

## Random Thoughts

### More on 'Mountain Policing'

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The issues raised by the debate triggered by the incident in Dantewada wherein the Maoists ambushed 76 CRPF jawans refuses to abate one full week after the carnage. One side maintains that the buck stops with the chief minister for law and order and not the Union Home Minister but at the same time the Union Home Minister, in turn, must stop treating this simply as a law and order issue and tackle the tribal's problems (*Rethink counter-Maoist strategy; Digvijay Singh, The Economic Times, 14 April, p* ). Even though the suggestion comes from a former Chief Minister of Madhya Pradesh the same cannot be treated as being partisan. There is a lot of merit in the manner he has analyzed the ground-situation and considering that he happens to be a Chief Minister who successfully overcome the so-called 'incumbency factor' by ruling the same state i.e. erstwhile Madhya Pradesh of which Chattisgarh is a successor state; for two full terms. Furthermore, the real merit lies in what he has said in his bold and forthright article; which represents one view point, much more wholistic and even strongly critical of a narrow sectorial view as held by the Union Home Minister. I find in his recommendations considerable amount of resonance of the conclusions I had drawn for Uttarakhand in my earlier piece on the issues related 'Mountain Policing' and the next-steps which appeared relevant for preventing recurrence of Dantewada –type situations in a mountainous and forest-dominated state like Uttarakhand.

#### ***Major observations :***

This article makes following major observations :

- (i) Naxal affected region's problem can not be solved by ignoring the hopes and aspirations of the people living in these areas and the benefits of public distribution system, MNREGA, NRHM and other pro-people policies must be made to reach them,
- (ii) *Forest-policies, mining-policies, land and water policies must be made people-centric,*
- (iii) Panchayat ( Extension to Scheduled Areas) Act or PESA should be implemented effectively by the state governments to empower the tribals,

- (iv) *Naxal problem can not be solved without the people's support and only through the police or paramilitary forces,*
- (v) *A Force should be raised from within the tribals of that region by lowering the physical and educational requirements and what is needed is not educational standards but the capacity of physical endurance and knowledge of the terrain, the CRPF mostly recruited on the strength of physical requirements won't be able to deliver in the terrain,*
- (vi) Need to considerably improve collection of real-time intelligence on the Naxal activities, and
- (vii) More attention should be paid to the issues of livelihood and governance rather than converting the whole region into a battlefield.

The final point which is made by the former Chief Minister of Madhya Pradesh is quite telling when he points out, 'Ultimately, whether the bullet is fired from a Naxal's gun or a policeman, the victim is an ordinary citizen'.

If we leave aside the observations which might appear as a bit personal in nature and likely to hijack the core contents of the article into directions different from where they were intended, the two divergently different view points i.e. the wholistic and pro-people vis a vis a purely law and order, do very cogently sum up the real issues involved in this important debate.

Mercifully Uttarakhand has hitherto been spared the tragic fate of having been affected by this extreme manifestation of poor-people's disenchantment against those who have the responsibility of governing them ( serving seems to be yet a distant goal or objective ), notwithstanding the presence of two major conditions which seem to be common with the 'Red Corridor' regions of the peninsular India; namely, (a ) predominance of forest area, and (b) extreme poverty levels in districts. Historically speaking, it also seems to have been surprisingly spared of having been affected by a neighbour who has recently passed through a very politically unstable and difficult phase in its history and with whom it shares not only a long common international border but also a unique Treaty and politico-social relationship. Periodical noises and alarms were certainly made, from time to time, during the past decade, but no substantive evidence seems to have proved the justification of all such alarms. In the meanwhile, however, the re-structuring of the paramilitary force ( S.S.B. ) along the Indo-Nepal border and division of responsibilities between the three wings of 'police' i.e. Uttarakhand Civil Police, ITBP and SSB, internal vis a vis inter-national borders, has helped reduce some anxieties which persisted earlier. However, simultaneously they have considerably increased the importance of inter-institutional and

organization 'co-ordination', which has rightly been identified as the soft belly of our over all governance by the Second Administrative Reforms Commission. The aspect of effective 'co-ordination' can never be over-emphasized, and we can leave this issue rest with this observation.

### ***Uttarakhand specific Issues of 'Policing':***

Of the seven suggestion listed in the article under discussion the two which deserve special attention of Uttarakhand policy-makers relate to ( a ) Policies ( forest, water and land ) and ( b ) Approach ( a people –centric approach, both organizational and manning of these organizations ). 'Mountain Policing', the expression which this writer has used in his previous article, adds the third aspect to designing and restructuring of an effective 'police' in this state; and it factors in the specificity of being in a '*mountainous*' region, which has as much as *65% area under forests*, vast areas *difficult of ready access* by motorised communication and majority of *rural habitations with low density of population and living far below the average-poverty line* of the country and finally, due to all the above reasons and more, having a *very 'low crime intensity'*.

The above tends to divide the entire state into the following distinct regions, strictly looking from 'policing', rather 'mountain policing' considerations:

( A ) Regions and districts which are plains terrain, high population -density, easy road and other communication connectivity and generally speaking with higher crime-intensity e.g. Udham Singh Nagar, plains of Naini Tal, Haridwar, plains of Pauri Garhwal, plains of Dehra Dun districts or the police thanas of these regions,

( B ) Regions and districts which are exclusively mountainous, with dominant forest regions, relatively poor in terms of connectivity, low population density, relatively higher poverty levels and also much lower crime-density e. g. rural Pithoragarh, Champawat, rural Almora, Bageshwar, rural Naini Tal, rural Pauri Garhwal, Chamoli, Rudraprayag, Tehri Garhwal and Uttar Kashi districts or the police thanas of these regions, and

( C ) Areas, especially urban agglomerations within the regions falling in category 'B' above, which happen to be along main road arteries linking district .sub-division headquarters, places of tourist or pilgrimage interest, where frequency of visit of tourists has been increasing over the years making them prone both to crime, law and order and other administrative issues.

Fiscal prudence would suggest that requirements of 'policing' in regions falling in category A are quite distinct from those falling in category B as well as category C. Traditional wisdom has suggested 'policing' of regions falling in category B as on a very moderate and modest scale, government servants made to do multi-tasking ( a revenue functionary also saddled with the task of police and crime investigation ), which in due course become popular as the Revenue Police System or the Patwari police system, for which regular rules were framed under the Scheduled Districts Act way back in 1916. Thus the Revenue Police system which came in existence at the very beginning of modern administration in these parts in 1815 ( regular police came in existence in 1860 ) rules for which were harmonized with the modern police regulations in 1916 is now nearly 195 years old ! It certainly has eminent qualifications to be called 'time-tested', having full sanction of public-approbation. As a matter of fact gradual coverage of regions falling and described in category C by the so-called main-stream police, has been the normal progression and as the regions qualify the criteria described in category C, the places get notified accordingly, and normal scale of police-manning sanctioned.

Besides being a time-tested, people –preferred and practical approach this calibrated upgradation makes tremendous sense in an age when the states are finding themselves in deep financial crises; and one sees no reason whatsoever to change this best-practice except to say that this practice needs to be formalized now. Just as our commercial bank-branches have a staffing pattern strictly based on size of business, profitability, affordability and customer satisfaction there is no reason why the same norms should not be applied to other offices, like the police-thanas, tahsils and development blocks and so on.

### ***Forestry-centric 'Mountain Policing':***

The gradual progression of change over from the revenue police system to the so-called mainstream policing system, followed now for some 150 years now, deserves to be given a closer or second look in context of what has been brought to the fore by the Dantewada incident.

It has already been observed that our security concerns on our international borders have now been put on a sounder footing with the rationalization of all international borders, and now ITBP and SSB are entrusted with the sensitive Into-Tibetan and Indo-Nepalese corridors and they stand assured of a far better resource, logistics and man-power back-up; more importantly very squarely a responsibility resting with the Union government. The only area deserving of some attention is co-ordination between these para-

military police forces with the Uttarakhand police on the one hand and the Armed forces on the other.

Post-Dantewada examination would suggest that we now look deeper into the crime and law and management within our forest areas, both in category A and B regions, described above. What is the status according to the various reviews which do get undertaken year after year or periodically ? Not very encouraging it would seem, going by the official publications which are in the public domain.

Incidentally, the forest cover in hill or mountain districts have a special place in our Forest Policy as *'forest cover in hills has been considered essential to maintain ecological balance and environmental stability as it prevents soil erosion and land degradation. The National Forest Policy of 1988 aims at maintaining two thirds of the geographical area of the hills of the country under forest and tree cover'*. As per the Planning Commission's criterion ***a hill taluka is one with altitude more than 500 m from the mean sea level and a hill district is one whose total area of hill talukas is more than half of the geographic area of the district.*** ( *State of Forests Report, 2005, p 15* ). *India has 124 Hill districts following the above criteria and all 13 districts of this state are classed as Hill districts.*

Of the geographical area ( 53,483 km<sup>2</sup> ), about 19% is under permanent snow-cover ( being either totally uninhabited or at the international border thus under charge of para-military police and revenue police, part of the year, distributed over 109 snow-bound villages in four border districts ); the recorded forest area is 34,662 km<sup>2</sup> ( 64.79% ) - of which the reserved forests constitute 71.08% and protected forests 28.51%. The Protected Area regime consists of 6 National Parks and 6 Wildlife Sanctuaries accounting for some 13.35% of the geographic area. The famous Corbett Tiger Reserve ( 1.30 lakh ha ) and Nanda Devi Biosphere ( 5.9 lakh ha ) deserve special mention from the 'policing' point of view.

It is indeed most surprising how little information is contained in the Annual Forestry Statistics about registration, investigation and conviction of forest and wild-life related crimes, apprehension and detention of criminals, superintendence and 'forest policing' related information. Intelligence collection activity is mostly confined to wild-life offences and next to nothing is shared related to confiscation of crime-related equipments, includes modes of illegal transportation of forest-products.

### ***Domain of forest-policing and forest-crime administration :***

Thus the recorded forest area constituting 64.79% of the geographical area of the state, of which 71 % is exclusively administered by the Forest department, including Wild-life protection wing; organized territorially ( physical coverage terms ) in 10 Circles ( headed by Conservators ), 29 Forest Divisions ( headed by DFOs ), 244 Forest Ranges divided into all told 1486 Beats manned by Forest Guards, others being functional ( specific to jobs ). Bottom upwards this translates into there being just 2,275 Forest Guards, 1,710 Foresters, 93 State Forest Service officials and 51 belonging to IFS; besides being the sanctioned strength ( in position being always much less ) considering the terrain to be covered by them, prima facie the force strength is much less than adequate. To find out whether this manpower is adequate or not one turns to the recommendations of last all India Review of the Forestry sector, namely the Report of the National Forest Commission, headed by Justice B.N. Kripal ( 2006).

Divided into 22 chapters and as many as 360 recommendations, interestingly enough the two Notes of Dissent appended to the National Forest Commission ( NFC ) Report, highlight just the two issues which have become relevant here for designing an appropriate format for 'Mountain Policing'.

The NFC was of the view that the proposed Scheduled Tribes ( Recognition of Forest Rights) would be harmful to the interest of the forests and to the ecological security of the country, on the ground that it would be in open conflict with the rulings of the Supreme Court ( recommendation 340 ); which has since then been not only been ignored but the Parliament has in a modified form enacted it as the Scheduled Tribes and Other Traditional Forest Dwellers ( Recognition of Forest Rights) Act, 2006.

The second Note of Dissent was opposed to a recommendation which advocated a strong need for sub –cadre to deal with wildlife and protected areas on the ground that around 70% of the wildlife existed outside the parks and sanctuaries. Opposed by the departmental officers who were of the view that creation of this sub-cadre will be detrimental for conservation and preservation of wildlife, as such a sub-cadre will lead to "administrative and managerial conflicts" ( recommendations 137, 307, 308, 309 and 310). NFC recommending specialization in forestry in four broad areas had considered it necessary for fulfilling the needs and aspiration of people vis a vis forestry through restructuring the present personnel set up and setting up specific sub-cadres. The broad areas of specialization for purposes of developing sub-cadres were as follows :

( a ) Forest conservation, including protection, harvesting and sale of forest produce ;

(b) Extension forestry, including plantations and nurseries, joint forest management, grasslands and watershed management and eco-development outside Reserve Forests ;

*(c) Wildlife management, including management of protected areas and their buffers and corridors; collection of basic data, control of wildlife trade and taxidermy, etc. implementation of international conventions pertaining to nature conservation ; and*

(d) Research, training, working plans, technical support to agro and farm forestry.

Any one conversant with the forestry sector of India would readily agree that the four categories of activities highly deserve to receive the attention of the foresters due to them and it is a matter of fact that unfortunately these have hitherto either remained marginalized or thoroughly neglected. In Uttarakhand having been involved with the forestry sector from the very beginning and having made serious efforts in the direction of developing the very same specializations among the officers of the department, besides advocating a forestry-centric approach to rural development in place of agri-centric approach hitherto followed, this writer would fully endorse an urgent need for developing these specializations and mainstreaming the same through cadre restructuring, as an integral part of this forestry-centric paradigm. Going by the progress made so far in Uttarakhand it is also evident that left to the present cadre structure development of specialization is quite unlikely, if not impossible altogether . Not surprisingly the Note of Dissent is by serving forest officials only and driven primarily by a fear of " fragmentation of service which is bound to create conflict" than any other reason. The NFC has significantly noted with regret the fact " *that very few amongst the present personnel of all cadres of forest services would opt for the proposed sub-cadres of categories b, c d mentioned...and they would vie to remain in the traditional work sphere of the service- territorial forest divisions and in the harvesting and marketing of forest produce... This mindset and lack of specialization that emanates from it, is one of the main reasons for the setting up of specialized sub-cadres..*"( recommendation 310 ).

Such an opposition to an overdue horizontal and vertical broad-banding of the forestry sector, so very important for a forest-dominant country like

India ( tenth largest amongst top ten countries with the largest forest areas, 68 million ha; *State of Forest Report, 2005, p 7* ) is reminiscent of Marriott's Note of Dissent to the Forest Grievances Committee ( Marriott was the then IG Forest and Member-Secretary of the Committee headed by Commissioner Wyndham) to reversal of recently reserved forests paving the way for constitution of Van Panchayats, way back in 1920s. In the reverse, the NFC's opposition to the Scheduled Tribes ( Recording of Forest Rights) Act tantamounts to new-age opposition to recognition of peoples' rights over forests and forest-products. The two Notes of Dissent tend to prove the overriding importance of forests for livelihood needs of the forest dependent populations on the one hand and the central position forests occupy when we reflect on sustainability of forestry sector and its amazing inherent potential for creation of additional livelihood opportunities.

### ***Summing Up :***

Dantewada episode has obvious lessons for a forest –dominant, poverty ridden and infrastructure-deficient newly emerging states like Uttarakhand which are also predominantly mountainous. A Fiscally prudent approach to developing an effective 'Mountain Police' structure would suggest :

- (i) Strengthening and improving the mainstream 'regular civil police' structure in the category A districts which are well connected, plains, high in population and crime density,
- (ii) Strengthen and further improve the existing, time-tested, cost-effective 'revenue police/patwari police' structure in the category B districts which are mountainous, with poor road connectivity, forest dominated, poverty ridden with poor infrastructure,
- (iii) Continuous monitoring of category A and category B regions crime statistics and ground-situation for the purpose of bringing B category regions / tracts into A category police structure, based on a calibrated normative staffing-pattern for such up-gradation,
- (iv) Strengthen and further improve 'forest-centric policing' in the forest-dominated regions, protected areas, wildlife sanctuaries through the 'forest personnel' with improved training, dedicated wildlife wardens; earmark division of work in the Protected Areas and Wildlife Sanctuaries, man them after dividing the existing forest personnel into conservation and wildlife cadres, and subsequently between them and revenue police and 'forest guards/wardens specially trained' in tackling such crimes as recommended by the NFC ),

- (v) Improve co-ordination between ' police structures' existing in category A and category B regions i.e. regular civil police and the revenue police, on the one hand, and between existing these two and 'forest guards and forest WL and Sanctuary' personnel, as and when the proposed restructuring of the existing Forest department gets undertaken and their Wildlife and Sanctuary management gets better organized than at present, as recommended by the NFC, and
- (vi) Improve co-ordination between the three streams of 'police' and the two para-military police establishments guarding the two international borders, and play the role of conduit of reporting crime statistics to the National Crime Bureau, as reporting crime is a subject allotted to the Police/Home department under the Uttarakhand ( Karya Batwara) Niyamavali, 2006.

The other lessons which get crystallized from the Dantewada incident e.g. far improved intelligence network, recruitment of local people having 'physical endurance and local knowledge' ( even armed forces and para military forces allow relaxation in height and chest measurement for hill men in their recruitment ), naturally will have to be uniformly applied to all the three streams of 'police' alluded to. The second lesson relates to strengthening people-centric development structures like the Van Panchayats, which have greatly facilitated bridging a gap between the people and the government and helped in arresting a total alienation of the poor, as manifest in the 'Red Corridor' districts and states and nurtured Naxalism and other forms of extremism; deepen and widen the development role of Van Panchayats with the help of CAMPA and other rural employment programmes.

'Mountain policing' will have to consciously avoid becoming a 'poor carbon copy of the mainland civil police', and also become 'forest- and people – centric' as has been attempted in other fields of development, in the mountainous regions of the state. Sooner this hard lesson is learnt better would it be for all stake-holders.

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