



**ACCESS TO JUSTICE PROJECT
IN NORTH EASTERN STATES & JAMMU & KASHMIR**

**MINUTES OF CONFERENCE
ON
“Community Policing in North Eastern India: Benefits,
Challenges and Action Plan for Better Policing to Achieve
Access to Justice”**

JULY 31ST, 2016

ORGANISED BY:

**DEPARTMENT OF JUSTICE, MINISTRY OF LAW AND JUSTICE,
GOVERNMENT OF INDIA**

INTRODUCTION

The rule of law and access to justice are fundamental to ensuring the human rights. In spite of its central status in achieving development and equality, there are several marginalized groups of people who are not able to seek remedies from the justice system. Therefore, it is necessary to take concrete action geared towards addressing these challenges effectively. Productive convergence and collaborations among the Legal Service Authorities, Government, Civil Society Organizations and Law Universities are required to strengthen access to justice concerns.

With the aim of achieving these goals, the Department of Justice (DoJ), Government of India initiated a project on "Access to Justice in North Eastern States and Jammu and Kashmir" under 12th Five Year Plan. The project seeks to address the needs of poor and vulnerable persons. It mainly focuses on supporting justice delivery systems by improving their capacities to serve the people and in empowering the ordinary people to access their rights and entitlements.

Under this project, inter alia, a Needs Assessment Study to Identify Gaps in the Legal Empowerment of People in North Eastern States was undertaken which recommended the need to work on the issue of community policing. Also the Standing Finance Committee of the project suggested community policing as one of the priority area.

Accordingly, a conference was organized in Shillong, Meghalaya on Community Policing in North Eastern India.

OBJECTIVES

- To document the experiences of the Stakeholders on Access to Justice (NEJK) project.
- To document the prevalent practices of the community policing in North East states.
- To identify and strategize areas of intervention and coordination
- To document the strategies and recommendations for mainstreaming *the concept of community policing* for dissemination among the stakeholders.

INAUGURAL SESSION

Sh. Atul Kaushik, Joint Secretary, Department of Justice, Gol delivered the welcome remarks at the inaugural session of the Conference. After the round of introduction, he explained the work of the Department of Justice as well as the background of the Access to Justice (NE&JK) Project. He referred to the Need Assessment Study conducted in North Eastern region and its recommendations. The Department of Justice has collaboration with the National Literacy Mission Authority, Ministry of Human Resource Development to introduce legal literacy under the Sakshar Bharat Abhiyan through their State Resource Centres based in North Eastern States. Apart from that Dept. of Justice has convergence with the Common Service Centres under the Ministry of Electronics and Information Technology to incorporate the legal literacy component into the work of the CSCs. He also shared the agenda and objectives of the conference. The aim of the conference is to prepare a roadmap to build convergence and synergy on the issue of community policing in North Eastern States.

Mrs. Gehabati Chanambam, Deputy Director, North East Police Academy, Shillong gave a brief introduction about Community Policing pointing out that the community policing is more about democratic policing and North Eastern Police Academy needs to include this important component in its training programs. She also emphasized that the concept of community policing can help to prevent crime at community level as well as it can bring change in the mind set of police towards the issues and problems of people. She highlighted the importance of international exposure, best practices and lesson learning to the police as well as the capacity building on the documentation of community policing. She highlighted that community policing is not a new concept. It is being practiced in different forms. But there is a need for a paradigm shift. Presently reactive policing instead of preventive policing is normally being done, that is, crime occurs and then the police reaches out. The shift has started taking place but perhaps documentation is not there.

INAUGURAL REMARKS

Hon'ble Justice Sh. V.P. Vaish, Judge, Meghalaya High Court in his inaugural address remarked that the community policing is essential to reduce crime at grassroots level with the involvement and coordination of the general public. He cited the example of Jan Suraksha Samitis in Delhi (after the Nirbhaya case) which is a sort of community policing. Such agencies at grass root level can play a role in gathering information for prevention of crimes.

SESSION 1:

Role of Association of SLSA, SRC & CSC with DoJ for Access to Justice

Ms. Lay Smriti, Manager, CSC e-Governance Services India Ltd shared the following about CSCs initiatives.

1. Access to legal services is not readily available at village level. CSCs have basic ICT based infrastructure to provide legal services. These CSCs are operated by a community local. Master training to the Village Level Entrepreneurs (VLEs) is provided by CSC.
2. The objective of this initiative is to enhance capacities of CSCs as Legal Resource centres, and to enhance the legal awareness of marginalized citizens through CSCs.
3. Currently around 2 lakh CSCs are functioning in the country which are run by VLEs. One VLE caters to around 2-3 villages. VLEs have basic infrastructure and provide different services. However, there are a few problems as per the baseline survey conducted. People do not know how to connect to Govt. They have accordingly developed IEC material and digitalized it. A movie on 13 different laws is being developed. Also, monitoring mechanism is also in place. VLEs have become the bridge between citizen and police.

Sh. Laltan Puia, Director, SRC, Meghalaya shared about the Sakshar Bharat Abhiyan on adult literacy initiative of NLMA and the activities taken up on Legal Literacy by SRC, Meghalaya in collaboration with Dept. of Justice under A2J – NEJK project. The activities are being done to mainstream the Legal Literacy in the Sakshar Bharat districts of Meghalaya such as developing IEC material in tribal languages and training of Resource persons & Preraks. The bottom line of the Government is to make the adult education relevant.

Sh. Atul Kaushik, JS (DoJ) spoke about the functions of State Legal Services Authorities on legal empowerment and legal Aid. Under the Legal Services Authorities Act- 1987 National Legal Services Authority has SLSAs at State level, District Legal Services Authorities at districts and Taluka Legal Services Committee at Taluka level. Also there are Lok Adalats for settlement of cases referred by the Courts or on mutual agreement between the parties. Apart from that there are seven Legal Services Schemes for disabled persons, disaster victims, juvenile, unorganized sector, anti-human trafficking and so on.

Sh. Vivek Syiem SP, Shillong, Meghalaya spoke about the perception of police among people that was not positive for last 3-4 decades. People had fear of police. Therefore there was distance between community and police. Village Council (Darbar) brought the people and police together in late 1990s. Police intervened and resolved the cases at village level with the support of Gaon Buras and community as the military is not present in Meghalaya. The police reached out the community and made relation with the people that changed the conception of community towards the police. He narrated a number of incidents, small measures like going and meeting general people, having lunch with them sometimes, asking for their problems so that the initial trust is built. He informed that once the apprehension towards the police was gone, these people were reaching out to police on their own. They also have a 'Safe & Secure Shillong Program' with local community which is very informal program, just to break the ice. The police also visits colleges. For better outreach training has been given to the constables. Also, police makes sure that complaints related to other departments (e.g. road, garbage and street light etc) are intimated to the concerned authorities.

THE FOLLOWING SESSIONS WERE MERGED TOGETHER AS UNDER:

1. COMMUNITY POLICING IN NORTH EAST: - OPPORTUNITIES, ISSUES AND CHALLENGES
2. ROLE OF CIVIL SOCIETY ORGANIZATIONS IN MAINSTREAMING THE CONCEPT OF COMMUNITY POLICING
3. MAINSTREAMING COMMUNITY POLICING IN INDIA

Prof. C. Rout, Head of Law Department, North Eastern Hill University, Meghalaya chaired this session and invited the speakers to share their experience.

Mr. Gaurav Sharma, AIGP, Mizoram Police spoke about the initiatives that have been taken by Mizoram Police on Community Policing such as involving volunteers that is very helpful to work at community level. Also, police has collaboration with Youth Mizoram Association which is playing a vital role in preventing crime. Apart from that Village Councils are supporting Police in rescue and rehabilitation during any natural calamity. Crime is much less in Mizoram due to the ethnic bonding among tribes. That is the reason cases are resolved by the community itself. The challenge is not much at social level but the infrastructure is poor in Mizoram.

Mr. M. Dev Ray, AIGP, Assam Police shared what Assam Police is doing on community policing. He said that the police mobilizes the village Council headmen to get connected with them. Police has started village control rooms in the villages. Through these, Police gets connected with the community and resolve the cases. One big issue in Assam is the Witch Hunting and there is no law against it. There are so many tribes and communities with their own customary laws which is a major challenge faced by Police. Prof. Rout emphasized that

the role of community policing is essential to prevent witch hunting. Sh. Chandan Kalita, Project Assistant, A2J-NE&JK project, Assam added that SLSA is providing training to Gaon Buras on the issue of witch hunting in Assam.

Mr. Vivek Syiem, SP, Shillong shared his experience on the issue of witch hunting in Meghalaya. Meghalaya Police is intervening at the village level. They interact with the people on the issue and try to make them understand as how the witch craft is used by the perpetrators to fulfil their vested interests. He highlighted the work of community policing in Meghalaya saying that Police reach out to the community respecting their customs and culture, that is the reason cases are resolved. He also emphasized that the synergy between customary practices and constitutional laws can help to resolve the problems. He also raised the issue of lack of marriage registration due to which husband leaves the family. So, it is big challenge for community policing to handle the broken families. Child abuse is also high due to lack of crèche for children. It was further mentioned that the SLSA & DLSA in the state lack infrastructure and publicity. The officials are given additional responsibilities, so that the purpose is not getting served.

Mrs. Ivyreen Warjri, Mission Director, Social Welfare Dept. Meghalaya pointed out major causes which are bringing society down in term of lack of education, domestic violence, child abuse and so on, the main reason behind all these is normally early marriage. Social Welfare Dept. is drafting a state policy to curb this menace as it is a customary practice and does not fall under the purview of Child Marriage Prevention Act. Another challenge is gender based discrimination as generally the tribes in Meghalaya are considered as matriarchal dominated society but practically they are patriarchal and this issue should be addressed. Formal education is not enough. The institution of marriage is breaking down. Every third house is having a single parent. People are literate but not with values because of broken homes. Secondly there is a lot of absenteeism in School/villages (around 75%), these students get degree but are not educated in real term. For community policing, it is important to reach to the people at grass root level, have interaction with them and discuss their problems. There should be community ownership to deal with any problem. Informal community policing is needed without the hierarchy system, ensuring that people contact them at any time. This kind of relation can help to reduce the crime. She also highlighted that access to justice is still out of reach for the people, because perpetrators are roaming freely and cases are pending with the court. In this situation fast track courts should be set up. Also legal system should focus on developing some rehabilitation mechanism for victims. SCPCR along with Social Justice Department is trying to draft policy to curb the problem of early marriages.

Sh. V.K. Tripathi, Director, Dept. of Justice, Gol suggested that it would be useful if the benefit is taken from the State & District Legal Services Authorities as they have Para Legal Volunteers who are well trained and based in villages to provide the legal aid to the people. He also suggested that as education system and our family value system have broken down therefore a mechanism should be developed where the Government officials and CSOs can visit the schools and interact with children, teachers and parents on the issues to motivate them.

CONCLUDING SESSION

WAY FORWARD

The state conference provided a good platform, for various stakeholders to share their experiences and provide suggestions on convergence, synergies and next steps for future intervention.

Shri Kaushik, Joint Secretary Department of Justice steered the concluding discussion. He captured the discussions that had taken place during the conference stating that community policing is happening in Meghalaya, Mizoram and Assam. Village Councils and Civil Society Organizations are engaged in the functioning of community policing therefore, we need to work on the following steps to take the concept of community policing forward:

1. Documentation on community policing is very important and it can be done by North Eastern Police Academy (NEPA). Mrs. Chanambam accepted the proposal and mentioned that they have a training program on the documentation for police officials, also a training manual can be prepared. Sh. Kaushik suggested that it may include some research work also, for that purpose, where the students of Legal Aid Clinic of Law Department, NEHU can be involved. Prof. Rout agreed to lend a helping hand in this endeavour.
2. There is also a need to create a platform to bring different Government Departments and Institutions as well as CSOs for convergence and synergy on Community Policing so that it could be anchored by Social Welfare Department, Meghalaya in terms of monitoring and review and measuring the changes. Mrs. Warjri agreed to have the proposal considered by the Department of Social Welfare.
3. Codification of tribal customary law system could be helpful to instil uniformity in judgements and punishment.
4. There is a need of training of agencies/stakeholders involved in the process of the maintenance of law & order. In addition, the resource & IEC material in local language can be shared with the stakeholders.

VOTE OF THANKS

Encl.:

1. List of participants
2. Agenda of conference

