Police interactions in post-colonial India: how particularistic accountability, legitimacy and tolerated illegality condition everyday policing in Delhi and Kerala

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Abstract

Purpose – The paper aims to relocate discussions on police stops and police interactions from the Anglophone world to the particularistic context of the post-colonial state of India. The paper further frames the everyday policing practices in a theoretical dialog between questions of legitimacy, accountability and tolerated illegalities. For that purpose, the author contextualizes the discussion in the post-colonial state of India, in the jurisdictions of two police stations (PSs), in the National Capital Territory of Delhi and the State of Kerala.

Design/methodology/approach – The author conducted ethnographic studies in one station each in Kerala and Delhi, India, from February to July 2019 and July 2019 to January 2020, respectively. The study mapped everyday power relations as the relations manifested within the site and jurisdiction of the PSs.

Findings – Through the research, the author found that to fully understand everyday practices of policing, especially police interactions and police stops, one must contextualize the police force within the administrative power-sharing relations, police force's accountability structures, legal procedures and class dynamics, which mark the terrain in which personnel function. In that terrain, the author found that the dialog between particularistic legitimacy, accountability and tolerated illegalities offered an important framework to interpret the everyday policing practices.

Originality/value – Through the paper, the author seeks to expand the analysis of ethnographic descriptions of policing by contextualizing them in the political economy of the state. In doing so, the author aims to provide a framework through which police interactions in post-colonial India could be understood

Keywords Police, Power, Everyday, Tolerated illegality, Legitimacy, Accountability, India

Paper type Research paper

1. Introduction: police interactions and police stops

Police–citizen interactions are a fundamental aspect of police work, which may impinge on personal liberty. Police stops, in contrast, always amount to a deprivation of liberty (Bowling and Weber, 2011). While police stops may constitute only a fraction of police work, they crucially inform public perceptions of the police. Literature on "police stops" has shown how such stops often become spectacles, which, in turn, influence public perceptions and adversely affect public confidence in the police, leading to a legitimacy crisis (Bowling and Phillips, 2007; Miller *et al.*, 2001; Sollund, 2006; Moeckli, 2007). Herein, the question of personal liberty is paramount. This body of literature, which is predominantly from the Anglophone world, is populated by discussions on what constitutes a breach of personal liberty and how everyday policing practices, especially police stops, selectively breach personal liberty. Such acts that amount to a breach of the citizens' personal liberty are further dependent on the discretion of the

personnel involved. This discretionary use of power to breach a citizens' liberty, however, may or may not be adequately sanctioned by law. Finally, the literature concludes with an analysis of whether such everyday practices in police stops, like disproportional targeting of minority men, are effective in controlling or deterring the occurrence of crime despite being unlawful (Bowling and Phillips, 2007; Miller *et al.*, 2001; Sollund, 2006; Moeckli, 2007).

In this paper, I wish to engage with this body of literature on police stops by relocating the analysis to a post-colonial nation like India and discussing everyday practices of police interactions in a state framework which itself has a troubled relationship with personal liberty. The discussion on personal liberty, which appears to be a self-evident reality in many first-world nations, may not be as self-evident and universal in post-colonial states, where the subjugation of the population was the precondition for establishing a modern nation-state. I argue that despite codifications of personal liberty in constitutional and public law framework in India, it remains an elusive category when we look at the everyday functioning of the state, especially the police. These become most apparent in instances of police interactions in the everyday, which are not limited to police stops. This paper, therefore, begins by locating the state in India historically (tracing its emergence through colonialism) and juridically (outlining the power sharing relations of the quasi-federal union of India). It then advances to ethnographic accounts of interactions in PSs and during night patrol – exploring laws, everyday practices and power relations, through a focused engagement with the notion of police discretion. In doing so, I propose that a dialog between "tolerated illegality," particularistic accountability, and legitimacy offers a framework through which we may understand police interactions and stops in post-colonial India.

1.1 Methodology
This paper draws from ethnographic fieldwork conducted in two PSs in India, mapping everyday power relations operating within the site and jurisdiction of the PSs. Denzin (2009), while discussing ethnographic studies, notes that the choice of site(s) are dependent on the research questions and the principle that the site is representative of the unit about which generalizations are made. I argue that this does not require us to study one typical site; rather, representativeness can also be derived by engulfing disparate sites, including maximum possible diversity. Conversantly, since this study attempts to understand the power relations in the everyday of PSs, it is based in two districts that have been crucial to the development of modern police, i.e. Central Delhi (Delhi) and Malappuram (Kerala).

Historically, the 1857 mutiny [1] and other internal disturbances like the Mappila rebellions [2] (1830–1920s) catalyzed the transition toward the modern police. In this context, Central Delhi had been the political and economic capital of the country since the latter half of colonial rule. Moreover, it also formed the political epicenter of the 1857 revolt. On the other hand, the Mappila rebellions, based in Malappuram, catalyzed the formation of the Malabar Special Police (MSP), specifically to control the uprising. Today the MSP is retained both as a paramilitary force in Kerala, summoned in situations of law-and-order breakdown, and as the agency responsible for preliminary training of police recruits in Malappuram district. Therefore, both Central Delhi and Malappuram have been historically significant in the development of the modern state in India and in setting precedents to the policing framework.

Apart from their historical relevance, Delhi and Kerala represent two organizing structures of policing under different administrative heads, i.e. commissionerate system under the Central Government for Delhi and State Police under the State Government of Kerala. Since the police are a centralized force, answerable only to its administrative superior, i.e. the Government, it becomes crucial to understand policing under different types of governments. Since independence, the Central Government in Delhi has vacillated between right and center-right policies and ideology (Das Gupta, 2016). On the other hand, the state governments in Kerala have alternated between left and center-left. In this context, the

political nature of the Government in power has a significant effect on how the police function. Here also, Delhi and Kerala represent two diverse situations.

Attempting to engulf geographical, social, political and cultural differences, I conducted fieldwork in Thottam PS in Malappuram District in the State of Kerala from February 2019 to July 2019 and Shahjahanabad PS [3], Central District in the National Capital Territory of Delhi from July 2019 to January 2020. Permissions for research-related access to the stations were acquired from the respective District Chief's Office, allowing observation of interactions and activities in the selected PSs and interviews with police officials, as per their convenience, for approximately 20h per week. I conducted a total of 20 in-depth interviews, covering all ranks, genders and social categories, discussing personnel's perception of their work, working conditions, etc. Interviews took place in native languages, i.e. Malayalam in Kerala and Hindi in Delhi, which were later translated and transcribed into English. With the consent of the personnel, interviews were recorded for ease of conversation and transcription and deleted post-transcription. Personnel were briefed on the research, explicitly mentioning that the study would anonymize the personnel and the station to obscure identification. The observations thus were primarily of activities in the public wing of the stations, with intermittent conversations with interested and willing personnel. With the permission of the station chief and involved personnel, I went on a ride-along for a night patrol with personnel in Thottam PS.

As is common in such sites, some instances raised moral dilemmas; however, due to the strict conditions of my access to the field as an observer, I did not have the space or authority to intervene. While I am aware that my presence as an observer was an intervention, respecting hierarchies and power relations in the field, I chose not to intervene directly in any police interaction. Instead, I decided to discuss my observations through informal discussions and interviews with the personnel, preferring a reflective engagement. I made rough field notes of observations during field visits, which were later elaborated in a field journal. For analysis, I identified and indexed key observations under emergent thematics.

A note on the contingencies of such fieldwork is necessary to capture the role that serendipity, researcher's profile and uncontrolled factors played in this fieldwork. I am a second-generation migrant from Kerala, born and raised in Delhi, with maternal family in Malappuram district. This kinship link offered a form of acceptance among personnel in Thottam PS who identified me as a Delhi resident but a fellow Keralite. Additionally, personnel in Thottam PS were familiar with such studies and were more forthcoming since they were used to such research studies conducted by law students through internships to learn about criminal law procedures. Personnel identified such studies as opportunities to put across their opinions under the promise of anonymity. Such expressions were otherwise denied to them, being a part of a "disciplined force." In Shahjahanabad PS, on the other hand, I was identified as a Delhi resident but ethnically a Keralite. Regional-ethnic differences thus presented a barrier in association and everyday conversant language. Additionally, personnel were less welcoming of a researcher's gaze and presence in the station were broadly hesitant in participating, less forthcoming with opinions and dismissive of such studies. This is best captured by a comment by a male officer in Shahjahanabad PS who after being briefed about my study noted, "*police ki naukri k baare mein police ki naukri karke hi samajh aaega*" (you can understand things about the police's job only after doing the police's job). Although dismissive of the study, it was a curt reflection on ethnography and epistemology, which reinforced the epistemic selection of this study as an analysis of the everyday of the station and not the everyday life of the personnel (for which, perhaps, auto-ethnography may be best suited).

1.2 Power-sharing relations: who controls the police?
The modern police in India were formally introduced by the British colonial administration through The Police Act 1861, bringing together several provincial forces and making it entirely subordinate to the administrative head of the territory. The Indian police, formed in

the model of the Irish constabulary, was imagined as a paramilitary organization and was designed to serve the interests of the colonial and indigenous ruling classes. In this regard, Arnold (1986) has shown how excessive abuses of power, extortion and intimidation of the local masses, by the subordinate police, were promoted by the superiors to ensure that the locals would not approach the police for law-and-order matters, and this prevented the integration of the local population and subordinate police. A fear of the police was thus inculcated among the local population to keep the police as an agency of and for the colonial system. These measures were necessary to ensure the security and stability of the British colonial – economic and political – interests in India. Such everyday practices premised on the disintegration of local police and population thus form the legacy of the modern police in India.

After independence, India adopted a democratic republic model of the state; however, much of the administrative apparatus of the colonial state, especially the civil service and the police, was adopted as it was (Verma, 2011). To democratize the framework, the Constitution of India brought police under the purview of the State [4] executive but did not alter the existing policing apparatus. Post-colonial debates on police organizations in India (Baxi, 1982; Bayley, 1971; Raghavan, 1986) have argued that the persistence of colonial policing structures is inconsistent with the democratic aspirations of a modern nation-state.

1.3 Structure of Indian police

In the current framework, the States in India have exclusive powers to enact legislation for the regulation and administrative control of the police force. However, in union territories and the national capital [5], the Union/Central Government exercises these powers. Desai (2009) notes that even though States, within the quasi-federal Union of India, can form laws to alter/ establish new police, very few States have passed laws. Even those that have, follow the administrative pattern of the central act of 1861, "making the force totally subordinate to the political executive and totally unaccountable to the communities they police" (p. 8). The subordination of the police to the executive's will is, therefore, the emergent everyday reality in India today. Consequently, the police in India follow an almost uniform hierarchical organization adhering to a colonial power structure in its origin.

Within the Indian policing system, we can identify two organizing structures, i.e. the State police (organizing the police in individual States), and the commissionerate system (introduced to regulate metropolitan areas and other urban areas with a population of 10 lakhs or more). In most States, the commissionerate system is a part of the State police system. The Kerala Police Act, 2011 adheres to the state police system along with the commissionerate system for metropolitan areas, while the Delhi Police Act 1978 ascribes only to the commissionerate system, unlike other States. Figure 1: Rank hierarchy in police systems in India traces the rank hierarchy in these systems [6].

Drawing from its legacy and continuity from the colonial model, I argue that the everyday practices of police work predate its regulation by laws of independent India. Many of the practices today are remnants of a system where the task of the police was dictated by executive orders rather than by constitutional law. This, however, need not be seen as illegitimate. Martin (2013) has demonstrated through his study of the Taiwanese police that such systems may also be held together by a distinctive idiom of legitimacy, which is conditioned by their historical process of political modernization and democratic reform, expressed as "particularism" (p. 616). Herein, I will show that differential treatment of people is a norm and is further sanctioned by discretionary powers.

In this context, we must locate the police in India within the specific nature of the States, their power-sharing relations and the State executive's ideological framework. I do so by taking a closer look at two States, i.e. Kerala and Delhi.

Rank Hierarchy in Police Systems in India

State Police	Commissioner System
(Kerala Police Act, 2011)	**(Delhi Police Act, 1978)**

Ranks in Supervisory Positions
(Superior Police)

Director General of Police (DGP)	Commissioner of Police.
Additional Director General of Police (ADG)	Additional Commissioner of Police
	Deputy Commissioner of Police (DCP)
Inspector General of Police (IG)	
Deputy Inspector General of Police (DIG)	Additional Deputy Commissioner of Police. (Addl. DCP)
Superintendent of Police (SP)	Assistant Commissioner of Police (ACP)
Deputy Superintendent of Police (Dy.SP) (SPS)	
Assistant Superintendent of Police (ASP)	

Ranks in Police Station
(Subordinate Police)

Inspector	Inspector
Sub-Inspector (SI)	Sub-Inspector (SI)
Assistant Sub-Inspector (ASI)	Assistant Sub-Inspector (ASI)
Senior Civil Police Officer (SCPO)	Head Constable
Civil Police Officer (CPO)	Constable

Figure 1.
Rank hierarchy in
police systems in India

1.4 Delhi and Kerala: an administrative and social profile
Administratively, Delhi and Kerala represent two structures of policing under different administrative heads, i.e. commissionerate system under the Central Government for Delhi, and State police under the State Government of Kerala. To locate the police in Kerala and Delhi in their particularistic contexts, I take recourse to the social profiles of Delhi and Kerala, summarized in Table 1: District profile, drawing from the Census of India (2011).

The Census categorizes Malappuram as a rural district and Central Delhi as an urban district. Here, in the population figures, it is more important to look at the population density

District	Malappuram, Kerala (rural)	Central Delhi (urban)
Population	4,112,920	582,320
	Density: 1,157 people/sq. km	*Density*: 27,730/sq. km
Sex ratio	1,098 per 1,000	892 per 1,000
Literacy	93.57%	85.14%
	Male 95.76%	*Male* 87.50%
	Female 91.62%	*Female* 82.49%
Religion	*Hindu* 27.60%	*Hindu* 62.53%
	Muslim 70.24%	*Muslim* 33.36%

Source(s): Census of India (2011)

Table 1.
District profile

since it determines the number of PSs required and has a bearing on the police-population ratio.

In this context, the political nature of the Government in power has a substantial effect on how the police functions. Here also, as noted above, Delhi and Kerala represent two diverse situations. As the national capital since independence, Delhi has existed under the overwhelming shadow of the Union Government, vacillating between center-right and right-wing development strategies. In its organizational framework today, Delhi Police remains accountable to the Government of India and not the Government of Delhi. Additionally, general control and administration of the police and powers under the Code of Criminal Procedure (CrPC) rest with the commissioner of police rather than the district and executive magistrate as in other States. This accountability structure and power-sharing relation effectively translate into functional autonomy for the police from local civil administration and the local executive.

On the other hand, the State of Kerala, since its inception, has been characterized by a left-wing development strategy, which has been at variance with the Union's trajectory as literature on the Kerala model amply demonstrates (Franke and Chasin, 1992; Varghese, 2021). In its organizational framework today, Kerala Police is subordinate and accountable to the elected State executive, i.e. the Government of Kerala. For effective general administration, the district magistrate also has the authority to coordinate the functioning of the police.

In the current framework, thus, since Delhi Police is not accountable to the Delhi Government, local political executives do not hold much influence over the actions of the police, thereby eschewing local democratic accountability. Furthermore, through fieldwork in Shahjahanabad PS, I learned that recruits to the subordinate police predominantly came from neighboring States like Uttar Pradesh, Punjab, Haryana and Rajasthan and were rarely from Delhi. In effect, thus the personnel policing Delhi were primarily not from Delhi. A lack of organic connection with the land and people of Delhi was apparent among the personnel. Instead, animosity seemed evident in the perception of some personnel toward the population of Delhi. During a conversation about university admissions for students from Delhi, Shailesh Kumar, a male assistant sub-inspector (ASI) in his 40s, casually stated that kids in Delhi were *awara* (wayward), did not study and were only interested in politics. He argued, "look at Delhi Police only, hardly two percent would be from here, people here do not study, then why would they come to the service?"

In contrast, applicants to the subordinate police in Kerala were primarily residents of Kerala. Through fieldwork in Thottam PS, I learned that most officers of the subordinate ranks grew up within the State if not the district. Officers, therefore, generally had an organic connection with the jurisdiction they served, identifying with the land and the population they policed as "our" people or "our" *naadu*, a colloquial reference to the organic collective of land, language

and culture. Moideen, a male officer of Grade sub-inspector (SI) [7], in his early 50s, noted that the Kerala Police had not evolved according to the needs of the time. It still followed the staffing pattern introduced in 1988. He noted that "our naadu" had changed substantially in 30 years in terms of population, nature of crime, etc. and so the requirements had also changed. While police wings had increased manifold, the police workforce had not grown to efficiently implement and address these requirements, because of which "service delivery" had been affected. He asserted that "we need a police as per the needs of our naadu." Of importance here is to note the references to police work as "service delivery" as per the needs of the naadu as opposed to controlling or regulating the naadu as per the plans of the state, expressing a democratic, bottom-up approach. Naadu thus expressed an affective relation.

2. Everyday practices of interactions: ethnographic vignettes
To unpack the effect of accountability structure and affect, I now turn to instances of police interactions in the station and station jurisdiction. In these situations, the role of personnel and power relations that operate are substantially different and help analyze the everyday practices of police interactions beyond legal codes.

2.1 Shahjahanabad PS: berating the aggrieved
One afternoon, In Shahjahanabad P.S., a young man in his mid-20s carrying a snakeskin imitation bag approached Bhoopinder, a male ASI in his early 50s posted at the reception, to register a complaint. He explained, "Sir, some people befriended me and swapped my bag, it had all my original documents." Bhoopinder got annoyed and started scolding him, saying, "Why were you roaming around with them when you did not know them? You roamed around with them, and when they took your stuff, you came here. Basically, the police should hold your hand, take you from your home, get your work done and drop you back; we have no other work, right? You are easily around 18–22 years old, but you have no brains yet!" The man replied timidly, "I have come from a village, sir," at which Bhoopinder retorted, "So what? Don't humans live in villages? Aren't we also from villages?" The man replied, "Sir, they had planned all of this." Bhoopinder replied, "Then why did not you plan? Why did you not slap them and say 'I do not know you, stay away'. Now, what do you want from us? Which documents were you carrying?" The man enumerated, and Bhoopinder replied, "What do you want from us now? What should we do?" The man stood silent. Bhoopinder called another officer to deal with the matter. Meanwhile, the man took a seat next to me on the waiting bench, dejected and tired.

While waiting, he told Bhoopinder that his phone was also in the bag. Bhoopinder instructed him to get the IMEI (international mobile equipment identity) number by the time "sir" came. He asked Bhoopinder for his phone to make a call, who did not oblige and replied, "If I give you my phone, I will keep getting calls the entire day, enquiring about what happened."

While waiting for the other officer, Bhoopinder commented, "I do not understand one thing, nowadays people who know you also do not help in times of need. This guy, for no reason, befriended strangers and lost his bag, and is now saying they fooled him". The man said, "Sir, I had come in the morning for RPF (Railway Police Force) verification and was carrying original ID documents." Bhoopinder felt sorry for him and said, "In this mess that work would also have gotten affected. Was that work done?" The man nodded. Bhoopinder replied, "That's a relief! At least that was sorted" (*sic*).

Meanwhile, Hari Kumar, a male ASI in his 40s, walked in and inquired about the issue from Bhoopinder. After learning about the incident, Hari Kumar said, "We can only report this matter, what else can we do? There are these messages on the bus, right? *apna samaan swayam sambhalein* (take care of your own belongings)."

The man eventually presented a written complaint; a woman constable took him to the "Computer Room" to hand him a report. Hari Kumar sat next to me and explained, "His bag wasn't stolen, he had gone to the *Masjid* (mosque) to seek blessings, left his bag outside, came back and picked up a different bag. Someone else took his bag. In this, we can only file a report. What can the police do in this? If you swap it yourself, then what can the police do about it?"

After collecting the report, the man came out and wanted to know about a train and which platform it would be on. Hari asked me if I had the "Train app" to confirm the train timing. I shook my head. The man then requested Hari for more help, who got irritated and said, "Have you found only me to irritate now?" The man replied, "No sir, but what else can I do? Who can I ask?" Hari gave him directions to the nearby railway station, told him where to inquire and sent him off.

2.2 Thottam PS: appeasing the cheated
At Thottam PS, a young man in his early 20s and a young girl in her late teens came to the reception with a written complaint and handed it over to Revi, a male ASI in his 40s. He read with a confused expression and then clarified the issue, asking, "Which reservation seat was it, how much did he ask, and how much did he return?" They gave the details and mentioned that it was a scheduled caste (SC) [8] seat. After this, Revi called the "accused" in the complaint and said as follows:

Hello! Is this Saju?

Namaskaram (Greetings) Saju, I am calling from Thottam Police Station.

The phone got disconnected, and Revi promptly called back and said as follows:

Saju, you took 1.5 lakh rupees from a Lincy Varghese, saying that you would get her a seat in a college in Delhi. That, however, did not happen. You have returned forty thousand, but the remaining amount you have not. I have a complaint like this in front of me, what do you have to say?

You talk to them, call me back, and then tell me.

Revi then ended the call, after which Saju called the man who had submitted the complaint, who, on the advice of Revi, received the call and put it on speaker. Saju discussed with the complainant about when he would return the money, which Revi heard. After this, Saju called Revi, to which he said as follows:

"Yes namaskaram Saju, tell me.

When will you return the money?

One week? Are you sure?

Return the money and resolve the issue, otherwise, we will file a case.

Once the complainants come and tell us that they do not want a case, we will not.

Okay!"

Revi cut the call, turned to the complainants and asked them to wait for a week. He said that if he did not return the money by then, the police would take it up. Revi asked the complainants to leave their details at the station, after which they amicably left.

2.3 Night patrol and differential policing
In Thottam PS, I was allowed to tag along on a night patrol conducted in the station jurisdiction, which went on from 11 pm to 3 am. The route on the night patrol went through

public places like automated teller machines (ATMs), health centers, session courts etc. The aim of the patrol broadly was making police presence palpable.

For the night patrol, Fathima, a woman SI in her early 50s, was the lead officer, accompanied by George, a male civil police officer (CPO) in his 30s, and Ashokan, a male Kerala Home Guard (KHG) [9] in his 60s. The town and roads were completely empty and mostly dark when we set out, except for the occasional functioning street light and intermittent rain.

Near a motorcycle showroom, a young man was leaning against a parked motorcycle on the side of the road and was talking on the phone. We stopped the car, and George asked aggressively, "What are you doing here?" The man timidly replied, "Nothing sir, I'm just going home," George ordered him to leave soon, and we carried on. We were driving around when we saw two boys in a bus stand. The officers speculated that they must be waiting out the rain, so they did not bother them and carried on.

Later we saw a man dragging his motorcycle across a street, Ashokan flashed his torch, and they assumed that his vehicle must have run out of petrol. Later we came across a man who was staggering on the road; we stopped and Fathima aggressively asked him where he was coming from and where he was going. He said that he had just come out of a bar and was going home. Fathima told him to carry on and commented, "It's 12 o clock, has not the bar closed yet?"

The patrolling car till now had been cruising at a steady pace, scanning everything. The SI started feeling sleepy. Patrolling seemed to be more about making police presence felt to deter any untoward incident and activity. At first, it appeared that they were questioning people who appeared to be out of place, like standing on the corner of the road alone, walking the streets alone etc. However, later we crossed a lone Range Rover sport utility vehicle (SUV) parked near a local tourist spot. This was the only car parked on the stretch, but we neither stopped to check, nor did it raise any concern/speculation among the officers about why the car was parked there. At one point, we crossed a local tea shop, where some boys had congregated and were having tea and snacks. We did not stop to inquire about them either. It appeared that patrolling relied heavily on the discretion of the officers involved. It was evident that profiling took place during patrolling. Individuals who were shabbily dressed and wandering mostly alone were stopped and aggressively questioned about what they were doing and where they were from; relatively affluent-looking people were left alone.

Tired and sleepy, we stopped near a roadside tea stall for some tea to freshen up and then carried on. At 2:40 am, we saw a man walking on the street alone. We stopped and the officers aggressively asked him why he was there, where he was going, where his home was etc. Through this, they deciphered that he was sleeping on the street somewhere, was a drunkard and was going to get something to eat. They let him go. Later the SI mentioned, "He's a known drunkard. We have brought him to the station many times."

The patrol ended at 3 am after which all the officers went to rest. George explained that they would all be on post from hereon and would have to go out if some incident was reported. This way, their duty lasted till 5 am, after which they may or may not have been put on other duties.

3. Understanding everyday practices: theoretical engagement

Having presented ethnographic vignettes in the previous section, I now turn to a theoretical engagement to outline a framework through which we may make sense of everyday policing practices.

3.1 Policing procedures and discretion

From the first two descriptions, I wish to draw attention to different practices of dealing with complainants. Instead of talking about these interactions as representative of the general

behavior of Delhi Police and Kerala Police, I wish to draw attention to power relations operating here, interpreting them at two levels, legality and accountability structure. While both were instances of complainants approaching the police for grievance redressal, how they played out was vastly different. Instead of the individual intent of the personnel involved, I would like to focus on the systemic features that overdetermined individual behavior, not to theorize summarily how personnel act, but to delineate the terrain in which they choose to do what they do.

In Bhoopinder's interaction, the striking feature was the annoyance that he expressed. Structural elements of being overworked may partly cause it. During my field visits, I noticed that Bhoopinder was always on reception duty every day. As per a survey, the average working hours in Delhi Police were around 14 h a day (Common Cause and CSDS, 2019). Law characterizes police personnel as "always on duty". Long working hours were most commonly attributed to excessive "workload". Literature on boredom (Phillips, 2016) in police work has noted that tedium often causes annoyance and irritation. In Bhoopinder's outburst, his annoyance was directed toward the complainant's perceived naiveté. This is evident from expressions like "You are easily around 18–22 years old, but you have no brains yet," and "Why did you not slap them and say 'I do not know you, stay away'." The idea expressed thus was that he should not have gotten involved in such a scuffle in the first place and second, that he should have resolved the matter himself, without "unnecessarily" troubling the police. These implications were reiterated with the statement, "What can the police do in this?"

A subtle achievement in this interaction was the assessment of the complaint. During an earlier interaction, Bhoopinder had explained to me the mechanism of dealing with complaints, which began with the aggrieved person submitting a written complaint. This was followed by a preliminary assessment to check if the complaint required filing an first information report (FIR) – in other words assessing whether a cognizable offense [10] had taken place, wherein as per the CrPC a police officer can proceed with an arrest or investigation without permission by court – after which the legal procedures of investigation have to be followed. Before this procedure begins, however, most complainants approach the station with a verbal narration as in the case of the person who lost his bag. This oral narration is then discussed and modified/codified into a written complaint. Here the discretionary role of the officer is of crucial importance. In the case of the lost/stolen bag, after assessing the oral narration, the complaint was changed from "theft" to "misplaced." The police complaint would then be used to apply to concerned offices for issuing new copies of the lost documents and initiating phone tracking. "Theft" as per Section 378 of the Indian Penal Code (IPC) is a cognizable offense, categorized as "offences against property," and would require filing an FIR and following through with investigation as per the legal procedures. Converting the matter from "theft" to "misplaced" did not require an FIR and would be technically resolved without following the legal route. Converting complaints in this manner was a common practice in everyday functioning, aimed at reducing "unnecessary" workload. The attitude expressed in such situations of petty crimes was perhaps best summed up by Hari Kumar's reference to the writing in local buses stating, "take care of your own belongings." Therefore, we may note this interaction as an instance where the police are not overusing their powers to intervene but rather avoiding "unnecessary" work. The perception of "unnecessary" work being attributed to petty crimes may also be traced to the difficulty in solving such crimes and the burden of existing workload. This may be seen as an example of what Foucault (1991) terms "tolerated illegality" in his discussion of the economy of illegalities, which I will elaborate upon in the subsequent section.

Although similar situations exist for Kerala Police, with average working hours of 12 h as per the same survey (Common Cause and CSDS, 2019), a different practice was apparent in the second instance. The mechanism of assessing the complaint is a common feature in policing, which understandably varies according to social circumstances. The striking feature in ASI

Revi's handling of the complaint was immediate, professional/objective intervention. This may be noted from his call to Saju, where he narrated the complaint and gave Saju an opportunity to explain himself and then opened a window for Saju and the complainants to resolve the matter. In this instance, one can note a reliance on a mediatory approach. "Cheating" as per IPC 415, also categorized as "offences against property," is a non-cognizable offense. This means that the police have no defined legal procedure of intervention unless directed by the magistrate. Complaints of non-cognizable offenses, however, do not mean that the police does not intervene; instead, a mediatory approach is deployed here, wherein the threat of a case is used to negotiate a settlement as was evident from Revi's statement, "return the money and resolve the issue, otherwise we will file a case." Here again, personnel's discretion is of primary importance. Mohan, a male ASI in his 50s, explained the mechanism of such intervention which is known as "petition disposal." He noted that since in a non-cognizable case, the police cannot intervene and they inform the complainants about the same. If they still insist, they try a mediatory approach and ask them to settle on mutually agreed upon terms. In such situations, even if the matter does not get resolved through the mediatory approach and goes to court afterward, the aggrieved are still satisfied that the police, at least, intervened in their favor. Filing a case in such a situation means overstretching their jurisdiction, in which case, the station house offcer [11] would be called and berated. He noted that "to avoid all of this, and so that a complaint does not go to the SP (Superintendent's) office, the petition disposal system works like this." Explaining these practices, Moideen conveyed that about 50–80% of the complaints that come to a PS are civil cases (pertaining to non-cognizable offenses) related to petition disposal. However, he noted, "CrPC section 149 [12], and sections in Police Acts [13], give us some authority to intervene if in a civil case there is a possibility for a cognizable offence. For example, if one person goes to retrieve cash lent to another person and an altercation ensues, a murder could occur. With timely interference, non-cognizable offences do not turn into cognizable offences. *Sadharana janangal* (common people) come to us at a moment of crisis to seek intervention. In our job, the quality needed is empathy, not sympathy. However, those above us, and those who make laws, do not see this. They need to understand this. A police officer is bound by law, we have to follow the law."

Here law, procedure prescribed by law and the everyday practices of police work appear to be in a constant tussle, more so in the sense that the law is seen to be inconsistent with the everyday realities of police work.

So far, I have focused on the everyday practices of the station concerning the law and procedures of the criminal justice mechanism. Another aspect that significantly overdetermines police interactions is the accountability structure. The feature that is strikingly different in the two instances mentioned above is the annoyance expressed by Bhoopinder and the objective demeanor of Revi. Keeping personality traits aside, I argue that these reactions may also be interpreted within the larger framework of accountability structures, specifically political/electoral accountability.

Beginning with the functional autonomy apparent in Delhi, where the absence of police accountability to local elected executive and disinterest among Union executive to engage in hyper-local incidents, create an environment where the police operate under high-functional autonomy and low-political interference in petty matters. This functional autonomy further created a space where personnel did not have to concern themselves with minor misbehaviors, making berating the complainant, as was evident from Bhoopinder and Hari Kumar's expressions of annoyance, acceptable. This general misbehavior is instead treated as a norm, which further leads to reluctance in approaching the police, not only for petty matters but sometimes in severe cases as well (Common Cause and CSDS, 2019).

In contrast, excessive politicization appears apparent in Kerala. Moideen, referring to local news about custodial death in a different station [14] – where a man who was brought to the station under preventive custody for drunken violence, later hung himself in the station toilet

– predicted that "there will be an automatic suspension on charges of third-degree murder. The police chief, in this regard, had stated that strict action would be taken against the police officials. This is the issue in Kerala. When something like this happens, the opposition party, would take the victim's widow and parade her to prove that the current government is not good. So, the government will put pressure on the police chief, who will say that the station-level official will be punished. This is an issue in Kerala, other States protect their local police." Moideen here is complaining about the excesses of political intervention in police work/ mishaps for electoral gains.

Political intervention in police work, i.e. intervention by political functionaries, like members of different political parties for sectoral/electoral gains, is highly criticized in public discourse in India. The dominant literature on police reform in India advocates insulation from political intervention and autonomy for the police for effective police work (Eckert, 2005; Rao and Rao, 1980; Verma, 2005). In systems like in Kerala where the police are accountable to the elected State executive, any misuse of police power, even misbehavior by personnel toward a complainant, can potentially become a political issue, attracting disciplinary action. During fieldwork, I never saw an officer expressing annoyance at a complainant in Thottam PS, which is a feature that I regularly saw in Shahjahanabad PS. A large part in this is played by a highly literate and politically active citizenry as well, wherein the citizenry in Kerala is known to engage and complain against misbehavior of public officials to hold them accountable, which is a feature that seems to be generally absent in Delhi.

These non-procedural practices of avoiding unnecessary work, expressing annoyance, mediatory intervention, etc. heavily rely on the discretion of the personnel involved. This discretion, I argue, can only be fully understood when we delineate the terrain in which discretionary use of power takes place in terms of the accountability structure and the perceived outcome of the use of discretionary power by the personnel involved. To further elaborate upon this, I now turn to a discussion of the night patrol conducted by officers at Thottam PS. I would attempt to focus on three aspects of the patrol: the practice of stops and aggressive questioning, profiling and choice of whom to stop/interrogate and the overarching feature of boredom.

During a discussion on police stops, Mohan stated that "a police officer, in general, has an ego. If an officer stops someone and questions them and they resist, then it is in the power of the police officer to arrest them and bring them in for questioning. The responsibility of an officer is to maintain law and order, and public order; in this, if they are suspicious and ask a question, someone who can speak should be able to respond with an answer. If they do not, then they can be brought in because that is an obstacle to the officer in performing their duty, provided that the officer is on that duty. For example, if an officer is on traffic duty, they stop a car and question and the person resists, then they can arrest the person, but they cannot pick up anyone from the road and enquire about them and arrest them, that will not hold up. For it to hold up, we are taught how to challenge and make cases in our training. Officers would ask sternly, if you respond properly, they cannot hold anything against you; if you become violent and resist, they have a cause. This is taught in training."

Section 353 of the IPC provides for punishment for assault or criminal force used to deter a public servant from the discharge of their duty. In the description by Mohan, the activation of this broad penal provision is sought, based on which police aggression may "hold up." The purpose here, however, is not to actually use penalty but rather to seek compliance. Aggressive questioning in police stops may thus be seen as an everyday practice, which may be sanctioned loosely by penal provisions. Herein operate power relations in the everyday domain of policing, which become apparent in banal incidents. The aggressive mode of questioning that George and Fathima deployed during the night patrol thus appear more as strategies to legitimize stop and inquiry in posterity. When we look further into these power relations, other aspects such as class dynamics also become apparent.

Renjith, a male CPO in his early 40s, speaking about police power, stated that "legally IPC, CrPC, and KP Act [15], give us the powers that we have. If someone is driving a Benz car or a bigger car than that, I, as an *sadharana* (ordinary) constable, can show my hand and stop them, check their documents, and if there is anything wrong, can slap a challan and tell them to go. We get the authority to do all of this." Renjith's expression was a potent expression of class dynamics. A saadharana constable's ability to stop a wealthy person and make them comply was seen as the abstract potential of police power. Even though it did not play out in reality, it was an expression of aspirational police power.

The reality, however, was expressed differently. Manikrishnan, a male senior civil police officer (SCPO) in his 50s, explained, "Wealthy persons, politicians, and common people, dealing with them all in the same manner is not possible. For example, if we punish someone with a fine, they straightaway call the DGP, who then calls the SP. The SP calls the Inspector or the SI, and then we get a question, 'What are you going to achieve with a thousand rupee fine? Are all your other matters resolved?' Now if someone says this, what can we do? We let them go."

From this we may note that although in the abstract, police powers may be seen by personnel as authority that may potentially transcend class dynamics, however in reality, class dynamics continue to underpin police authority. In this regard, an engagement/ disengagement paradigm may be seen to be apparent, which is associated with the perceived class position of the "suspect." I mentioned that patrolling had an active feature of profiling. Not checking or inquiring the out-of-place SUV and affluent-looking group of boys/men at a tea shop and only stopping and interrogating shabby, vagrant-looking men who were alone may be explained by this paradigm. Drawing from her fieldwork in India, Jauregui (2017) notes that "the majority of everyday police practices involved the interpretation and management of personal relationships characterized by power inequalities, both among police themselves and among police and the various persons with whom they interacted on a daily basis" (p. 73).

Reflecting on the focus of police ethnographies, Fassin (2017) argues that "because of the persistence of the traditional image of action and danger attached to the profession and because of the challenge posed by the depiction of eventless days and nights, little has been written on boredom within law enforcement. Yet this experience is essential to interpret police practices, including deviant ones … The relative absence of tedium in criminological literature invites a wider reflection on what remains invisible or untold in studies on law enforcement" (p. 20).

Drawing from ethnographic fieldwork in a police agency in New York, Phillips (2016) talks about police work and boredom focusing on how discretion provides a way out of boredom for officers to engage in activities that make their work "meaningful." Herein adventure may be a way out, where "meaningful" is associated with work that is conventionally portrayed as fighting crime, heroic etc. allowing personnel to "act like" police officers. Drawing from this conceptualization, I have tried to focus on how tedium and boredom conditions banal activities by drawing attention to not only what personnel do, but also on what they do not do, such as choosing who to stop and not stop, who to express annoyance with, who to be objective yet professional with, etc. In this what becomes apparent through actions conditioned by boredom I propose are features of automatic docility, wherein the agent is also studied as a subject. Automatic docility is an expression of power relations that may not attract conscious reflection or engagement. It is expressed in manners of the body as automatic gestures, ways of talking etc. Unpacking power relations expressed by automatic docility among the personnel allows us to unpack power relations of the social order as well as the police organization, which primarily functions as a disciplinary apparatus, wherein the schema of discipline attempts to create, as Foucault (1991) notes, "docile bodies" (p. 138). Therefore, by referring to the police personnel as the subject, I have attempted to unpack the myriad power relations that operate through the body of the personnel.

Thus, we may note that the practice of stopping and aggressively interrogating vagrant "looking" people, leaving alone affluent "looking" people, is not an oversight but a crucial feature of policing. Here, the construction of institutions like the police and systems of penalty produces policing practices that are primarily concerned with policing a class. This everyday practice is not unique to India and has been noted in literature on policing from around the globe. Ben-Porat (2008), for instance, notes that the simultaneous over-policing and under-policing of the marginalized people, in the context of Canada, threatens police–minority relations. However, this form of differential policing is embedded in policing practices in India and may find roots in its colonial legacy but continues to evade a legitimacy crisis. Reiner notes that "underlying differential policing and offending patterns are deeper structural processes that shape both ... The basic institutions of privacy and property make the economically disadvantaged more vulnerable to police attention" (p. 75). Arnold (1986) observed this tendency in the colonial police in India, where he stated that the subordinate police was recruited from the emerging proletariat to predominantly control the proletariat. Verma (2005) notes that police training in India, especially among the subordinate ranks, is still following the norm set by the British 100 years ago, who "primarily desired a body of men who would follow their commands unquestionably and provide a bulwark against challenges to their authority" (p. 128). Subordinate police in its induction even today is primarily trained to follow executive orders. One may note here a tendency of the executive to retain the police as primarily in service of the executive and not the population.

Thus, in the everyday functioning of the police, differential policing need not be codified in law and legal procedures, instead such practices are retained through the socialization of police officers during and post-training and conditioned by the political economy of the state and dominant property relations, wherein accountability structures and perceived outcome of police intervention delineate the terrain in which personnel through their discretion chose to act or not act in certain ways, both of which serve the class interests of the dominant classes and the state.

3.2 Tolerated illegalities, particularistic accountability and legitimacy

The focus of this paper has been on analyzing power relations through which the subordinate police operate in the site of two PSs in post-colonial India. I have attempted to delineate the terrain and draw out power relations in which personnel identify their roles and act. Having identified the broad terrain in which the personnel act, I now wish to show that a dialog between "tolerated illegality," particularistic accountability and legitimacy offers a framework to understand police interactions and stops in post-colonial India.

Foucault (1991) refers to tolerated illegality, "the non-application of the rule, the non-observance of the innumerable edicts or ordinances" (p. 82) as a condition of the political and economic functioning of society in the Ancien Régime and traces the birth of penal reform, "at the point of junction between the struggle against the super-power of the sovereign and that against the infra-power of acquired and tolerated illegalities" (p. 87). Without going into the details of what infringements were treated as tolerated/tolerable in the Ancien Régime, I note that the notion of "tolerated illegality" may be applicable as a condition of the political and economic functioning of other societies as well. The particular contexts and manifestations of the same may differ. In the context of this study, I note that the notion of tolerated illegality helps interpret the practices through which petty thefts in Central Delhi and cheating in Malappuram are dealt with in the examples outlined above. In Central Delhi, it is evident as not only the non-application of rule and non-observance of edicts and ordinances, but also a certain bending. The subtle transformation of "theft" to "misplacing," allows the personnel to process the event/incident, which they perceive as "unnecessary work" in a way that does not add to the already overburdened, underpaid force. It is tolerated in the larger system of criminality, as it neither threatens society's economic or political system nor draws any particular attention toward the personnel attracting charges of misconduct or neglect of duty.

The notion holds in the different context of Malappuram as well, in the example of cheating. Herein, the intervention did not resolve the crime through official policing practices but rather was geared toward appeasing the complainant of police action in a social and political context where police action/inaction is heavily subject to public and electoral scrutiny. Systemically, it was tolerated, as it did not threaten the economic system nor did it particularly potentially affect the political system. However, it was conditioned by an everyday practice focused on not attracting "unnecessary" political attention.

One may further understand tolerated illegalities in dialog with particularistic accountability and legitimacy. Bringing together tolerated illegalities, as displayed in the cases of petty theft and cheating, with those of differential policing and profiling, as evidenced from the description of the night patrol, urges us to delve deeper into questions of accountability and legitimacy that condition everyday policing practices. Jauregui (2016) notes that "in many parts of India, and perhaps in other places as well, the discriminatory and unequal ways in which state authority is expressed may also work to produce a kind of contingent and particularistic 'accountability'," which in dialog with her notion of "provisional authority" makes way for nuancing our understanding "of police knowledge and ethical frameworks as reflecting pluralistic and context-specific public demands for state resources" (p. 150). This allows us to look at policing practices beyond their relationship with law and legal procedures alone and in relation to questions of public order. From the night patrol, it is evident that differential policing and profiling are both tolerated and the norm, while not sanctioned by law. The framework of tolerated illegalities and thus applies not only to the crimes of the citizenry, but also to the illegalities of the state functionaries. Moving beyond legality alone, we now qualify the operationalization of legality in relationship with particularistic accountability wherein the particularistic demands set on Delhi Police and Kerala Police differ, owing to the accountability frameworks apparent in Delhi and Kerala. While the functional autonomy apparent in Delhi Police made it less democratically accountable to the citizenry, especially in a political framework where such routine "misbehaviors" had no practical electoral effect; the supposed excess of political interference in Kerala made the everyday practices of subordinate police more democratically accountable. This can only be understood in relation to particularistic societies and their expectations from their policing institutions.

Nevertheless, this has relevance for our understanding of policing both globally and in India specifically. The first is its relevance to the question of legitimacy. Martin (2013) through his study in Taiwan, referring to particularistic legitimacy, argues that the function of legitimacy is that "it holds the regime together by moving trouble where it ought to go" (p. 640). In other words, policing legitimacy may be derived from its ability to displace and diffuse a threat to the political regime and the dominant class structure. The simultaneous over-policing and under-policing of marginalized people that Ben-Porat (2008) studies in the context of Canada are evidenced in much of policing literature from around the globe (Albrecht *et al.*, 2017). I described this as aggressive questioning of vagrant-looking people and letting go of affluent-looking people in the night patrol. While these practices are not unique to India, the Indian experience has implications on how these practices are perceived as an infringement of personal liberty in particularistic contexts.

This obstruction of personal liberty operates in many ways. In Indian jurisprudence, the Constitution of India, after delineating the Fundamental Rights through Article 33 enables the parliament to restrict or abrogate some of these rights to members of institutions like the police, armed forces, intelligence etc. "so as to ensure the proper discharge of their duties and the maintenance of discipline among them." Concomitantly, The Restriction of Rights Act 1966 and Incitement to Disaffection Act 1922 restrict the rights of freedom of speech and the right to form associations among the police, which is more strictly applicable for the subordinate ranks.

Other than law, the hierarchical ordering of the police and authority structure further operationalizes the mechanism of discipline, wherein each rank has the authority to discipline its

subordinates. Externally, as evidenced from Manikrishnan's comment, the social make-up of society and its associated power relations further condition the actions of the disciplinary apparatus, which was evident in how the night patrol was conducted. Socially, "tolerable illegalities" (Foucault, 1991), like petty thefts, being treated as "unnecessary work" within the economy of illegalities, affects personal liberties of the population as well. In this economy of illegalities, conditioned by neoliberalism today, especially in a post-colonial state, protecting the personal liberties of subordinate classes in a class-divided society is not the focus of the state. Biases in policing in particularistic contexts may become a matter of public and political outrage, when it threatens to destabilize or delegitimize the regime. In different parts of India, the biases that are seeped into police practices, derived from its colonial legacy, continue to have a troubled relation with questions of personal liberty without necessarily threatening police legitimacy.

4. Conclusion

In this paper, I have attempted to engage with the literature on police stops emerging from the Anglophone world by relocating it to a post-colonial nation like India. I have argued that everyday policing practices, like police–citizen interactions and police stops can be better understood by locating policing institutions in their particularistic contexts and respective accountability structures. By locating the police in Delhi and Kerala in their respective organizational state structure, I noted that the feature of organic connection between the police and citizens has a significant bearing on how personnel act in the everyday. Here, legal procedures are selectively activated by personnel, which are heavily conditioned by their discretionary powers. These discretionary powers function in an engagement/disengagement paradigm where most cases are sought to be either dismissed as in Delhi or resolved through a mediatory approach as in Kerala. Adherence to law and legal procedures is tentative in these everyday practices and in the self-estimation of the personnel are seen to be inconsistent with the everyday realities of police work. Accountability structures are crucial in determining the degree of functional autonomy through which the personnel act. While the dominant voices on police reform in India advocate insulation from political intervention and autonomy for the police, this paper has tried to show that absolute autonomy without democratic accountability may also lead to apathetic policing. This paper proposes that the dialog between tolerated illegality, particularistic accountability and legitimacy offers a framework that is useful in understanding everyday police practices in a post-colonial nation state like India.

5. Policy recommendations

Drawing from the discussions outlined above, this paper concludes by drawing out two policy recommendations:

(1) Policy discourse in India pertaining to police reform has treated political interference as the bane of policing systems in India. While political intervention for parochial, sectarian purposes has wreaked havoc on the policing system and the law-and-order situation in several instances, a complete insulation from electoral accountability for the police does not necessarily ensure democratic and people-oriented policing either, as can be seen from the example of Delhi Police. While excessive-politicization is not ideal, in the example of Kerala, it shows that in certain circumstances it creates conditions where the net effect is people-oriented policing. From this, I argue that absolute insulation of the police from political accountability, as recommended by the dominant police reform agenda, may lead to apathetic policing in the guise of objective policing. Keeping in mind the political misuses of the police, I argue that instead of insulation the deliberations must be reoriented toward discussions on how the police can be made accountable to the people, i.e. democratizing police accountability.

(2) Derived from the first recommendation of deliberation on democratizing police accountability, as the second recommendation, I argue that this can be achieved if the public policy decision-making mechanism becomes truly democratic in the first place instead of being the domain of subject experts alone. This requires taking inputs from the primary stakeholders, which includes the subordinate police as well. For democratic accountability, the subordinate police must feel a democratic responsibility and organic connection toward the population they police. In this regard, one crucial recommendation that emerged from Mohan during my interactions with personnel in Thottam PS was in relation to the practice of posting police personnel away from their home stations, i.e. stations in the jurisdiction of which they live, to prevent the personnel from forming any personal connection in the jurisdiction that may lead to exploitation and corruption. Mohan noted that, on the contrary, it was more likely for an officer to exploit the population and be corrupt in a jurisdiction where they had no organic connection. In their home stations, since everyone already knows them, an organic democratic responsibility is automatically instilled in them. Drawing from this, I argue that the policy of restricting police–people integration that is derived from a colonial legacy and continues to be an organizing practice in police in post-colonial India as well must be rethought in a manner that favors police–people integration. In a similar strain, everyday structural features that instill democratic accountability from below must be deliberated upon by democratizing the public policy decision-making mechanism first – bringing in the voices of local level state functionaries, population and subordinate police.

Notes

1. The 1857 mutiny was a sepoy uprising against the British East India Company and is referred as the first fight for Indian Independence. After the suppression of the mutiny, India was formally brought under the British crown, and over several years, the foundations of the modern state apparatus like the modern police, judiciary civil services etc. were established.

2. The Mappila rebellions were uprisings by the Muslim peasantry known as *mappilas* directed toward the upper-caste Hindu landlords known as *jenmis* against the exploitative land tenancy system. Falling under the Madras presidency, it was met with brutal suppression by the British administration.

3. The station names and the names of the officers have been changed to maintain anonymity.

4. Henceforth, "State" (with capital S) is used in reference to the quasi-federal units within the Union of India, for instance the State of Kerala, whereas "state" (with small s) is in reference to the state apparatus/mechanism of the state.

5. Quasi-federal units in India are comprised States and Union Territories. States have their own elected governments that further form the legislative and executive branches of the State. A Union Territory on the other hand is an administrative area controlled directly by the Central Government of India.

6. The top few ranks, from DGP to ASP/Dy SP in State police and commissioner to assistant commissioner in the commissionerate system, form the administrative section or the superior police and are predominantly constituted IPS officers. Some bottom ranks among the administrative section (from SP to Dy SP) may be from State police services too. The bottom five ranks remain same in both the systems and are known as subordinate ranks or the subordinate police. Here ranks from Inspector to ASI are known as the upper subordinates, while the head constable and police constable are known as lower subordinates. These ranks are mostly posted in PSs and are wholly drawn from state police services. Moreover, they form the majority of the overall police force in India, with the constabulary (head constable and police constable) forming 79.71% and ranks from ASI to inspector forming 17.93%, together forming 97.64% of the total police force. The administrative ranks, in stark contrast, is 1.12%.

7. In Kerala Police, officers get a "grade" according to seniority, i.e. a CPO becomes (G) SCPO after 12 years, (G) ASI after 20 and (G) SI in 25 years. They get the requisite salary, uniform etc. but their post would not be updated on paper till a vacancy comes up. So, till then, officers working as higher ranks in official states were still counted in lower. For instance, Moideen in actual strength was counted in ASI (see https://timesofindia.indiatimes.com/city/thiruvananthapuram/govt-relaxes-grade-norms-for-police-officers/articleshow/71787592.cms).

8. SC – Scheduled caste. Individuals categorized as SC are recipients of reservation in seats in education and employment as part of affirmative action policies.

9. KHG personnel are ex-military, ex-police personnel who join as KHG, post-retirement on a daily allowance.

10. Under the Indian Criminal Law, offenses are categorized as cognizable and non-cognizable. In cognizable cases, the police officers have the authority to arrest and begin investigation without the warrant or permission of a court, unlike in non-cognizable offenses where arrest and investigation can only be conducted after a court order. Serious offenses like murder, rape, theft etc. are categorized as cognizable, whereas hurt, mischief and public nuisance are non-cognizable.

11. Station house officer, i.e. the station chief.

12. Section 149 in The CrPC, 1973: Police to prevent cognizable offenses. Every police officer may interpose for the purpose of preventing, and shall, to the best of his ability prevent the commission of any cognizable offense.

13. Kerala Police Act, 2011 section 85(c).

14. See:https://english.mathrubhumi.com/news/kerala/man-commits-suicide-while-in-police-custody-in-kottayam-1.3811502

15. Kerala Police Act, 2011.

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