

One Year of Mayawati in Office **Good Governance Is More than Crime Statistics**

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The major problem of contemporary India is that it has a very large number of politicians but no statesmen. A politician thinks one year ahead or at the most five. But a statesman possesses a vision, thinks many decades ahead, acts accordingly leaving a legacy that serves long after he is gone.

A statesman creates institutions, nurtures them and guards them jealously because institutions have capacity to serve people longer than the individual. If the interest of people is supreme in the minds of those who are in power they would effect structural changes in governance apparatus.

Mayawati, the Chief Minister of Uttar Pradesh recently completed one year in office. Information and public relation department of the state issued full page advertisements in the national and local newspapers highlighting her achievements in various fields. One of the area mentioned is peace and order, that relates to law and order and prevention of crime in the state.

Highlighting its achievement the government claims that as compared to the year 2006 there is a sharp decline of 20 percent in murders, 13.7 per cent in dacoity, 38.4 per cent in loot, 21.3 percent in riots, 8.7 per cent in burglary, 10.3 per cent in vehicles thefts, 38.4 per cent in ransom, 0.7 per cent in kidnapping, 11.9 per cent in rape cases and 5.5 percent in dowry deaths during this year.

The government however does not mention how this has happened, given there have been no changes at the ground level. One is made to believe that the Chief Minister has a magic wand that has brought the crime down. In all probability police registered less crime to please the Chief Minister who wanted lower crime statistics to impress the world with her administrative acumen. However in the process people suffer as access to justice is denied to them.

Unfortunately, things are not so simple in the real world we actually live in. If we are concerned about explanations rather than mere political gamesmanship, we have to be wary of simple explanations which ascribe single causes. Explaining crime trends is both complicated and difficult and we should take the task more seriously.

One would also question the measures the Chief Minister has chosen to applaud her successful year in government, in policing terms. Measures of success such as a reduction or complete absence of custodial deaths, police encounters followed by accountability procedures that prove beyond doubt the encounter was genuine, rigorous prosecutions of erring police officers, adoption of community policing to enhance police responsiveness to the public and demonstrated low tolerance of consistent police underperformance and corruption; are far more meaningful and necessary measures against which good governance claims must be tested. Informing the public about the action taken in the case of the 3,503 complaints lodged against police officers in 2006,

would be a powerful way of generating public credibility in the police, the Chief Minister and the government she leads.

The Mayawati government further lauds itself on passing the Uttar Pradesh Control of Organized Crime Act to curb the activities of organized criminals and setting up series of new institutions such as state organized crime control authority and organized crime control committees in every district. However, the UP government has consistently resisted setting up any of the new institutions heralding police reforms as directed by the Supreme Court in the Prakash Singh case.

The government of Uttar Pradesh in its affidavit filed with the Supreme Court on police reform stated that it cannot implement the Court's orders that directed all the states to create new institutions like the State Security Commission as it would dilute the state government's authority over the police. It has shown no interest in ensuring fixed minimum tenure for the Director General of the state police and other cutting edge policing posts at lower level on the grounds that it is an encroachment of the state government's discretionary powers to transfer officers in the public interest.

It is however well known how much public interest is served in Uttar Pradesh by way of transfers. In fact over the period, transfer has become a very powerful stick to reward or punish bureaucrats and is allegedly a very profitable venture for politicians. The government has refused to set up the Police Establishment Board that could have ensured stability of tenure and professionalism in its police organization just because if it does so the profitable industry without investment would come to an end.

Most importantly the government has refused to set up Police Complaints Authorities as per the Supreme Court directive on the ground that there are already institutions liked the State Human Rights Commission. It further says that the Complaint Authorities are not required because there are a very small number of substantiated complaints against UP police each year. The fact is that the UP Human Rights Commission has languished without a chairman for the last four years. For all practical purposes it seems to have turned into a dysfunctional body. The government has done nothing to put any life into it.

As for police complaints, recently People's Watch a credible NGO, through its research in six districts of eastern UP found hundreds of cases of police brutality and torture on which no action was taken against the accused policemen. If the present government is really serious on governance, law and peace and public interest it would rather pay genuine attention to creating meaningful and lasting institutions as well as strengthening the existing ones. Superficial measures that bring cosmetic effects wither away too soon.

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