



TRANSPARENCY INTERNATIONAL INDIA

INDIA CORRUPTION STUDY 2005

TO

Improve Governance

VOLUME 9 CORRUPTION IN POLICE DEPARTMENT

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Study designed & conducted by



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CORRUPTION IN POLICE DEPARTMENT

“The proper function of a government is to make it easy for the people to do good and
- Gladstone

9.1 KEY HIGHLIGHTS

- Value of petty corruption in Police (Crime/Traffic) **in the country is estimated at Rs 3899 crores per annum.**
- Approximately 15% of households **in the country claimed to have interacted** with Police in last one year. This, figure is higher in urban (18%) in comparison with rural (13%) areas.
- **More than half (55%) of the respondents interacted with Police for filing complaints.**
- **More than one tenth (12%) of all households** in the country **have claimed to have paid bribe** to Police to get service in last one year.
- **87%** of those who had interacted with Police **perceived it to be corrupt.**
- More than three fourths (77%) **of those who had interacted** felt that the corruption had increased **in the last one year**
- 70% **of those who had approached the Police had** adopted alternate routes **like paying bribes, using influence, approaching middlemen etc.**

9.1.1 Classification of States

Adequacy of Police (in terms of staffing/ coverage etc.) has implications on how Police deals with the cases (public) (which is infact, the point of corruption). To analyze the relation between adequacy of Police and corruption, the states were grouped as high, medium and low on the basis of three major criteria, namely, number of Policepersons per 100 square kms, per 10000 population, and number of Indian Penal Code (IPC) cases per Policeperson.

GROUPING OF STATES ON THE BASIS OF POLICE STAFFING

States	Civil Police personnel per case	Civil Police per 10000 of Populations	Civil Police per 100 Sq. Km. of Area	Category
Delhi	0.45	6	3154.08	High
Punjab	1.25	7.75	103.73	High
Haryana	0.61	9.82	89.14	High
Maharashtra	0.64	8.29	43.6	High
Himachal Pradesh	0.56	18.12	15.81	High
Uttar Pradesh	0.73	12.98	51.11	Medium
Tamil Nadu	0.34	7.7	62.97	Medium
Kerala	0.27	10.71	114.46	Medium
West Bengal	0.60	7.17	55.43	Medium
Gujarat	0.42	32.27	26.05	Medium
Karnataka	0.36	9.9	30.06	Medium
Orissa	0.45	13.53	18.64	Low
Bihar	0.35	8.33	75.74	Low
Assam	0.37	6.77	23.63	Low
Rajasthan	0.33	21.01	13.15	Low
Andhra Pradesh	0.26	9.29	26.06	Low
Jharkhand	0.21	14.2	34.34	Low
Madhya Pradesh	0.22	13.75	16.78	Low
Chhattisgarh	0.27	6.24	9.89	Low

* Source: Crime in India 2002, Ministry of Home Affairs, Govt. of India.

Source: Data on Police Organisations in India (As on 1.1.2003)

9.2 INTERACTION WITH POLICE

Overall 15 percent of the households (**3 crore households**) interacted with Police department during the last year. More than half of the interactions happened for filing of complaint.

PURPOSE OF INTERACTION

(Figures in percent)

Purpose of Interaction	States: Staffing of Police			Total
	High	Medium	Low	
Make a complaint	57	51	57	55
Violation of Traffic law	8	17	9	12
As an accused	8	13	11	11
As a witness	5	6	5	5
Passport verification	4	5	4	4
Verification for job	5	1	5	3
Pending case	3	1	2	2
Others (challan, case compromise)	8	1	7	5

9.2.1 Difficulties Faced

More than 60% of the people who interacted with Police faced difficulties relating to the behaviour of the personnel. Most common complaints were about the indifferent attitude of the personnel or the personnel being corrupt. Infact, in many instances indifferent attitude is a way to force the citizen to pay bribe to get the work done.

The affect of this apathy is magnified by the fact that most interactions with Police happen in stress situations and most people are normally unaware about the rules and procedures to be followed. The indifferent attitude is much more prevalent in states with more staff inadequacy than states in a comparatively better position. The reasons for staff apathy could be either high **work pressure or sheer lack of training and sensitization**. Today approximately 90% of the Police force consists of constabulary. For long the mindset among authorities has been that an ordinary constable is **not meant to think and take decisions**. This attitude has worked as a catalyst in making the public interface of the Police i.e. the constable, insensitive and indifferent.

DIFFICULTIES FACED

(Figures in percent)

Difficulties faced	States: Staffing of Police			Total
	High	Medium	Low	
Indifferent staff attitude	60	60	69	64
Staff is corrupt	57	61	64	61
Procedural (e.g. use of english language)	46	39	45	43
Non availability of forms and guidelines	33	26	29	29
Interference of middlemen	12	12	9	11

9.3 PERCEPTION ABOUT OPERATIONS OF POLICE

Nearly nine out of every ten (87%) respondents who had interacted with the Police agreed that there was corruption. Moreover, in case of Police people do not even come out to complain for the fear of retribution and therefore feel obliged to pay bribe..

PERCEPTION OF CORRUPTION

(Figure in percent)

Perception of corruption	States: Police Staffing			Total
	High	Medium	Low	
Disagree	7	6	4	5
Neither agree nor disagree	6	10	4	7
Agree	86	83	92	87

9.3.1 Level of corruption

In the past few years there have been increased efforts to improve the image of Police department. However, more than three fourth (77%) of the respondents interacting with the department believed that the corruption has **increased in the department during the last year**. This percent is marginally higher in case of respondents from states having low Police staffing.

It is important to note that common beliefs about the extent of corruption and the untrustworthiness of governmental institutions influences **individual decisions to participate in corrupt activities**. While these perceptions may not be an accurate reflection of the reality of corruption within public institutions, they still serve as a foundation for decision making among the civilian population. Inconsistencies between public perceptions and reality may cause individuals to make choices based on incorrect assumptions, thus fueling the phenomenon of corruption. Attempts to curb corruption, therefore, must be accompanied by attempts to change public expectations. Without a change in public expectations, reform attempts may be unsuccessful and highly costly.

LEVEL OF CORRUPTION

(Figures in percent)

Level of corruption	States: Police Staffing			Total
	High	Medium	Low	
Decreased	6	7	3	5
About the same	15	20	15	17
Increased	78	72	81	77

9.3.2 How committed is Police to bring down corruption?

Nearly two third (64%) of those who had interacted with the Police felt that the Police is not committed to fighting corruption. However 20% believed that Police was committed to fight corruption. Higher percent of respondents interacting with Police from states having low Police staffing believed that Police was not committed to fight corruption in comparison with respondents from states having high Police staffing.

COMMITMENT OF POLICE TO FIGHT CORRUPTION

(Figures in percent)

Difficulties faced	States: Police Staffing			Total
	High	Medium	Low	
Not committed	55	57	74	64
Indifferent	15	15	12	14
Committed	26	25	12	20

9.4 EXPERIENCE WITH POLICE

To get an idea about the extent of corruption, it would be essential to probe about their experiences with the Police. Respondents were questioned on their experience with respect to corruption, quality of service and alternate methods used to get their work done.

9.4.1 Quality of service received

Nearly three fourth (74%) of those who had interacted with the Police regarded the service of the Police as poor, while only 11% are happy with the services. Not surprisingly, the quality of service is regarded as poor by higher number of respondents from states having low Police staffing in comparison to respondents having high Police staffing.

QUALITY OF SERVICE RECEIVED

(Figures in percent)

Quality of service	States: Police Staffing			Total
	High	Medium	Low	
Poor	73	70	79	74
Neither poor/nor good	14	18	9	14
Good	13	12	12	11

9.4.2 What other methods are availed to get the work done?

70% of respondents who had interacted with the Police had adopted alternate methods like paying bribes, using influence, approaching middlemen etc. Of these, 80% had paid bribe to avail the services. The data below shows that there is no significant differences among the three categories of the States.

ALTERNATE AVENUES USED

(Figures in percent)

Alternate procedures used	States: Police Staffing			Total
	High	Medium	Low	
By paying additional amount	80	81	80	80
By putting extra efforts	28	25	27	27
By using influence through	12	19	15	16
By political influence	5	17	9	11
By bureaucrats/officials influence	5	11	9	9
Approached middlemen	2	8	5	5

9.4.3 Services for which bribes are paid

An FIR is a very important document as it sets the process of criminal justice in motion. It is only after the FIR is registered in the police station that the police take up investigation of the case. Unfortunately, this leaves the **SHOs in a dominant position of determining when and which criminal incident to register and which one to ignore**. As a result citizen is forced to bribe or exert influence to register an FIR.

Also people very frequently pay for avoiding challans for traffic law violations. However a lot of this corruption may also be due to citizen's disregard for traffic rules. People very frequently break traffic rules and whenever caught tend to pay bribe to the officials.

SERVICE FOR WHICH BRIBES ARE PAID FOR

(Figures in percent)

Activities for which bribes are paid	States: Police Staffing			Total
	High	Medium	Low	
Registering FIR	64	33	51	47
Avoiding being challan for traffic offence	7	24	13	16
For avoiding arrest	9	10	14	11
Other activities (bail, challan etc.)	7	12	6	8
Arresting accused	5	8	6	6
Police verification of passport	5	5	6	5
Ensuring the case is followed up actively	3	8	4	5
Police verification of job	2	3	0	4
Sending charge sheet to the court	4	3	3	3

9.4.4 Modus operandi for bribing

Unlike many other departments, where a large number of people paid bribes through middlemen, in Police department 81% of the respondents claiming to have paid bribe directly to Police officers. This points out to the fact that in Police department corruption is much more **open and has become institutionalized** to some extent.

PAYMENT OF BRIBES

(Figures in percent)

Persons to whom bribes were paid	States: Police Staffing			Total
	High	Medium	Low	
Money was paid to Police/Traffic Police officer	94	96	99	97
Money was paid to the agents/touts/dalals	11	9	5	7

9.5 VALUE OF CORRUPTION

- 14.65 percent of total households in the country had interacted at least once with the Police in the last one-year. This means 3 crore households had interacted with Police.
- Nearly 80 percent of those interacted with the Police had actually paid bribes. This works out to be 12% of the total households.
- The average amount of bribe paid to the Police per household was estimated to be Rs. 1705/- (Rs. 1921/- for Urban households, and Rs. 1419/- for Rural households).
- The total monetary value of the bribe paid in the last one year works out to be **Rs. 3899/- crores.**
- There was a variation in the amount of bribe paid depending on the nature of work. On an average, bribe for avoiding arrest was Rs. 1911/-, while the average bribe paid for avoiding challan for traffic offence was Rs. 175/-

9.6 SERVICE PROVIDERS PERSPECTIVE

9.6.1 Concerns

➤ **Very high work pressure and lack of basic infrastructure**

The Police force today works in acute shortage of personnel, resulting in high work pressures. Policemen spend long hours on work with barely any facilities being provided. Very often Police station does not even have basic facilities like washrooms etc. These working conditions combined with long hours of work create excessive levels of stress.

In addition to this Police personnel of lower ranks are used by superior officer for personal works. In addition to increasing workload it also reduces the self-esteem of the personnel.

➤ **Political interference**

There is excessive interference in the functioning of Police by the politicians. Pressure on the police takes a variety of forms, ranging from a promise of career advancement and preferential treatment in service matters if the demand is yielded to, and a threat of drastic penal action and disfavored treatment in service matters if the pressure is resisted. Even though it is not very easy to punish a Police Officer under statutory law without adequate grounds, it is easy to subject him to administrative action by way of transfer or suspension on the basis of an alleged complaint taken up for inquiry. While suspension acts as a great humiliating factor, a transfer disrupts police officer's family, children's education, etc.

A study by National Council of Applied Research (NCAER) about living and working conditions of constabulary in Delhi and Uttar Pradesh reveals that 53% and 43% of constables in Uttar Pradesh and Delhi respectively were transferred from one District to another or from one place to another in less than a year

➤ **No cooperation from citizen**

It is very hard to prevent crime without proper cooperation from citizen. However, people do not follow even the basic instructions to prevent crime like getting the domestic servants, drivers, employees verified and whenever an incident happens Police is blamed for negligence.

➤ **Scant respect for law among citizens**

People make use of every opportunity to break laws, when caught they bribe the concerned official to avoid punishment/ embarrassment.

9.6.2 Initiatives

- Taken initiatives to gain public confidence, and improve public relations (for example Delhi Police “with you, for you always”)
- Imparting training to officials for effective public dealing
- Giving training like Yoga, meditation etc. so that officers mind and body are refreshed while they are on duty.
- Use of computer technology to ensure smooth working and transparency (e cops Andhra Pradesh)

9.7 SUGGESTIONS TO REDUCE CORRUPTION

1. Local policing – more responsive and accountable enforcement

There are several policing functions that concern the day-to-day life of common citizen and are very local by nature e.g. patrolling, traffic regulations, prosecution for offences like public nuisance or eve teasing. The enforcement of law for these cases could be entrusted to a local force accountable to panchayat or citizen committees.

This local force will have a small area under its jurisdiction, resulting in better interaction and involvement with citizen.

2. Making transfers and promotions transparent

Payments of bribes for postings and promotions is a well-known phenomenon in Police department. As a result the Policemen who have paid their way through try to recover the amount as soon as possible and corruption becomes a tool for getting better return on “investment”. Also transfers are also commonly used as a retribution tool against officers as a pressure tactic.

However, if a system could be designed where postings are automatically generated by software after a given time interval for each employee, a big chunk of corruption can be eliminated.

Similarly objective criterion for promotions could be articulated and publicized so that individual judgement plays a limited part in promotions. This will reduce the need for bribes in order to get promotion.

3. Use of Information Technology

Non-registration of complaints is the most common grievance of citizens interacting with Police department. Since the registration of complaint or FIR is the first step in justice delivery, citizen is forced to pay bribe. Use of technology for reporting and handling of cases can.

- Filling of cases could be done through Internet and if required detailed information can be given later on.
- Case status could be made available online to bring in more transparency and make the Police force more accountable.
- FIR could be registered/ receipt issued through check posts or mobile vans

4. Performance monitoring

Establishing a system for monitoring the performance of Police can substantially increase the accountability of the force. Objective performance and efficiency indicators can be chosen and tracked to monitor the performance of the Police force.

This will lead to having clear improvement goals for the force on objective and measurable parameters.

5. Minimizing political interference - Greater functional independence

As advocated by National Police Commission a Chief of Police of a State should be given a fixed tenure of office so as to encourage functional independence. It has been commonplace in India for transfers and postings of officers to be used as a kind of reward and punishment, as a result of which, many chiefs of police have had allegiances to political parties.

Also the selection of Police Chief could be entrusted to an expert committee (maybe headed by UPSC chairperson). The committee may be given a pre-specified number of candidates, decided on the basis of seniority, to choose from.

6. Introducing greater accountability

In today's scenario, there is very little accountability of Police to the citizen with regard to satisfactory delivery of services e.g. if a Police officer refuses to register a complaint. Unlike in other services like electricity or telecom, where if a citizen is not satisfied with the complaint redressal by the department, it has the option of going to the independent regulator, there exist no such mechanism in case of Police.

It is very essential that accountability of officials at different levels be defined and a degree of immediate proximity to the people and third party intervention introduced. Public hearings could be an effective tool for this purpose, as shown in experiments with other services. A system could be introduced where; a few complaints against police are picked up every month (or some pre-decided time interval) for public hearing. The public hearings could be conducted by a panel of retired judges and prominent citizens.

9.8 CASE STUDY

Community Policing Scheme – Punjab Police

(Source: Frontline, April 22, 2005)

“Punjab Police has pioneered what is probably India’s finest effort to improve relations between the Police and local communities” World Bank Report

Background

- Post-terrorism, the community was seen to be alienated from Police personnel. Need was, thus, felt to modify the existing policing system and bring people closer to men and women in ‘khaki’.
- It was feared that high number of Police personnel (at newly created Police stations and posts) would remain under utilized in the coming years.
- It was noticed that various pro-people steps initiated by officers withered away once they were transferred.

The initiative

- Government has opened Community Police Resource Centers (CPRCs) in most districts of the state. These also function as victim relief centres.
- Each CPRCs is allocated 10 Lakh rupees from Police Modernisation Fund.
- While an elaborate State level steering committee is in place, district level committee is headed by an officer of the rank of Superintendent of Police.
- Personnel of CPRCs have been trained to
 - Focus on the rights, requirements and expectations of victims of crimes.
 - Improve Police response to victims of sexual and other violent crimes (especially trained woman officers help avoiding insensitive questioning).
- Community group volunteers and retired civil officers have been engaged in running helplines.

- The child protection unit in each CPRC has a library equipped with books of fiction and information on the work of Police and creates awareness about rights of children, women and citizens.

Application

- CPRCs facilitate grievance redress to deal with common complaints such as problems in accessibility of Police officers at lower levels.
- These act as nodal centres for community-oriented schemes such as
 - Combating domestic violence,
 - Helping the aged,
 - Providing legal aid and arranging meeting with resident welfare associations, traffic regulation committees, and economic offences wings.
- Drug de-addiction campaigns and counselling for women are also taken up.
- CPRC's act as community-service cum-information centers to
 - Provide no objection certificates for arms license.
 - Help with verification of issue of passport.
 - Grant permission for political and religious processions.
 - Deal with requests for security arrangements.

Outcomes

- With the setting up of CPRC, 359 out of 429 complains received were disposed of, each taking an average of 19 days, in comparison to 37 days it took earlier.
- Number of public complaints increased after setting up of the Centre, which shows people were more forthcoming to register their complains CPRC.

ANDHRA PRADESH POLICE – e COPS: More Open Handling of Criminal Cases in India

Background

- There were concerns on effectiveness, Lack of transparency and complaints of corruption in the Police department.
- There were widespread allegations that many Police personnel demanded bribe to register cases, give updates with regard to the progress of case and to provide other information.
- A new system was designed by automation of some processes, along with statewide online accessibility, for registration of cases, processing and follow-up of criminal cases with the aim to improve transparency.

Application

- Earlier, if a crime was committed, the victim (or a witness) had to go to the respective Police station where they lived, and report the crime/ file FIR. Paper-based processes were also subject to manipulation or getting lost.
- With e-COPS system, a victim could go to any Police Station (not just local ones) and the Duty Officer would register the crime directly onto the system.
- Once case has been registered, it cannot easily be changed. The person registering the case also gets access to case details. The person can track progress at any point through net by using an FIR code number issued at the time of registration.
- The system makes available case details include FIR, action taken, action pending, other crime details, etc. on the internet.
- The victim could also lodge a complaint if they found, from accessing case details, that the case has not been registered properly, or that there has been no progress made on the case since it was last accessed.
- Finally, senior police officers could also use e COPS to monitor case details and progress. All of this introduces the transparency of handling a case and the accountability of Police officers.
- Effective coordination among different entities in criminal justice system is being ensured by interfacing for access and transfer of information – thus making it easier to collect inputs needed for proper and quicker investigation of a case.

- e-COPS is being integrated with the fully computerized Fingerprint Analysis Criminal Tracing System (FACTS).
- It maintains a database of listed offenders in all criminal cases reported. The database can be accessed by various Police Stations through a e-network, thus assisting Police officers in their investigations.
- A user-friendly interface has been developed that enables the system to be handled even at constable level.

Benefits

- Using e-COPS has resulted in significant reduction in time required to register a criminal case, and locate relevant information. (Previously, it took a few days to get FIR properly recorded; with e-COPS it takes an hour or so).
- Victims of crime away from their home can register crime immediately, rather than having to return home, as was the case earlier. This has eliminated problems of jurisdiction.
- By dis-intermediating Police officers to some extent, has resulted in greater transparency and reduced scope for corruption.
- Once a complaint is registered, it is electronically transferred to the higher authorities. Consequently, the scope for delinquencies such as non-acceptance of a complaint, losing track of case, etc is totally eliminated.
- The transparency in the system helped in enhancing public interface and confidence.

COVERAGE & METHODOLOGY

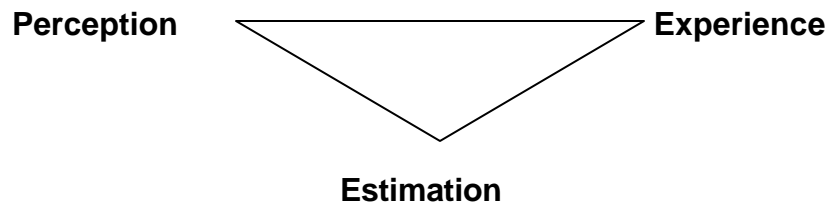
India Corruption study is the ***largest corruption survey*** ever undertaken in the country with a sample of **14,405** respondents spread across **20** states. From each State about **525 - 950** respondents were interviewed. The survey covered **151** cities and **306** villages.

This national survey on corruption ***is the first in its scope***. It is not just limited to estimating monetary value of petty corruption but also ranks public services and states. The study also looks into systematic aspects of corruption in the public services and has come up with service specific initiatives to reduce corruption.

The focus of this survey is on ***petty corruption*** experienced by ***common man*** in availing public services. Petty corruption is something which citizens end up paying to get one or other job attended to at the public utilities/services which they are entitled to without spending anything “extra money”.

The estimation of monetary value of petty corruption is to give a reliable idea of the money involved. This estimate does not include contractors or large scale transactions involving procurement, tenders, etc or the dealings of corporates or large business. It also does not include welfare and other Government programmes for the rural population or vulnerable sections. The estimate of petty corruption is specific to the services in each case and does not include valuation of “corrupt practices”.

The survey is based on a ***unique methodology*** developed by independent CMS, over the years. Improving on three previous CMS annual studies on corruption in public utilities, the methodology followed for this larger and comprehensive India Corruption Survey 2005 is unique. Firstly, it aims at both “perception” and “secondly, the outlook of the service provider too is taken into account. For this, the study relied on a combination of methodologies. These include household survey, “exit poll” to capture the experience of service users, discussions with service provider, case studies and tracking of implementation of initiatives.

CMS '3D' CORRUPTION MODEL

The field work for the survey was undertaken during December 2004 and January 2005 months except in Chattisgarh, Jharkhand and J&K where it was done later in March 2005. The survey in J&K could not be taken up earlier due to hostile weather conditions. The survey in Jharkhand was taken up after the elections to State assembly was completed.

ABOUT TI India

Set up in 1997 as an apolitical, Non Governmental Organisation (NGO), TI India is dedicated to combat corruption through practices that bring about absolute transparency and integrity.

TI India is an organization of concerned citizens dedicated to maximize accountability of government institutions, elected representatives and government machinery towards the general populace.

A non – partisan organization, TI India is among the 92 affiliates of Transparency International (TI), headquartered in Berlin, Germany and founded by Peter Eigen, a former World Bank official in May 1993. Each affiliates is dedicated to fight corruption in its respective country and follows an unbiased, non investigative approach.

The focus is not on investigating individual cases of corruption and malpractice, but on building holistic systems to combat corruption.

TI India is registered under the Societies Registration Act, 1860. It is also registered under Foreign Contribution Regulation Act and is authorized to accept contributions from overseas donors.

ABOUT CMS

Centre for Media Studies (CMS) is an independent professional forum engaged in research, policy, advocacy, programme planning and evaluation. CMS endeavor is to bring more accountability, responsiveness and transparency in government and other sectors.

Today, CMS initiates debate and dialogues on important public issues, disseminates research findings to contribute to knowledge and understanding of society and thus help in better informed decision making.

CMS has emerged as an inter-disciplinary group with a wide range of interests and capability in areas of communication research, social research, environment planning, public opinion research, training and advocacy.

Over the years, CMS has taken up initiatives in Citizen Charter, administrative reforms, capacity building, improving public services, electoral reforms, right to information and good governance.