Research Paper Public Administration

Roots To Corruption in Police

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ABSTRACT

Corruption within the Indian police is well recognized and pervasive. Corruption exists within every rank, from the constable to the chief of police and in every police department of the country. The police in India have an unsavory reputation for extortion and at present, corruption is perhaps even more wide spread and brazen than ever before. Corrupt practices are now part of the Indian police system and are found in every department, in every rank and in every police institution including training colleges. The optimism has spread all over the country and in every aspect of policing. The police station in-charge called the Station house Officer (SHO) is the most popular and beneficial office in the department. It is therefore not surprising those postings as SHOs of those police stations that have large markets, trade centers, industries or transport junctions are greatly in demand. It is believed that even a few months of such postings enable the officers to earn much more than what they could receive in salaries for their entire service. This papers main focus is to publish the roots to make corruption in police. It also attempts to control the corruption by way of cutting the roots and bring morality in the department by providing adequate salaries, self -respect, autonomy to act while investigating the cases, etc.

KEYWORDS Corruption , Station House Officer, Extortion

INTRODUCTION:

The police in India have an unpleasant reputation for extortion and at present, corruption is perhaps even more wide spread and shameless than ever before. Every rank, from the lowest 'chowkidar', the village watchman to the highest ranking Director General of Police is known to have tainted hands. The middle ranking officers, junior inspectors and inspectors who do most of the investigation work, victim upon the common people by misusing their powers to extort money from the complainants, witnesses and naturally the accused.

The constable extorts money from hawkers, footpath dwellers, truck and bus drivers and claims a share from the collective earnings made by the police station staff. The IPS officers who occupy all the senior ranks from superintendent onwards still enjoy considerable reputation in the country. However, corruption within their ranks is now commonly accepted and increasing from year to year. IPS officers make money from transfer and postings of subordinate officers, take bribes and give favors. They demand cuts from vendors supplying uniforms, office equipment and vehicles to the department; even extort from the business houses and subvert investigation of cases on pecuniary or political considerations.

Corrupt practices are now part of the Indian police system and are found in every department, in every rank and in every police institution including training colleges. The malaise has spread all over the country and in every aspect of policing. The police station in-charge called the Station house Officer (SHO) is the most coveted and lucrative office in the department. The SHO enjoys a large measure of autonomy, is the 'gatekeeper' for registering criminal cases, controls most of the criminal investigations and makes the decision to arrest suspects.

EARLIER STUDIES:

Corruption within the Indian police is well recognized and pervasive. Corruption exists within every rank, from the constable to the chief of police and in every police department of the country. Such pervasive corruption flourishes because of organizational culture that evolves in the system through several kinds of practices, beliefs and value systems (Sherman, 1978).

Consequently, corruption became endemic and rampant in the police department. Unfortunately, after independence the system has not been reformed and police culture and organizational practices remain unchanged. During the British period, accountability of the rulers to the citizens was naturally not a question since the country was under the colonial rule. Post-independent India is democratic and the power to change the government lies with the people. Nevertheless, the old system continues and the police are still not accountable to the citizens (Baxi, 1980).

As Crank (1998: 4) suggests '...the behavior of the police only makes sense when viewed through the lens of culture', the emphasis of this paper is to present the cultural roots of corruption in Indian police. First, I will describe the common forms of corruption both at the lower and senior levels of the police department. Secondly, based upon my experiences, I will briefly describe the organizational practices that encourage corruption and trace their origin to the British period. I illustrate how the colonial mentality and practices were deliberately introduced to maintain distance from the people and how these encouraged mercenary practices amongst the subordinate police officers. Finally, I argue that this pervasive corruption is continuing since the present police leadership has adopted and followed the organizational culture introduced more than a hundred years ago. The paper suggests that such corrupt practices can be controlled only through a cultural transformation within the police organization.

After independence, the police is no longer required to display pomp and glory of the rulers but traditions die hard and the practice of glorifying the senior officers still survives. In many provinces like Uttar Pradesh and Bihar, senior officers are still addressed as 'Huzur Bahadur', the brave gentleman, or 'Kaptan Sahib', the lordly captain, titles used during the British period. Personal drivers, body guards, even armed guards for the residence and family are common appendage for senior police officers.

ROOTS TO CORRUPTION:

Investigation of cases, decision to arrest a suspect, submit a charge-sheet or close some pending investigation are all processes that are generally influenced by pecuniary considerations. Money is extorted from the citizens in a variety of ways. Citizens have to go to the police stations to register their complaints about criminal incidents. It is usual for the SHO or his officers to demand money to register any citizen complaint

and if someone is to be named as a suspect then the charge is naturally more. Furthermore, the complainant has not only to pay for instituting a complaint but also to bear the costs of 'entertaining' the officers who come for inquiries. The complainant also ends up paying for the investigative 'expenses', especially transport as the department provides few vehicles to the investigating officers.

Apart from taking bribes in investigations, the Indian police personnel are also notorious extortionists. Their power to institute criminal cases and arrest anyone on mere suspicion enables them to extort money from businesses. Few examples will illustrate this point. A notorious form of corrupt practice is to check the drivers for their licenses, vehicle registrations, wearing helmet, drunken drive, horron in the vehicle, etc.. Now, the bureaucratic red-tapism involved in purchasing vehicle registrations and driver licenses are immense. Lack of computerization of records has made the process extremely slow and ackward.

The system of registration of the vehicles and obtaining special permits to cross the borders of the states is another bureaucratic nightmare. Every state has imposed tariff upon the goods being brought in from other states and these are collected at border check points. The tax collectors have powers to inspect the trucks, compound the offense and impose fines or send the matter to the courts for prosecution. Again these are operations that cause delay and a great deal of harassment to the truck companies. Moreover, it is also lucrative to 'smuggle' goods across the state boundaries to avoid sales tax and other levies.

Amongst the senior ranks most of the corruption comes from the administrative power associated with the management of the organization. The police managers are the leaders entrusted to develop control mechanisms to prevent and or reduce subordinate corruption ad misconduct. Another visible form of corrupt practice common amongst almost all the senior officers is their lavish life style maintained from official expenses. The officers are provided large government accommodations that are 'decorated' from official funds diverted from many sources. Senior police officers keep police constables as orderlies, enjoy personal guards, official cars for twenty four usage and many other privileges. Not only the officers but their family members and friends too share these advantages.

The final outcome of these practices is a quiet acceptance of the corruption within the subordinate ranks. The IPS officers, who themselves misuse public funds and demand services from the subordinates are unwilling and unable to provide any control over the mercenary actions of their subordinates. They have little legitimacy and moral strength to take a firm action against the extortions indulged by their officers. Most actively share the booty while a small minority remains at best passive and indifferent towards these corrupt practices.

SUGGESTIONS TO CONTROL CORRUPTION:

Organizational culture determines the level of honesty and integrity of its officers. The role and function of any police department is adversely affected if the prevailing norms and traditional ways of doing things encourage corrupt practices. There is little dispute that corruption within the Indian police can only be controlled by making changes in the manner policing is being done. The more interesting question is the process that could bring about this transformation.

A Committee to draft an Act for making the working of the Police Department may act transparent and accountable to the people, it was constituted on September 2005. This committee was called as Police Act Drafting Committee. This Committee recommendation had accepted by the Supreme Court and set the deadline as 31st December 2006 for the Central and State Governments to implement these reforms without any change. The major reforms are:

- A minimum tenure fixed for DGP's and other senior authorities
- Setting up of State Security Commissions
- Separation of investigation process for law and order and other agencies
- Establishment of a Police Panel to decide transfers and promotions

Accordingly, the way to control corruption and reform the system is to make changes in the way things are being done in proper manner. The controlling tools are:

- Organizational structure may be transmitted.
- Supervision procedure should be strengthened
- Powers are decentralized from top to bottom
- Effective management practices
- Effective implementation of Accountability system
- Police-Public relations in an healthy manner
- Change in their attitudes
- Moral responsibility towards society.
- Eight hours duty time to them
- Adequate leave facilities to them
- Special allowance to be provided
- Grievances should be settled in time
- Orderily system should be abolished

CONCLUSION:

The discriminatory nature of the police leadership, the politicization of the department, the unaccountability to the people and outdated management practices have all combined to make corruption widespread and even acceptable within the organization. The persistence of open corrupt practices by officers is clearly indicative that the organization itself has become deviant.

The persistence of open corrupt practices by officers is clearly indicative that the organization itself has become deviant. In a culture, where spectacle and show of senior officers is maintained through expenses borne by the subordinate officers, it is not surprising that regular extortions in every police station are not inquired nor frown upon by the senior ranks.

It is therefore not surprising that the station house officer's extortions are common public knowledge and the traffic constable dares to collect money from truck drivers in front of everyone. It is in fact a pointer that the whole government system has become diseased.

A public interest litigation filed by the former Director General of Border Security Force, Prakash Singh, was one of the first initiatives taken up in the direction to clean up the corruption in the country's police force. He believed that India required a police force with a different working philosophy.

Despite an attempt to eliminate corruption by ways like increased salaries, upgraded training, incentive for education, and developing policies that focus directly on factors leading to corruption, it still exists.

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