

*“In Delhi everyone expects you to run after the babus, to get recommendations, to pull strings... And all through my service career if there was something held against me, it was that I never had time to visit anyone, to go and have tea with anyone.”*

- Maxwell Pereira // former IPS officer / author / columnist



*The former top cop, one of India's finest ever, discusses how a flirtation with the police service led to a 35-year relationship, the boot-licking he never did along the way, the reforms he'd like to see implemented in the force, and the bonds that only music can build, with Pranav Capila*

photographs by **charudutt Chittrak**

Mr Pereira, you studied law as well as business administration; you were manager of your father's coffee estates in Sakleshpur [near his hometown of Mangalore]; you were also an advocate in the Bangalore courts for a while. Why did you decide to become a policeman?

Well, what can I say? I'm not an intended policeman; I'm an accidental policeman. Like a lot of people I attempted the combined services examination. And of course everyone aspires for the best in the combined services examination – except I didn't qualify for the IAS, I qualified for the IPS. So I joined the police.

Unlike in the North perhaps, government service isn't a very sought-after vocation in South India. But there still is a lot of prestige associated with passing the examination – so every family wants their children to pass the examination, not necessarily to join the service. And when I expressed my desire to join the police and come up North, my father wasn't too happy about it. I was the one earmarked to look after the family property, to be on the estates, especially since all the other children were doctors or professionals of some sort. So he gave me three years: 'Have your fling and come back', he said.

But you got hooked along the way.

Yes. Because once you're in it the entrapment that takes place is— You see, there are so many challenges, so many opportunities that you just *have to* prove yourself. You can't chuck it up and leave. The quantum of opportunity for service is incredible. I have no regrets about joining the police, whatever sacrifices it may have involved, because no other profession would have given me as much opportunity to be of assistance to people.

Talk us through some of your biggest challenges as a police officer. I know we're talking about a 35-year career, so there would be several. But you were, for example, posted to Sikkim as Superintendent of Police in 1976, shortly after its accession to the Indian Union. Actually I first went to Sikkim in 1975, the year of the accession, because Mrs Gandhi wanted to spend her birthday there. I was asked to take care of the 'uniformed arrangements.' That perhaps led to my getting posted there, because the then chief minister Kazi Lhendup Dorjee made a specific request to the centre to send me.

That was a pioneering opportunity; it involved creating an absolutely new police force where none existed. It was a delightful four-year stint.

You were also awarded the Indian Police Medal for Gallantry for your handling of a jail riot in Gangtok – this was in 1979.

Yes. But frankly I have probably done deeds that were a hundred times more 'gallant' elsewhere. It's funny that something was observed to be gallant enough for a medal in Sikkim, while the machinations and kind of intrigues that one has to go through, and the backside licking that one has to do, meant that though I was recommended for gallantry awards seven times here in Delhi, I never got one!

There should be a gallantry medal for dealing with bureaucrats and politicians, perhaps.

[Laughs] It's unfortunate because Delhi culture is totally different. In Sikkim you had a governor who saw firsthand what I had done in the jail, and he carried the citation himself and saw to it that I got the award. In Delhi everyone expects you to run after the babus, to pull strings, get recommendations... And all through my service career if there has been something held against me, it is that I never visited anyone, I had no time to go and have tea with anyone. But then I don't think I needed any of those medals; I got enough satisfaction from what I did without chasing after awards.

There's an incident that you describe in your book, *The Other Side of Policing*, which has to do with the 1984 anti-Sikh riots. You had decided to open fire on a mob that was about to attack Gurudwara Sis Ganj, and there was a studied silence when you radioed the police control room to convey your decision to fire...

Well, I've described that in my book as you say. It is described even better in Manoj Mitta and HS Phoolka's book *When A Tree Shook Delhi*, because they have picked it up from the enquiry commission's report. And... you know, one is always inhibited talking about oneself.

But the incident speaks directly as to how the police are expected to look the other way, if not collude, in politically-incited violence.

Hmm... Well, they were tough times... And... there were two quotes that I became famous for. "I started killing people before people started killing sikhs." That was something that was quoted everywhere. The second was, "No one had the right to die unless I killed him."

It may sound very arrogant now, but that was the way it was – in the areas under my control, no one died unless I opened fire to stop them from killing others. I remember that for five days no journalist stepped into

North Delhi, for example. On the fifth day when they finally came, I asked the first one: 'Where the hell were you guys?!' And he said, 'Nothing happened here, so why would we come here?'

What makes a good police officer?

Uh... Do the right thing. Have the courage of your convictions. And stand by what you do.

Does it require an innate ability to withstand political pulls and pressures?

I might shock people when I say that I have never faced any political pressure. It may sound funny--

People knew not to try and influence you?

Yes. Your reputation precedes you. Plain and simple.

And I believe that if you have learnt to bend once, people will keep you bent all the time. If you never bend you may suffer for it... I may not have become the chief of police, for instance – [laughs] though I have written somewhere how the Americans insisted on calling me chief of police for India – but that hasn't troubled me much.

Moving on to the perception that the ordinary citizen has about the police: Corrupt, unfriendly, inefficient – the policeman is, if not 'the enemy', not someone a citizen wants to engage with if he can absolutely help it.

Yes. Well, let's look at corruption. There are three types of corruption that exist today, and not just in the police – I don't believe you can look at the police in isolation for such things – but in our society in general: *Nazrana* (taking tribute for your position), *shukrana* (taking money for favours rendered), and *zabrana* (taking money by force). The first two are bad – the Diwali gifts you give, for example, are nothing but examples of these – but there is not as much stigma attached to them as there is to *zabrana*.

Now... to me, the police have the same kind of role in society that a doctor has with a patient. In fact the doctor's position, according to our own mythology, is second to that of the person who gives the greatest gift of all: Abhaydaan. The gift of fearlessness. It was Mr Vajpayee, when he came to police headquarters once, who told us the story about abhaydaan from *The Mahabharata*.

If you can alleviate, from an individual's life, the sense of fear and insecurity that he is under, there is no gift greater than that. This is what a policeman is capable of giving, and the sense of gratitude that he generates through it, and the satisfaction that he derives from it, is far greater than any reward that he can receive.

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Unfortunately, this pre-eminence puts the police in a peculiar position with regards to corruption. And we have reached a stage in this country, again not just in the police but in every profession, where everyone wants to exploit his position. The darban at my office door need not be there, actually; he is there because his being there gives me a pseudo status. But as long as he is there, his importance comes from how difficult he makes it for you to meet me. If he is helpful towards you, what is his importance? Or... an accountant's job is to see that the books are correct, and that the due moneys are disbursed according to budgeted plans. But every accountant in this country believes that he has achieved something only if he puts in an 'objection', so that the money doesn't have to be paid! Even if he doesn't actually want a cut, he derives a sense of importance from creating that obstruction.

Yes, we can all relate to that.

[Chuckles] So... we have evolved this kind of a stupid ethos in our society – this... negativism. Do you ever find, when you step outside the house, whether it's on the road or in a theatre or a mall, if you're looking lost, that someone will come up to you and ask: 'May I help you?' or 'What can I do for you?' And we're the people who taught the world tehzeeb – 'pehle aap'! We just don't have it in us anymore.

[Shrugs] Look, I don't want to be a 'philosopher' or give anyone a lecture or anything – I have believed in practice rather than preaching, and in my career I tried to do whatever I could, that's all. I tried to do my job to the best of my ability, and not because a rule said so or some danda ensured that I bloody well did it.

Very often I defied norms and regulations to achieve certain things... I have supervised encounters while being thoroughly against encounters. I do not enjoy taking life. I... If I have defended the death penalty on TV in the past, it is because I believe that if you have the death penalty on your statutes, either get rid of it or implement it. All these pseudo human rights activists will do nothing when a man is on death row for twenty years, but they will rage against the system just before he is about to

*Prakash Singh versus Union of India: 22 Sep 2006 judgement: The Court's directives seek to achieve two main objectives: functional autonomy for the police – through security of tenure, streamlined appointment and transfer processes, and the creation of a 'buffer body' between the police and the government – and enhanced police accountability, both for organisational performance and individual misconduct. The Supreme Court required all governments, at centre and state levels, to comply with the seven directives by 31 December 2006 and to file affidavits of compliance by the 3rd of January 2007. State government responses have varied tremendously, with a number expressing strong objections to the directives and asking the Court to review them. On 11 January 2007, the Supreme Court cast away the objections raised and stated that its directions had to be complied with without any modification.*

be hanged. Get all the eminent jurists together and see whether we really need the death penalty or not – but if it is the law, implement it.

Okay, now: Police reforms. Which address not just what's wrong with the police, but what the police lacks. We talk about giving our policemen better equipment, better pay, better training etc when something like the Mumbai attacks happen. We talk about freeing the police from political control. We also talk about making the police more accountable for systemic and individual lapses.

Yes.

Various commissions have looked into this. I think the National Police Commission of 1979-81 had drafted a Model Police Act in its Eighth Report. And then in September 2006, the Supreme Court of India delivering a historic judgment in the Prakash Singh vs. Union of India case (*see opp page, bottom*), instructing central and state governments to comply with a set of directives laying down practical mechanisms to kickstart police reforms. Nothing has happened. Why?

Only one reason: Everyone wants to control the police.

The problem results from the fact that the law enforcement authority was created by the colonial powers in such a manner as to be of *assistance to them in ruling the country*.

Through the Police Act of 1861 – which places the police under the control of the civil servants.

All these acts – the Police Act, the Evidence Act, the Indian Penal Code – came into being after what the British called the 1857 Sepoy Mutiny; what we prefer to call the First War of Independence. They decided, after that rebellion was quashed, that if they had to govern the country, if they had to keep it under their thumb, they needed to have a set of laws to control it. All these laws were enacted to control a colonial territory and its people.

And the police was the baton that assisted the colonial administrators, the ICS officers, in controlling the territory. Without getting into the history of it too much, after Independence the IAS has replaced the ICS. India is now not a colonial territory, it is a government of, by and for the people. Yet all that has really happened is that the gora sahib has been replaced by a brown sahib. And thanks to those archaic laws, the police remains firmly under the control of the brown sahib.

Now that is as regards the bureaucrat – the administrator. In comes the politician; we the people have chosen our 'leader', the politician, to govern us. So what happens? He becomes the baap of the administrator. He thinks that the administrator and the police are his tools. And he doesn't want to give up control of the police either.



So that is why everybody is resisting police reforms. Nobody wants the police to be autonomous, with the excuse – correct to some extent – that if the police are autonomous, who will police the police? Now innumerable countries have found answers to that question, and various checks and balances have been suggested – the National Police Commission has suggested who will govern the police, how the police will be accountable, and so on. But no, the politician and the bureaucrat don't want to let go. So how can you have police reforms?

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What's the way forward?

Well, the Congress is the only political party that actually made a commitment for police reforms in its manifesto. So now that it has the mandate we have to hold it to its promise. That is my latest crusade.

But we must also realise that everything can't be fixed just by changing a few laws. We were talking about corruption earlier. Take a simple traffic challaan – instead of paying a thousand rupees, the offender will still give three hundred or five hundred rupees to the policeman, because he ends up paying less. He's happy, the policeman is happy – and corruption continues.

So it has to be about values, ultimately. And I'll be very blunt in blaming parents for the values they instil in their children these days. When we were growing up there was an emphasis on values – if there was a one rupee coin lying on the table and it was found to be missing a while later, all of us kids would *tremble*. It was unimaginable to even think of picking it up. Children today are pampered. They are given whatever they want, but nobody's bothered about giving them values.

Now if in this sort of society you expect changes overnight, that's not going to happen. Ultimately it's the little things that make will a difference – so that 'may I help you' attitude has to be developed before we can make any real progress.

Finally, touching upon the 'other side of policing' as it were – your fondness for music. You're known to like jazz and Western Classical in particular, you sing in a choir as well, I believe. Where does that love for music come from?

I think every individual has music in them. And our community as such is very musical – Goans and Mangaloreans are very musical people; I'm a Mangalorean. And we Mangaloreans are hard eaters (we're like cannibals at the table), we are hard drinkers (though I drink only wine

*"I think every individual has music in them. And our community is very musical – I'm a Mangalorean, and we Mangaloreans are hard eaters, hard drinkers (though I drink only wine now) and for us a party isn't a party until the guitars have come out and people are singing..."*

now) and for us a party is not a party until, after a meal, the guitars have come out, and there's someone thumping at the piano, and people are singing and dancing.

I think music is wonderful; it's something that builds bonds. I sing for a choir where at any given time we have ten to fifteen nationalities – people from the diplomatic community; we have I don't know how many religions. And... we have sung 'Raghupati Raghav' in a church, for example!

You know, I was once asked to do kanyadaan for a French girl who was getting married in the Jagannath temple in Green Park, and she wanted the choir to sing 'Ave Maria'. I told her to check with the mandir authorities because we didn't want to create any kind of controversy. But they agreed – and in fact when we sang the hymns, the head priest came up to me and asked me for the meaning of the words, so he could explain them to everyone who was there!

You see, that is India! Not the rabid, fundamentalist stuff; not the India that the communists and the communalists and the casteists try to project. Now my daughter is getting married to a Hindu boy, and before you arrived I was busy translating the Sanskrit texts of the marriage ceremony – the Ganesh puja and everything. So you practice your beliefs your way and let others practice their beliefs their own way, and you respect each other's beliefs. That is the real India! **m**