist the clearly aggressive Israeli actions to aggrandize at the expense of Palestinians. Like any freedom-loving people, facing an all-devouring enemy close by the door, Palestinians have the right to resist. It is their inalienable birth right. But it is a vicious cycle of violence has been set in motion: Israel takes ever more aggressive steps, usually taking over more land from the locals, one had almost said aborigines -- for setting up ever more settlements. Palestinians, under military occupation for 37 years, think that they can resist only through actions that are terroristic,

PLAIN WORDS

World's conscientious citizens cannot leave the Palestinians alone to endlessly suffer. But first thing first requires that all Palestinian actions must aim at putting them on a high moral ground. Outlook for the Palestinians is dark indeed. They have to stand on their own two feet, as best as may be possible in these dark days. There is going to be no real foreign support. The only support they can count on is from freedom-loving individuals that takes the form of world opinion.

all other Arab states. Israel is severely criticised every year in the UN General Assembly by a huge margin.

What happens next? It is easy to predict. The Palestinians and their many friends will make the UN General Assembly pass a resolution to implement the judgement. It will go next to the UN Security Council which would pass it but for the US veto. The latter has killed innumerable UN GA resolutions criticising Israel. It is a regular drill. The US tells the world that law, morality and reason stop where Israel's security begins. Israel has thus got away with hundreds of targeted killings of marked men in addition to creeping annexation of a lot of the land said to be reserved for the Palestinian State under the two-state solution accepted by the US, Israel, and President Yasser Arafat of Palestinian Authority. Israel always gets away with all its transgressions, land grabbings and plain murders thanks to the US support. It looks the pattern will hold for the immediate future.

Secondly, the Palestinians themselves have to rethink and review their strategy. Suicide bombings, their last resort, has shown that it only invites greater and more vicious retaliation from Israel that commands greater range of means to deal with them. True, Palestinians are between the Devil and the deep blue sea. Mere constitutional means do not really exist for them: a constitutional struggle can only succeed if the opponent recognises the civilized values of human equality, human rights and the necessity to stay civilized. An overview of Israeli actions since 1948 does not create an impression that a civilized discourse on respective rights can carry the Palestinians anywhere. Still, a resort to violent terroristic-looking resistance produces only more counter violence. Israel in fact deliberately provokes so as to invite a violent response -- like targeted killings of prominent individuals with a view to wreaking havoc and advance what is Israeli right wing's Final Solution of the Palestine Problem. It is probably to occupy all the Palestinian land with no Palestinian control of Israel-controlled West Bank areas to be packed in them like sardines -- for pressure cooking perhaps -- with no real economy or state. The way Israel politics has steadily moved to extreme Right is frightening for its potential because the process is continuing.

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Government of the People's Republic of Bangladesh

Bibi Ayesha (R) Women's Training & Production Programme
Directorate of Women's Affairs
Zirani, Gazipur

Admission Notice

Application in prescribed admission form/plain paper subject to the undermentioned terms & conditions are invited from only women of Women's/NGO/Women's Organisation/Women's Association & other establishments of any area in the country for admission of 100 (hundred) trainees in 1st batch of "Bibi Ayesha (R) Women's Training & Production Programme run by Directorate of Women's Affairs under Ministry of Woman & Child Affairs.

Description of Training Course

Sl No	Name of trade course	Educational qualification	Number of seats	Duration of course	Age of candidate
1.	Poultry & Dairy (poultry birds & cattle rearing)	SSC	25	6 months	16 to 30 years
2.	Horticulture & Fisheries (vegetables, nursery, afforestation, flower, fruit & fish cultivation)	-Do-	25	6 months	-Do-
3.	Modern Garments & Tailoring (various sewing machine operation & cutting)	-Do-	25	6 months	-Do-
4.	Basic Computer	HSC	25	6 months	18 to 30 years

Terms & conditions:

- Application in prescribed admission form or plain paper stating name of trade interested to be admitted for, self name, father's name, mother's name, present address, permanent address, educational qualification, marital status, religion, date of birth etc should reach the Project Director, "Bibi Ayesha (R) Women's Training & Production Programme," Directorate of Women's Affairs, PO BKSP-1344, Via-Savar Cantonment, Zirani, Gazipur or the office of the undersigned (Room No 412) by 24-07-2004. Admission form will be available free of cost at the local & head office.