

## *The police: an institution for extra-judicial killing?*

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What is really remarkable about the recent killing of undertrials by the police in Vijayawada and Guntur is not that the police have done what the law permits only the Courts to do, but the brazenness with which the deed has been done. The police have been shooting people dead without the sanction of the law in the name of 'encounters' in this State for more than thirty years. Of course, self-defence is the justification invariably offered for the killings, but almost nobody believes those stories now. The police are killing in cold blood as part of their preferred strategy of maintenance of 'order'. Such killing, which has absolutely no sanction in law, is called 'extra-judicial execution' in the parlance of international law, and has been more pithily called 'administrative liquidation' by the Supreme Court of India.

It began with naxalites in our State, and in the beginning a plausible story used to be cooked up by the police. The killing would usually take place in some remote area where an encounter could conceivably take place. Later, when the police realised that the law has no will superior to their guns, they have progressively become less inhibited. The killings shifted to villages and towns. In the beginning, the police prevailed upon the government to proclaim areas of naxalite influence 'disturbed areas' under the A.P. Suppression of Disturbances Act, which would give the police the power to open fire to kill on suspicion. That provided another legal cover for killing in cold blood. But later they stopped feeling the need for such a cover too, because they realised that there is no institution around that cares so much for the law as to make any difference. Not many people know, perhaps, that as of 1990 the disturbed areas proclamation has been totally withdrawn in this State, and it is thereafter that the score of 'encounters' has regularly been in three figures every year! And it is after that doyen of modernisers, Chandra Babu Naidu, became Chief Minister, that annually not less than two hundred are being killed in 'encounters' in this allegedly fastest modernising State in the country.

But until recently the police observed one bit of decorum: they never killed a person after he was produced in a Court and was remanded to custody by the Court. The killing would take place in the twilight period after arrest and before production in a Court. Perhaps it was some vestigial respect for the Courts that made the police draw the line. But now that line too has been obliterated. Prisoners in remand are being killed on the way from the Court to the prison. Or, they are taken into police custody for interrogation with the leave of the Court, and killed before being returned to the Court. The present Commissioner of Police,

Vijayawada and present Superintendent of Police, Guntur, are among the younger lot of police officers who have experimented with this and found that it works. To say that it works is another way of saying that nobody and no institution that has the power to stop this cares enough to do so. All that remains is for the police to shoot an accused person dead inside a Court, and for the Magistrate to avert his eyes and call the next case. This will probably be tried out by the next generation of police officers to follow Messrs Surendra Babu and Seetaramanjaneyulu. I have no doubt that they will succeed.

It is really for us to decide what kind of policing we want. The police, as an institution, have declared their will. They have chosen a model that vests them with immense power, importance and public funds. Do we, as citizens of a democratic country, accept that model? Or do we believe that the other trappings of a democratic civilisation that we are so proud of, do not really match this model of the police as an institution of extra-judicial killers?