

A STUDY ON POLICE BRUTALITY & HUMAN RIGHTS VIOLATION

Sarode

U.S.Faculty, School of Social Sciences,
Swami Ramanand Teerth Marathwada University, Vishnupuri Nanded

Abstract: Crime and violence constitutes to be major impediment for development and social integration for plural society like India. The primary duty of police official is to serve mankind to prevent the crime, to uphold & protect the human rights. The goal and objective of the Police are noble and is concerned with the maintainences of peace and enforcement of law and order, security of property and human beings. But it is often seen that while discharging official duties, police officials do not undertake their responsibility in proper way and abuse their power for official or personal gains. The use of excessive power than that is reasonably necessary leads to **miscarriage of justice**, and involves obstruction of justice. This paper deals with the excessive force used by the police officials that results in death of sixteen years boy during the Maharashtra Bhand(Close) on the eve of Bhima Koregoan.

Introduction: Maharashtra State has violent history of Dalit oppression, hate and crime against them is common. First January 2018 is marked for the completion of two hundred years of celebration of Bhima Koregoan, where caste superiority fuelling social tensions at Vadhu Budruck crisis hidden are tombs of Govind Gopal an Dalit soldier who have collected the pieces of body of Peshwa Chhtrapati Sambhaji Maharaj torn into pieces by Britishers , Govind Gopal has collected each and every piece of Chhtrapati's and buried them and constructed his tomb. Next day Britisher's have shot died Gopal Govind as he has not obeyed their orders and went against them. So both the tombs were built at the same place, but Marathas disturb social harmony at vadhu , saying that all the dalits are walking by their shoes and decreasing the sanctity of our leader. But the reality is **that how can the Marathas and dalits be at the same platform**. So they have selected this day fully planned because they are well acquainted with the fact that lakhs of Dalit people will be gathering on First January as usual. The open caste people have taken benefit of this day and both the tombs was broken, forty five people were booked under Atrocities. On the basis of the communal riot of Bhima Koregaon.

Due to the losses caused to life and property of Dalit a bhand was called in entire Maharashtra as a mark of respect for the losses & the sufferers. Even in taluka Bhokar , village Asti this bhand was observed , but on the same day there was a unit test in the Z.P. School because of the sudden call of Bhand the students could not be communicated properly. As a result sixteen years school boys Mr. Yogesh Jadhav have to loss his life due to police brutality. Police brutality remains epidemic, but it is also a social illness. In order to serve the pupil well the police officials have to learn the difference between facts and feelings. **"We all exist in dehumanizing situation that is killing"**. It cannot be denied that police brutality is highest **when police force is divided into caste lines then the police force is politicised also**. Should the police allow themselves to be pawns in the hands of people who want to established political leadership by playing with the lives of the citizens .due to police excessive use of force there is scare in the minds of common citizens that their lives and liberty are under peril when the guardians of law gore human rights to death. In country like India caste & communal violence's is endemic and creates fear that anyone can be the prey of violence on the street. Our police are precious to us we cannot live without them but we need policemen whom we can trust and respect. Why we should respect those rakshas who will act not in accordance with democracy as just as life in the family is crucible of personality and man's freedom in the community.

Martin Luther King Jr. In 1966" The law cannot make a man love me, but it can restrain him from lurching me, and I thing that is pretty important also. Stop criminalizing, Stop using poor people to fatten budgets, Treat addicts and mentally ill people like they need heeling and not jail. **Actually ban**

caste policing (my caste is my crime) Involve the community in big decision. There is no natural standard as what constitutes force, therefore the standards are to be defined and enforced. Police should be trained as member of community and not as armed patrolmen. Police is given very less training of **how to de-escalate tense situation**, for development of better relationship with the community incorporating culture, diversity, youth development and bias. Professional trained on procedural bias & fairness, institutional bias, implicit bias, crisis intervention, conflict resolution minimizing the use of forces preventing and addressing abuse & assaults.

Objectives: General objectives aims to provide all police officers with in force on how to service the public and also how to avoid the brutality and their consequences. The specific objectives are

1. To investigate the impact of police brutalities on society
2. To determine the harm of victim of police brutality
3. To highlight the areas that needs to improve and access to avoid brutality in future

Methodology: The mode of gathering information of this study is organised through Extensive Field Interviews of collecting data. Interviews is also conducted in a guided, .talks and dialogues and conversation in which respondent are asked about facts, events opinions from their observations.

Public is losing trust in police due to their brutality and abuse of power , Police officer are responsible for making excessive use of power to prevent crime in society Therefore they **should be held accountable for their misconduct** . Police brutality is noted to be a negative incidence then to needed for ending the crime. Thus police should use their force to scare the criminals, Police are given the right of using the force to overcome the situations like protest , public violence and march but such powers are misused by officers policing they are used to make use of force and approaches but not use of force that causes death.

For the justification of the objectives more than five witness respondents were interviewed and it was found that Yogesh have come to the school to give the unit test as he was not having any idea of closure of school . All the witnesses' have said that the entire village was silent, there was not a single shop opened neither any auto was running on the road. All of sudden at twelve a clock on 3rd January 2018, a van with more than five to seven RPF police under the head ship of API Khan, three of the RPF were leaning out from the van and started beating and chasing the people who were on the road. Anand Kamble tea shop owner said that there was no such incident occurred in the village that the police should take this action. They started beating us also but I and Yeshwant Pradhan we both run to the fields to save ourselves. Auto driver Chavan also said that the entire village was closed and no auto was running on the road we all made our autos standing near the Bus stand we were also chased by the RPF police. The important witness is the Sarpanch of Asti village, He said that I could not understand why police have taken this step, it is beyond my thought, why Hindu mentality fails to understand that the another and most valuable goal of Dr. Babasaheb Ambedkar Bharant Rantan was that of **"Annihilation of caste"** until and unless we Indians are going to understand this concept we are not going to change this scenario of injustice and many more Yogesh have to become the prey of police for no fault of them.

The principal of the school Mr. P.S. Gagasagar had said on the same day we were having the teachers training so I was busy in this and deputed two teachers for this work of saying the students that there will be no unit test today due to Bharath bandh. Madam Kharche and Pawar sir did not paid attention to the students how were reporting to the school for attending the unit test and they said we are not sure that we have encountered with Yogesh or not.

The other three witnesses are Mr. Ankush Kamble student of VIII class and Mr. Ganesh Hulekane classmate of Yogesh & Savidhan Kamble student of ten class, three of them narrated the entire story that when we came to the school, after knowing that there will be no class test we three of us cross the road and was on the way to our houses. We saw a jeep full of police some leaning out having lathies in their hand were chasing the people and beating them, we were passing silently to our house they have started beating us one lathy was beaten on Ankush's hand and the other lathy was on the head of Yogesh, due to heavy force of lathy Yogesh could not resist it he had fallen down on the ground, the RPF at the back

picked up Yogesh and throw him down and had beaten on the back of his ribs. Yogesh was not able to see anything he said I can't see so we both took Yogesh hand on our shoulder and by giving support we carried him to his house. His father pralahad Ganpant Jadhav was not in the house, so Yogesh sister ringed to her father and said where ever you are come soon , Yogesh have been beaten by Police and had a injury on his head. Within ten minutes Father come back, without wasting time he took him to the primary health care centre where the doctors injected two injections to Yogesh , Doctors said to his father to move him to Government Civil hospital, Hadgoan, After complete observation and diagnosis made by the doctors of Hadgoan, requested Yogesh father to immediately move yogesh to Nanded civil hospital as the bleeding from the nostrils have started. After passing Hadgoan three to four Kms Yogesh started blinking his eyes, his body become frozen and lastly he hang his hand around his father's neck. Which his last breath was in the lap of his father. So pralahad felt no sensation in the body of yogesh, he sad to the drive take the vehicle back to civil hospital. Were the doctors declared him death?

Soon a Social activists of Tamse Mr B.R. Avte came to Civil hospital and had talk with the doctors and noted the reason for death of Yogesh, they have taken the dead body to the police station and demanded the police to register FIR under section 302 against API Khan and other RPF police, but the police officer was not ready to register the case. Till night ten o clock, saying that our officer is not read, to register the case In mean while S.P. Meena had arrived to the police station and after listing the demand of pralahad, he said I will have dialogue with the Collector Nanded, in this way much more time was wasted and the fear that the body being decayed the family members planed to take the death body for post-mortem.

Yogesh father have collected the medical report of the hospital in which it is clearly stating that the use of excessive force by the lathy on the head stopped the functioning of cerebellum and the ribs that choked the flow of blood due to which death have occurred. The police have registered the case under section 174 Cr.P.C and not under 302 IPC. Even after knowing the cause of death, description of wounds on head and rib of the back in medical report, how can police do this sort of injustice? It could be concluded that **deceiving is the backbone of offence**, some questions like why Pralahad family could become scapegoat of police force? The extent of negligence's is the height of the power used nowhere in police rules and code of police conduct stated and written that the person have to be beaten on the head, more over the police officers are given training of beating below the knee of the leg?. The dishonest intention of the police for execution of false statement of FIR should be punished? The death of Yogesh is not a suspicious death so it should be registered under section 302 of IPC neither under any section which could blanket the reality of his death?

Conclusion:

* Police officers misusing their power should be punished.

- The act of police brutality have snatched the future from the eyes of Yogesh family and left them to defend their own fate. So the family members should be given five acres of land for dignified livelihood of them.
- Yogesh brother's education should be the responsibility of the State Government along with the employment as major priority.

References:

1. Bruce - 2003 Brutality categorised as form of death as a result of police action, in reporting the case of brutality police services are not fair.
2. Burge 2011 Brutality of police has negative effect on public trust and confidences.
3. Bruce -2011- Abuse of power by police needed to be amended
4. Rusell, G.D. Conser, J.A.etal (2005) argues force should be used only with the greater restrain and only after discussions, negotiation and persuasion, Use of force is unavoidable
