

CHAPTER IV

Study of Perceptions on Tenure and Transfer of Superintendents of Police

The present chapter is an attempt to quantify and analyse perceptions of police officers, concerned groups of citizens and the common people on the issue of the impact of the frequent transfer of police officers at the rank of Superintendent of Police (SP). This has been done on the basis of data collected through a field survey in three States: Uttar Pradesh, Andhra Pradesh and Assam. As already discussed [in Chapter 1] the States were selected on the basis of their geographical location and dispersal, wide variations in the challenges confronted by the police, and the levels and quality of governance. The States were selected in order to provide the broadest possible overview of the issue under study.

It has been emphasised throughout the present study that the SP, as the in-charge of the district police, is at the cutting edge of the police organization, and his efficiency and effectiveness impact directly on the overall performance of the police within a jurisdiction. While the objective measurement of efficiency in police organizations has been seen to be problematic on many counts, it has been possible to identify the key to efficiency in policing as better human resource management and efficient internal management of the police organisation. The crucial question is, thus, how improvements in administration and management

may, in themselves, lead to enhancements in the effectiveness of the organisation.

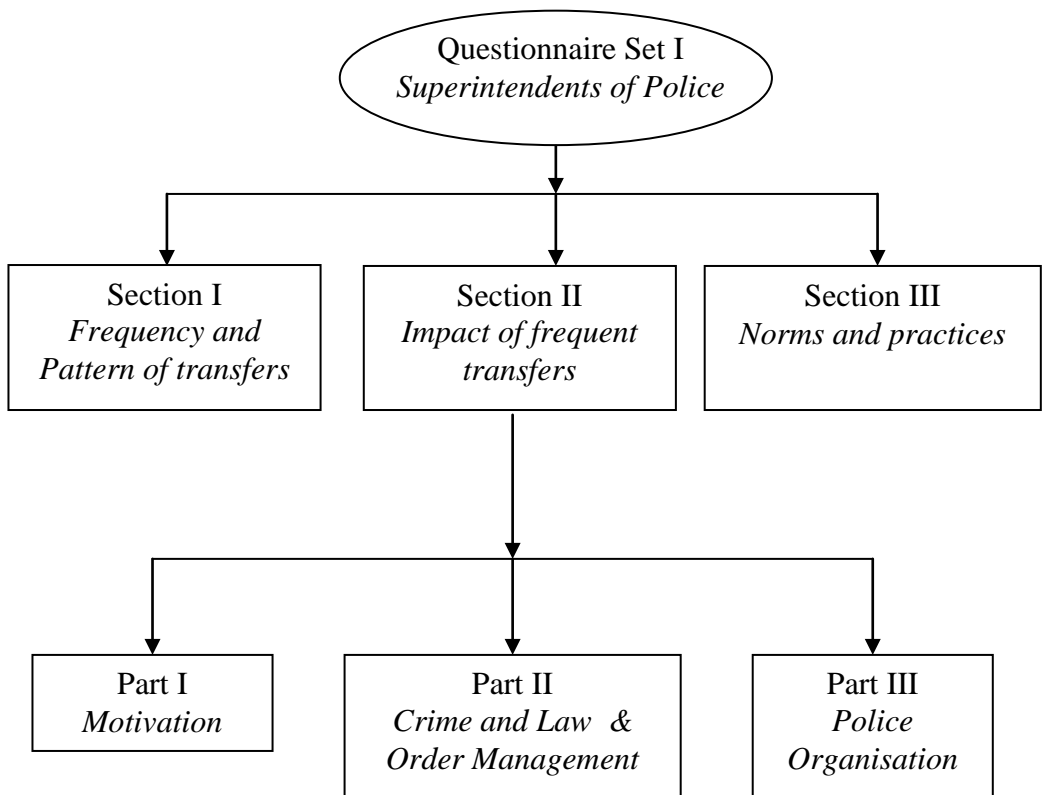
Policing involves complex interventions in human and social relations, and subjective elements would certainly and naturally play a dominant role in decision-making. To the extent that this is the case, perceptions of the general public as well as of all other stakeholders in the community, *a priori*, would have a bearing on the construction of a reliable index of efficiency and effectiveness of Superintendents of Police. This premise underlies the research methodology of this study.

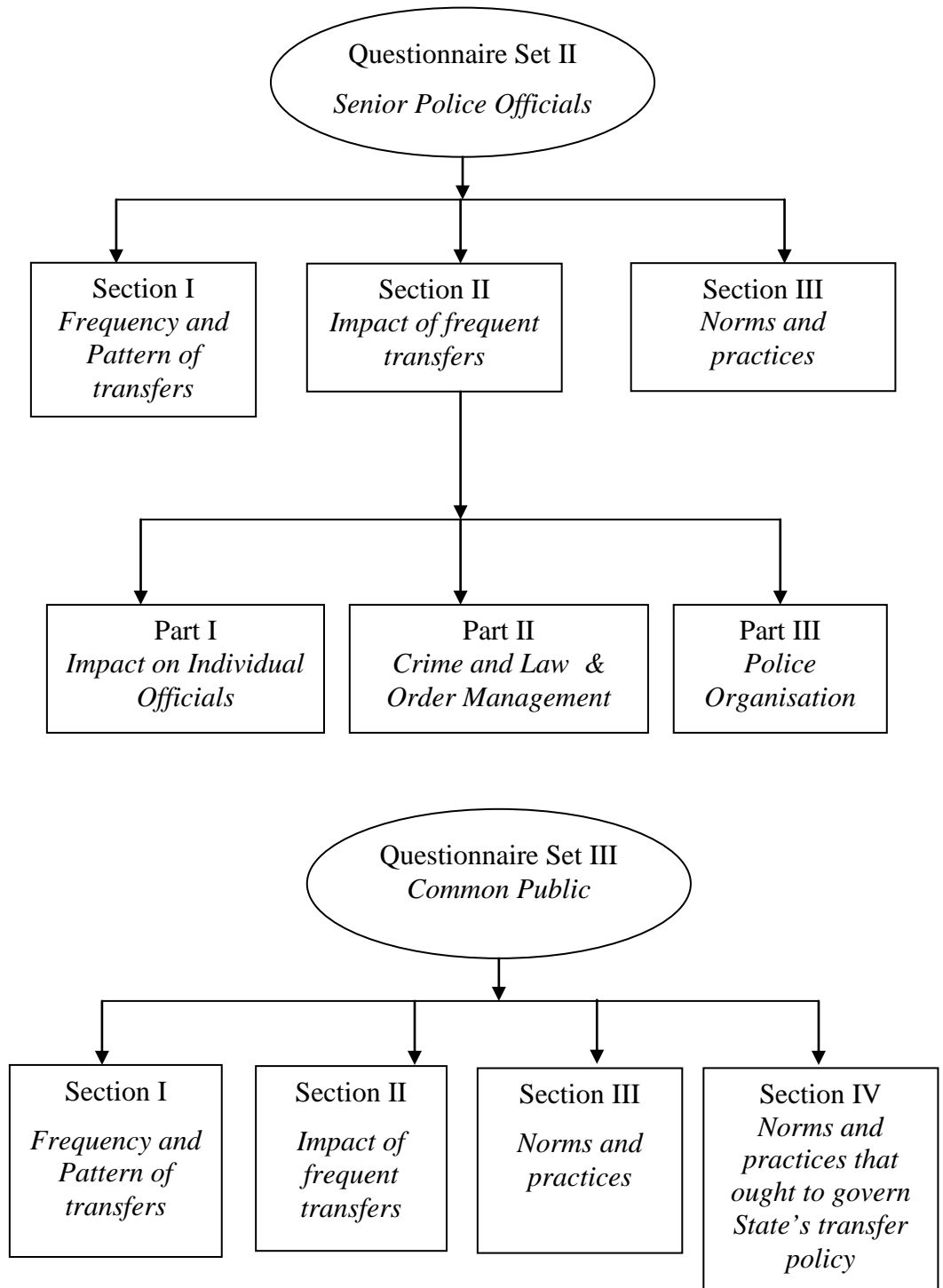
On the basis of a preliminary survey of literature and informal discussions, three sets of questionnaire were developed: The first set was administered among Superintendents of Police; the second among senior police officials of the rank of Deputy Inspector General and Inspector General; and the third set among the general public, including, particularly, academicians, journalists, professionals, political actors, government servants and social workers.

The survey instrument was a multiple-choice questionnaire primarily intended to quantify the perceptions of the respondents on a ranking or inverse intensity scale of ten, where 1 denoted Very High and 10 denoted Very Low. The questionnaire also contained some multiple-choice questions, in which respondents were asked to choose the appropriate response that best reflected their perspective on the issue. The Questionnaire was designed to closely reflect the perception and experience of the respondents, and underwent an extensive process of

standardisation and review both by the research team, as well as by a number of consultants and scholars who were associated with the project.

A standard questionnaire, however, cannot capture the full complexity of the subject under study, and respondents were consequently asked to provide additional comments to better explain the situation in their district/State. These comments were studied closely, classified and taken into account while analysing the findings.





A total of 172 persons were interviewed of which 17 per cent were Superintendents of Police, 20 per cent were senior police officials and 63 per cent were drawn from the general public. In this manner, roughly every fifth respondent was an SP, every fifth respondent was a senior police official, and every two out of three were from the general public.

The information collected through the survey was treated with strict confidentiality.

The quantitative data collected was tabulated to map the impact of frequency of transfers on the efficiency and effectiveness of Superintendents of Police in order to provide continuity in data sets and to integrate a database that would indicate the broadest possible overview on the issue under study. The process of analysing collected data was designed as a trend-indicator device to permit the indication of changes *vis-a-vis* attitudes and behavioural patterns.

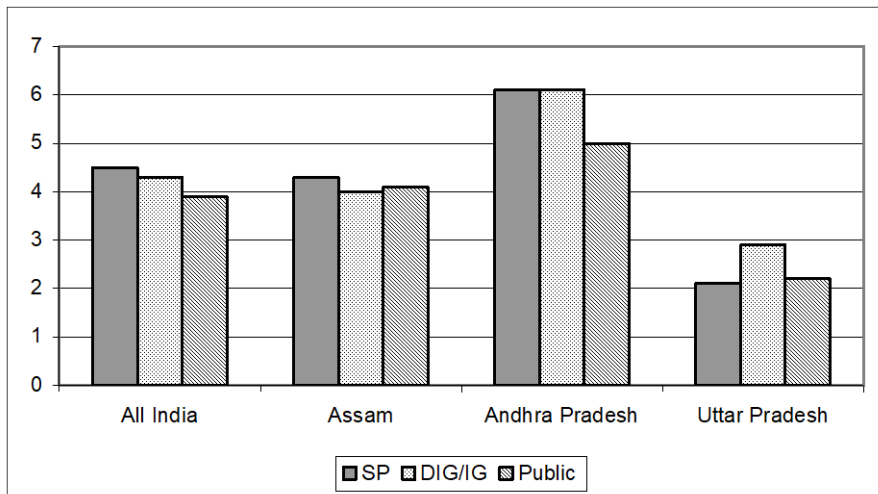
The study used two types of graphical expressions to organise and present data: bar diagrams and pie charts. While pie charts have been used to compare the data collected and to show the percentage proportions of responses effectively, the bar diagram has been used to show the interrelation between different groups of responses across different sets of data.

ANALYSIS OF DATA

I. FREQUENCY AND PATTERN OF TRANSFERS

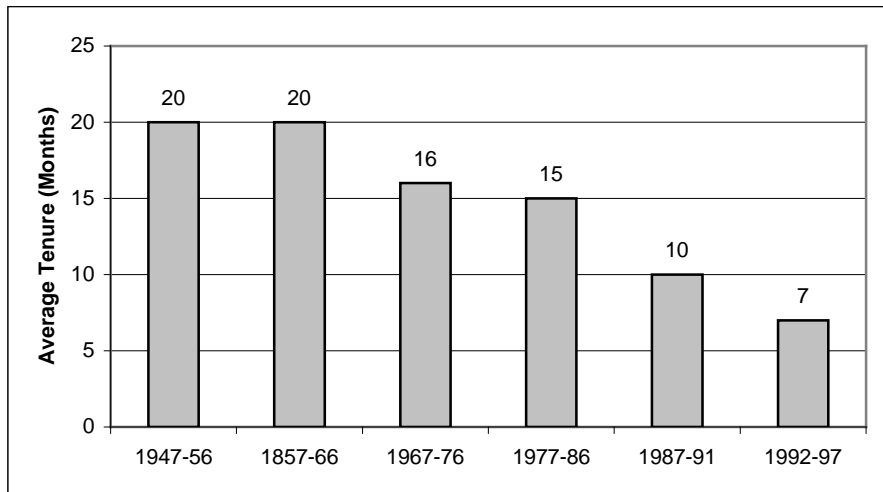
An overview of the data collected from Superintendents of Police suggests that systemic factors identified in the questionnaire have perceptible impact on frequency of transfers of SPs. Such systemic factors play a more crucial role in Assam as compared to Andhra Pradesh and Uttar Pradesh.

In the perception of respondents, the stability of tenure is lowest in Uttar Pradesh and highest in Andhra Pradesh. In Uttar Pradesh, this perception is strongest among senior police officials. Official data confirm that these perceptions approximate the situation on the ground.



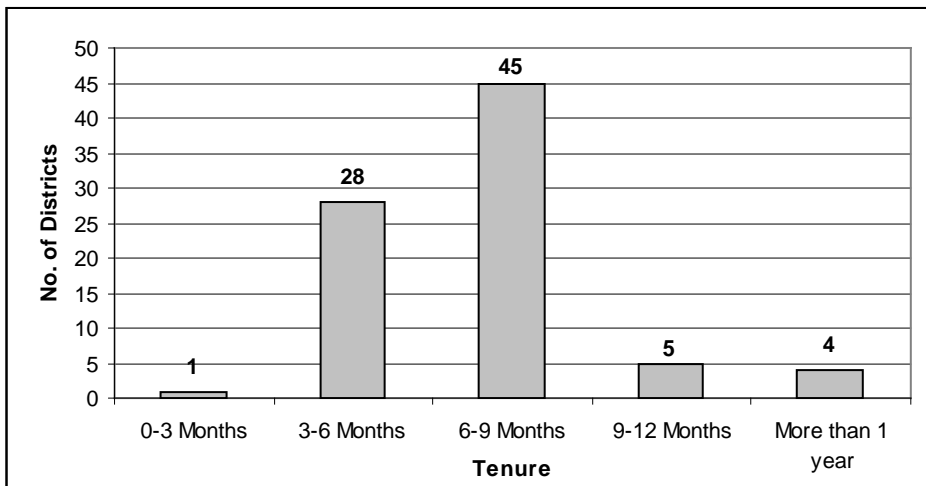
Graph 1: Perception of Respondents on Frequency of Transfer

UTTAR PRADESH: In Uttar Pradesh, the average tenure of an SP has never been more than one and a half-years since 1947 [Graphs 2 & 3]. However, there has been a very sharp decline in average tenures since the late 1980s. Figures indicate that between January 1995 and March 2000, in 45 districts, SPs had tenures ranging between 6 and 9 months. 28 districts had an average tenure between 3 and 6 months and only four districts had average tenures of more than a year. In one district, the average was below three months. (Data includes districts of Uttaranchal State, which was formed in October 2000).



Graph 2: Average Tenure of SP in UP

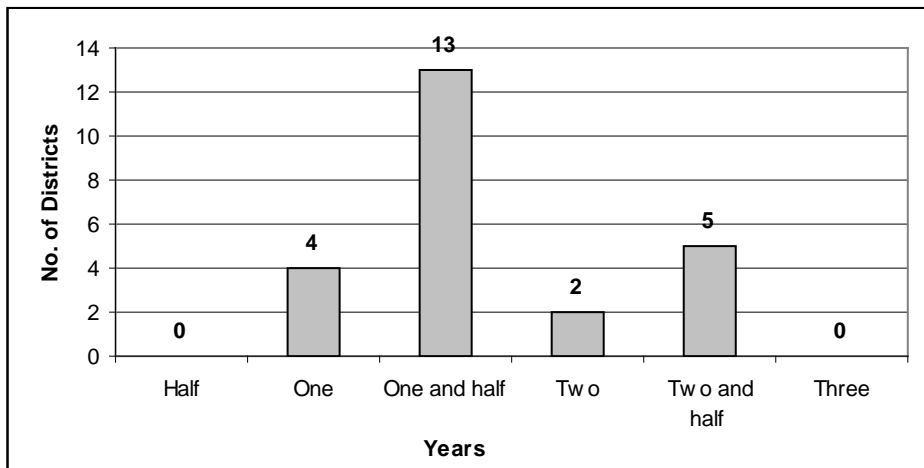
The causes identified for the high rate of transfers of SPs in UP included political instability, an increasing trend of coalition governments, rising politicisation at the grassroots level, the criminalisation of politics and the increasing role of caste in politics.



Graph 3: Average tenure of SSP/SP in the districts of Uttar Pradesh during 1.1.95 to 1.3.2000

Currently, the stability of tenure of an SP is overwhelmingly dependent on variations in political and caste equations prevailing in the State from time to time. Considerations of merit and professionalism are rarely factored into decisions relating to transfers. Qualitative assessments by senior officers suggested that, if an SP worked impartially and as per law, the rate and frequency of his transfer is bound to be very high.

ASSAM: Compared to Uttar Pradesh, SPs enjoy a relatively stable tenure in Assam. An analysis of postings of SPs in 23 districts and Guwahati city indicates that in 20 districts, the average tenure is more than a year. Among them, in five districts, the average tenure was more than two years and in four district, it was two years. Only four districts witnessed an average tenure of one year.



Graph 4: Average Tenure from 1997 to March 31, 2002, in Assam

Relative political stability in the State – in terms of the survival of regimes for periods approximating their intended constitutional tenure – was cited as one of the reasons for the comparatively moderate rate of the frequency of transfers. However, some officers with extended experience in the State indicated that current trends related to the policies of recent regimes, but that there were phases in the past when SPs were changed every three months, and that there was a case where one district had as many as five SPs in a year.

ANDHRA PRADESH: SPs in Andhra Pradesh, again, enjoy a substantial stability of tenure. A general impression gathered during the survey indicates that SPs are allowed to remain in a district for more than two years.

However, the relative stability enjoyed by SPs in Andhra Pradesh (and Assam) does not mean that such stability is determined by some sound administrative principle. In these States, the personal choice of the Chief

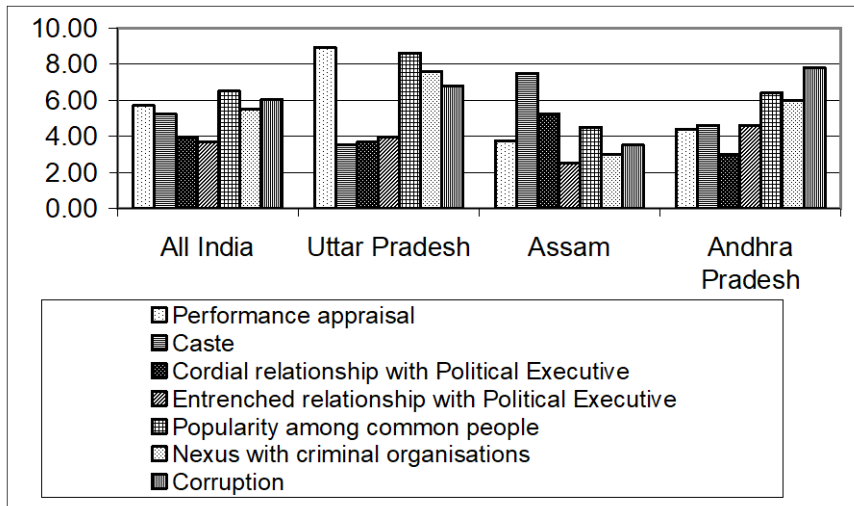
Minister appears to be the defining factor in determining the frequency of transfers. In Andhra Pradesh, with the coming of the present government, there has been a fairly high level of stability of tenure, averaging between 2-2.5 years.

CAUSAL FACTORS

Why are SPs transferred so frequently and what is the basis of such transfers? The study made an attempt to identify factors that influence the frequency and pattern of transfers of SPs. It was found that several factors entirely unrelated to administrative or professional policing considerations shape the decision of the political executive to transfer an SP.

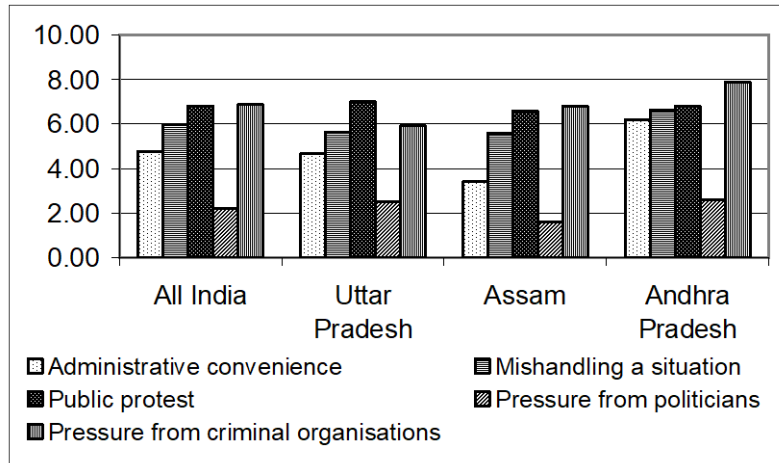
The questionnaire identified and quantified some of the bases for transfers. These included: performance appraisal, caste, cordial and entrenched relationship with the political executive, popularity among common people, nexus with criminal organisations and corruption.

In the opinion of SPs, cordial and entrenched relationship with the political executive were the two most important factors [with the lowest scores on the inverted intensity scale] influencing the transfer of SPs. Popularity among common people, performance appraisal and corruption were ranked lowest among the influencing factors [with the highest scores on the inverted intensity scale].



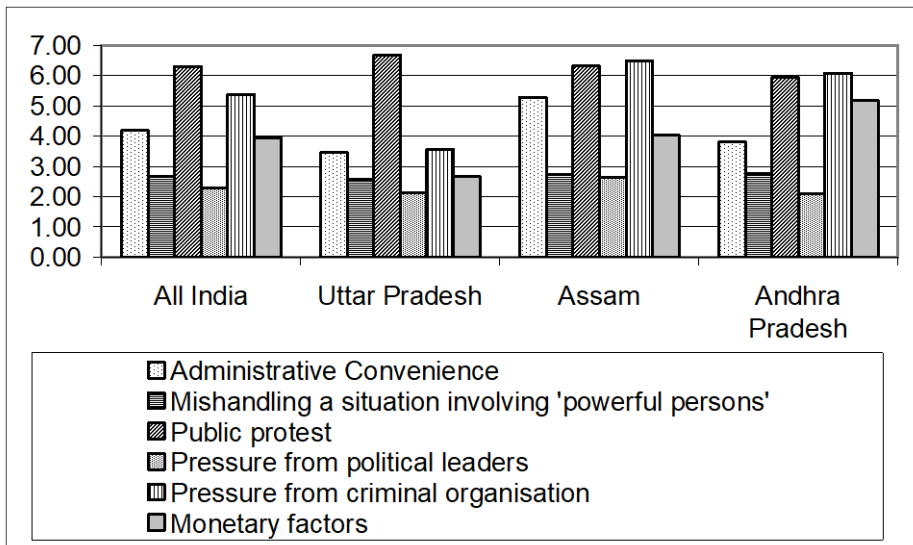
Graph 5: Perception of SPs on factors influencing transfers

SPs from Uttar Pradesh perceived caste as the most important factor in transfers; performance appraisal was ranked as the least important. In Assam, an entrenched relationship with the political executive was the most important factor. On occasion, the unyielding attitude of SPs and conflict with the civil administration was perceived as an important factor influencing the frequency of transfers in Assam. In Andhra Pradesh, however, a cordial relationship with the political executive was seen as the most significant determinant. SPs in Andhra Pradesh do not think that corruption, performance appraisal and popularity among common people played a very important role in determining the tenure of SPs.



Graph 6: Perception of senior police officials on factors influencing transfers

In their assessment of another set of variables [Graph 6: administrative convenience; public protest; pressure from criminal organisations; mishandling of situation, pressure from politicians] that influenced the decision to transfer, the respondents among the senior police officials identified pressure from politicians as the most important factor in transfers of SPs. Pressure from criminal organisations and public protest were not seen as exerting very significant pressure on the processes governing transfers of SPs. On these variables, the patterns of perceptions were roughly comparable on all the three States under study.



Graph 7: Perception of the General public on factors influencing transfer of SPs

In the perceptions of the general public as well, pressure from politicians is an important factor influencing transfers of SPs. Administrative convenience, performance appraisal and pressure from general public play a less important role.

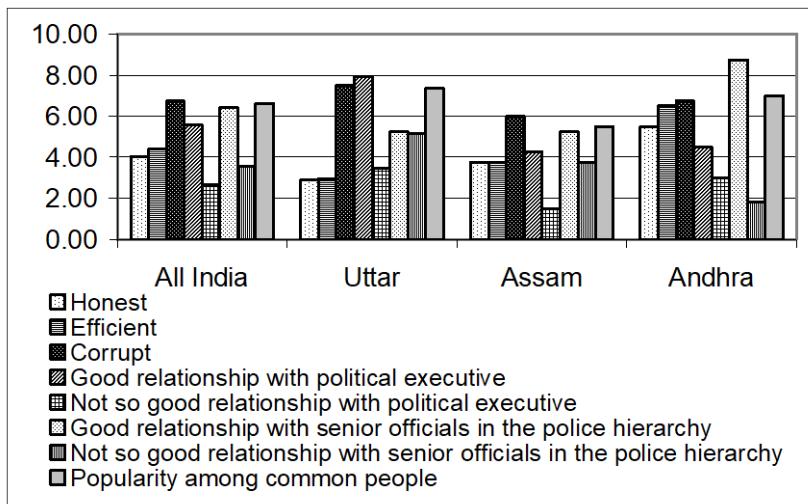
In the perception of senior police officials also, caste plays an important role in transfers (Set Two, Question 6). This perception was strongest in Uttar Pradesh. According to a senior police official from this State, the caste factor plays an important role in two ways: the complexion of the local population determines which caste officer will find stability; and, secondly, officers who are from the same caste grouping as the Chief Minister and other important politicians of the ruling party find favourable dispensation. Caste equations with local politicians are also quite significant.

In the opinion of senior officials from Assam, however, caste does not appear to play an important role. On the other hand regionalism and nepotism were identified by some senior officers as playing a significant role in determining the tenure of an SP in Assam. According to one senior officer, ruling party members always assign a 'suitable' place of posting to their own kith and kin.

Monetary considerations constitute another important factor. Both secondary sources and the perceptions of common people identify these as being immensely important in determining the tenures and transfer of SPs. In the present study, this perception was the strongest among common people in Andhra Pradesh and lowest in Assam. (Set 3, Question 4). Police officials, however, felt that the monetary factor does not play a significant role in determining the tenure of an SP (Set 1: Question 6). During informal discussions and in their comments, however, police officials in Uttar Pradesh did admit that the monetary factor, indeed, plays an important part in transfers, and that some of the SPs used this route to secure 'better' districts, while others were able to exchange 'favours' with their colleagues and seniors to get preferential treatment. A senior official in Uttar Pradesh asserted that such practices were highest among officers promoted from within the State Police Service. Another officer estimated that the percentage of such transfers, secured through monetary considerations, would constitute roughly 20 per cent of total transfers. Senior police officials considered the monetary factor as being most significant in Uttar Pradesh and least in Andhra Pradesh. Among SPs, this perception was the highest in Uttar Pradesh and lowest in Assam.

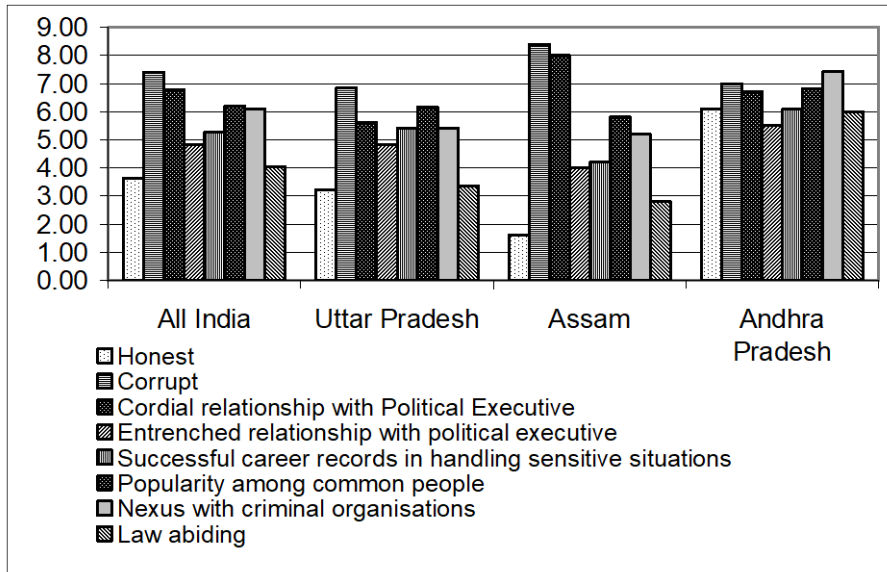
What emerged consistently across all categories of responses and for all the three States under study, however, was the fact that sound administrative principles, an urge for better governance, and professional policing criteria do not influence the decisions of the political executive on transfers of SPs. The lowest priority is ascribed to factors such as performance appraisal and popularity among the common people. The performance and integrity of an officer do not appear to play any role in a preponderance of such decisions.

The high influence of political and other non-administrative factors in transfers results in the frequent transfer of officers who fail to ‘toe the line’ of the political executive. Thus, a majority of respondents felt that ‘certain officers’ tend to be transferred more frequently than others. The questionnaire identified some of the attributes of SPs who tend to be transferred more frequently than others [Graph 8].



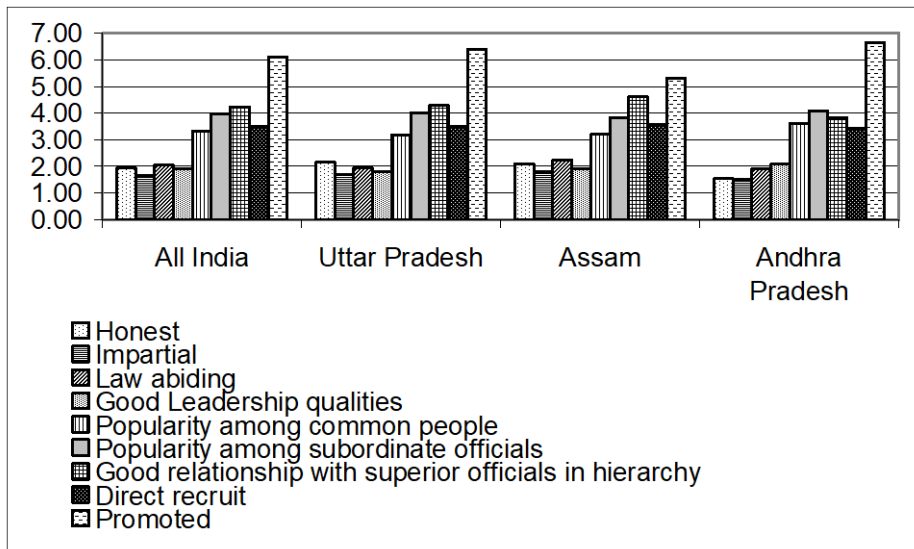
Graph 8: Perception of SPs on attributes of SPs who have been transferred more frequently

In the perception of SPs, officers who did not maintain a good relationship with the political executive, and with their seniors in the police, were the worst off. Honest and efficient officers also enjoyed relatively short tenures. The pattern was comparable in all three States.



Graph 9: Perception of senior police officials on attributes of SPs transferred more frequently

In the opinion of senior Police officials, honest, law abiding officers, and those lacking an entrenched relationship with the political executive, had relatively short tenures. Such discrimination was perceived to be lower among officers from Andhra Pradesh.



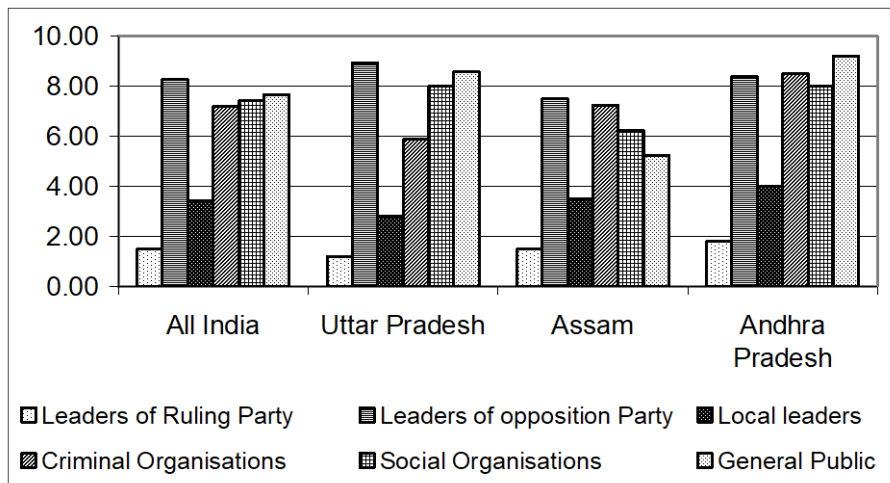
Graph 10: Perception of general public on attributes of an efficient SP

This question was put slightly differently to the general public. First they were asked to identify attributes of an efficient SP and then asked their opinion whether efficient SPs have been transferred more frequently or not. People across the States identified impartiality, honesty, good leadership and respect for law as the attributes of efficient SPs. In their opinion, moreover, SPs with precisely these qualities tend to be transferred the most frequently. This perception was the highest among the respondents in Uttar Pradesh and Assam and the lowest in Andhra Pradesh.

It is apparent that honest, impartial and efficient officers, as well as those who do not cultivate a relationship with, or are not ‘convenient’ to, powerful politicians, tend to have the poorest security of tenure. In Uttar Pradesh, the general impression gathered during interactions with police officers suggested that, in order to continue in a district, the SP

was required to keep local politicians as well as the State’s political executive ‘happy’. One senior official said that transfer to districts is done mostly to accommodate officers who manipulate political pressure to secure their appointments, and their professional conduct and integrity were irrelevant to such decisions.

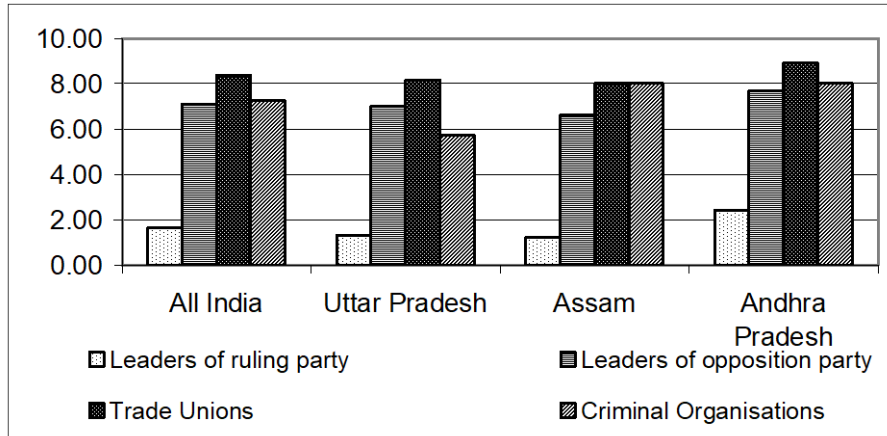
In all the three States, external political pressure played a crucial role in the transfer of SPs. The respondents were asked to identify some of the groups which most frequently exerted such pressures [Graph 11].



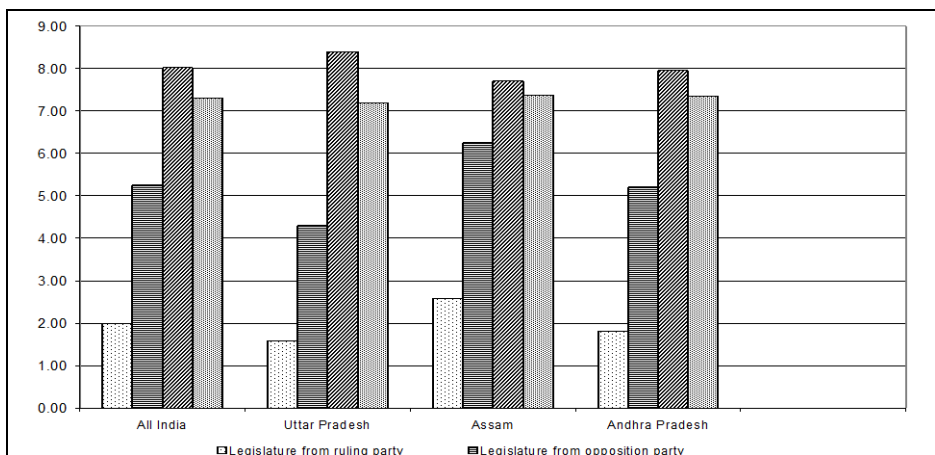
Graph 11: Perception of SPs on groups which most frequently put pressure for transfers

In all the three States, leaders of ruling party and local level leaders were the group most frequently identified by respondents in the rank of SP, as exerting pressure on the government for the transfer of officers. Leaders of the opposition party, social organisations, the general public and criminal organisations do not appear to significantly influence these decisions. This position was confirmed by the opinions and

responses of senior police officers [Graph 13] as well as by the general public respondents [Graph 14].



Graph 13: Perception of Senior Police officials on external interference in transfers



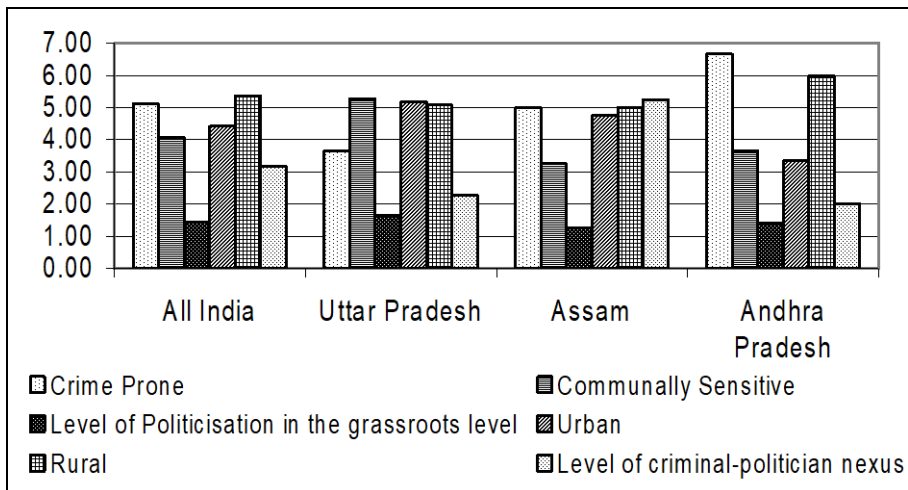
Graph 14: Perception of General public on External Pressure in Transfers

We find, consequently, that legislators and other leaders of the ruling party most frequently put pressure on the government for the transfer of SPs. The tendency increases where the Chief Ministers and other political leaders are weak, either in terms of their control over their own party and legislators, or, with the increasing incidence of coalition governments, in terms of their ability to resist pressures from coalition partners. This trend is most visible in Uttar Pradesh, because a succession of unstable governments has constantly and cumulatively increased such pressures. During the present study, one SP in UP commented that, currently, only four or five SPs were appointees of the Home Department or Police Department. The rest had been posted to their districts only under pressure from ruling party politicians.

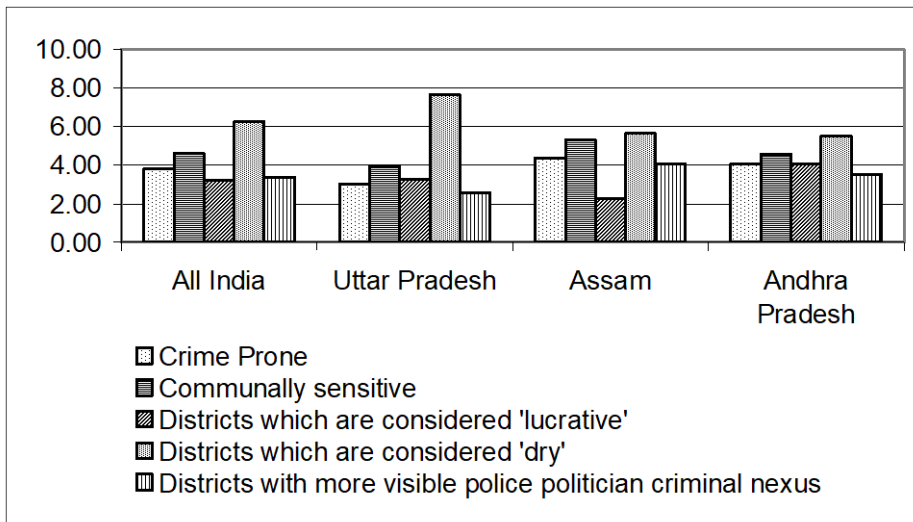
In the view of a majority of the common people, the growing nexus between police, politicians and criminals in the States has been responsible for the rising extraneous pressures, though respondents in Andhra Pradesh did not endorse such a view. While the general public respondents in AP did accept the existence of a nexus between the police, politician and criminals, they did not believe that it had significant impact on the policies and practices relating to the transfer of SPs. At the other end, respondents from the general public category in Uttar Pradesh felt strongly that the growing nexus between the police, politicians and criminals was, to a great extent, responsible for the frequent transfer of SPs.

The level of extraneous, political and criminal influence, and the nexus between players from these various spheres, is seen to vary in intensity from district to district. As a result, some districts have

witnessed more frequent transfers than the other ones. Most senior officers in the police felt that frequency of transfers varied from district to district as a result of these factors, and such a perception was the highest in Assam, followed by Uttar Pradesh and Andhra Pradesh. SPs responding to the questionnaire noted that the districts that witnessed the highest frequency of transfers were those which had a high level of politicisation at the grassroots level. The intensity of criminal-politician nexus was also considered significant.



Graph 15: Perception of SPs on districts, which have witnessed more frequent transfers



Graph 16: Perception of General public on districts, which have witnessed more frequent transfers

General public respondents identified districts that are considered ‘lucrative’, crime prone districts, districts with more visible police-politician nexus and communally sensitive districts, as the ones that witnessed the highest frequency of transfers. On the other hand, districts that are considered ‘dry’ – that is, not financially lucrative – witness less frequent transfers.

There are other local variations. In Assam, the threat perception from terrorist groups was identified by some of the officers as being related to the frequency of transfer. Similarly, one senior officer from Andhra Pradesh indicated that districts that are ‘politically sensitive’ or volatile, and districts where the ruling party is either weak or overwhelmingly dominant, are more prone to such transfers.

In Uttar Pradesh, high political and caste rivalry, high stakes of the local mafia, high ‘attraction’ in terms of professional or political

profile of districts and districts which are more lucrative in terms of illegal financial gains, are the ones that witness the highest rates of transfer. The succession of unstable coalitions over the last few years, and their political compulsions, have been one major causal input in this adverse trend. In such districts, any resistance to political interference in matters pertaining to the transfer of officers leads to resentment among, and strong political manoeuvres from, local politicians, especially those from the ruling party. In UP, the field survey also identified the nexus between politicians and criminals as one of the major factors contributing to the insecurity of tenures among SPs.

II. IMPACT OF FREQUENT TRANSFERS

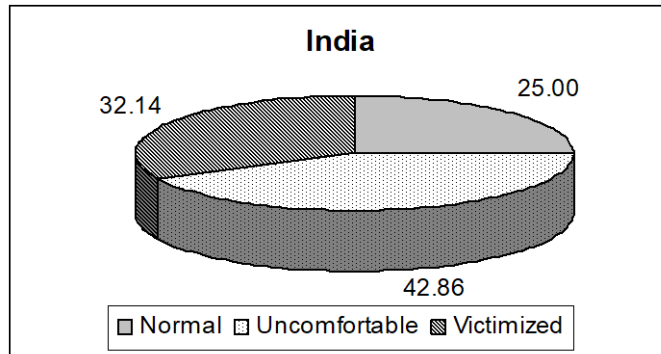
The survey also attempted to quantify the perceptions of various categories of respondents regarding the impact of the frequency of transfers on law and order management, and on the efficiency of an SP. The survey, in this section, was divided into three parts: The first dealt with the impact on an individual official; the second, on the impact on crime and law and order management; and the third, on the impact on the police organisation at large.

1. IMPACT ON INDIVIDUAL OFFICERS

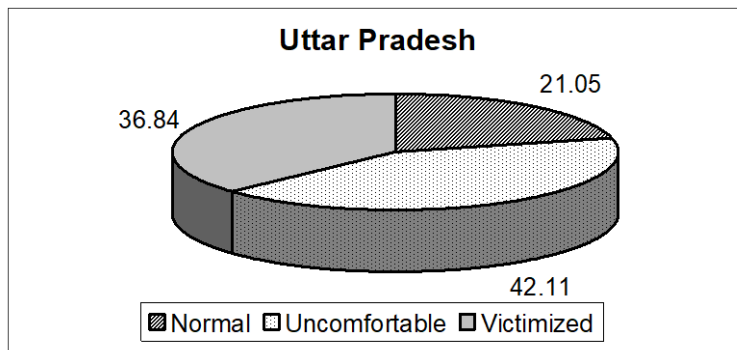
It has been found earlier [Chapter 3] that effective management of human resources not only gives employees greater job satisfaction but also facilitates the accomplishment of organisational goals. Appropriate practices are reflected in improvements in higher motivation, greater

satisfaction at an individual level, conducive human relations patterns in the organisation, smooth communications, and coordination of efforts orchestrated to secure organisational objectives and to achieve a status of well being among members of the organisation. On the other hand, poor human resource management practices tend to undermine morale, the will to initiate activities and to innovate, the exchange of information within and across the hierarchy (poor interactivity), mutual mistrust and lack of mutual support. In such a situation, individual goals tend to supersede organisational goals and generate a high level of negative energy that is harmful to the interests and goals of the organisation.

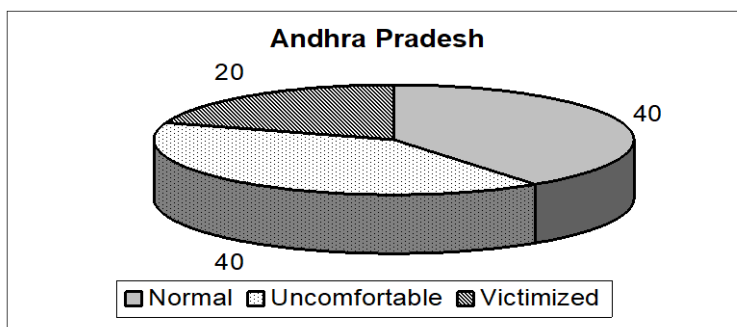
Within the context of the present study, the frequency of transfer, and the absence of security of tenure, were identified, across the board, as contributing to negative trends at both the personal and organisational levels. SPs in all the three States felt that frequent transfers had a negative impact on officers' morale, motivation and sense of duty, creating a sense of disillusionment over the long run. Trivial and premature transfers were particularly demoralising for sincere and upright officers. As indicated in Graph 17, 42.86 per cent of SPs interviewed were 'uncomfortable' with the frequency of transfers, and another 32.14 per cent felt 'victimised' by these. Only 25 per cent of the officers responding to the questionnaire felt that frequent transfers were part of the normal course of events.



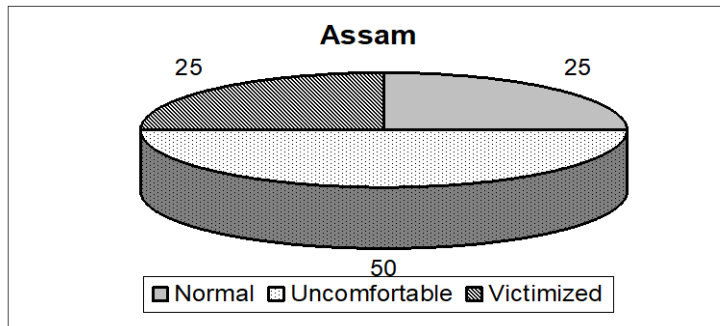
Graph 17: Perception of Superintendent of Police on impact on transfer



Graph 18: Perception of officials from Uttar Pradesh on impact of transfers



Graph 19: Perception of SPs from Andhra Pradesh on impact of transfers



Graph 20: Perception of SPs from Assam on impact of transfers

Clearly, an overwhelming majority of SPs responding to the survey were dissatisfied with existing practices, with the highest proportion of dissatisfied officers coming from Uttar Pradesh, where 42.11 per cent feel uncomfortable and 36.84 per cent feel victimised, with just 21.05 per cent registering the ‘normal’ option.

In Assam, 50 per cent of SPs responding to the questionnaire confirmed the ‘Uncomfortable’ option, another 25 per cent felt ‘victimised’, while 25 per cent regarded the frequency of transfers as routine or ‘normal’. The number of officers treating transfers as normal or routine is highest in Andhra Pradesh, at 40 per cent, and this corresponds to the fact that the frequency of transfer is the lowest in this State. Nevertheless, 40 per cent of SPs were still ‘uncomfortable’ with the rate of transfers, while 20 thought they were ‘victimised’.

Most of the SPs expressed satisfaction at the prospect of serving in a district for a normal (full) tenure (Set One: Question 7a), and agreed that frequent transfers resulted in a sense of disillusionment and acted as de-motivating factor. Security of tenure, conversely, was seen as having a positive impact, as the absence of uncertainty in transfers kept them

relatively free from extraneous stress (Set 1, 7b-7c). A stable tenure, it was felt, has a positive impact on the performance of an SP, as it allowed the officer to maximise his/her capabilities, provide leadership to the force and also deliver a sustainable service to the community. With stability of tenure, the officer could devote more time to his/her professional duties and serve the people at high levels of effective motivation. Security of tenure was also seen to impose a certain obligation on the officers to perform well.

Many sincere officers also felt that they had not been able to do justice to their posting in a particular district as a result of the insecurity of tenure. Another crucial and negative consequence is the consolidation of a general feeling among the officers that professional competence is inconsequential in the service, and also that the ideas and schemes they would like to implement in a district are never given adequate time to reach fruition. By the time an SP is able to comprehend the dimensions and contours of local problems, he/she is transferred. On the personal front, moreover, frequent transfers lead to dissatisfaction, disillusionment and hardship, particularly on the family front, especially on account of the education of children and social adjustment. Most of the officers interviewed viewed the entire process of arbitrary and frequent transfers as being very painful for the family.

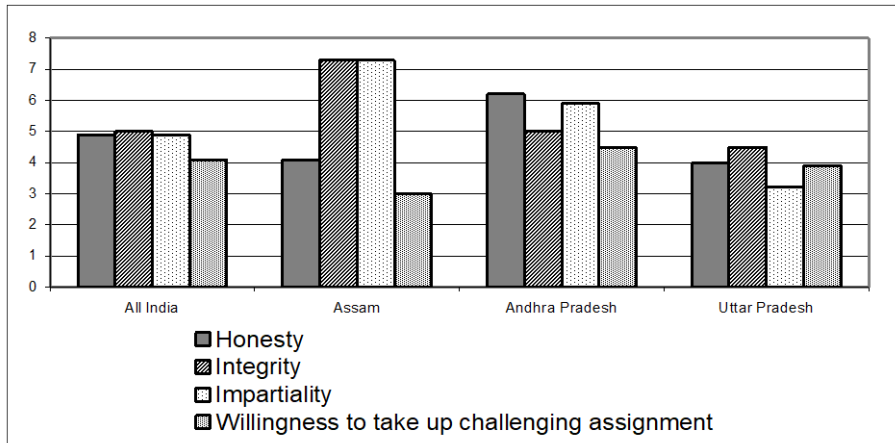
The sense of disillusionment and loss of motivation was, predictably, most visible in Uttar Pradesh. One SP in the State said most officers have become accustomed to frequent transfers and take it as a part of the job. Indeed, the system appears to have been turned on its head, and tenures of over one year in a district resulted in a general

lethargy and the establishment of the complete control of a district by one wing of the ruling party that backed, or was close to, the SP. A senior officer from Andhra Pradesh commented that disillusionment and demoralization were more visible in the initial stages of the career, when SPs are relatively young and idealistic in their orientation. With experience and a few years in service, officers begin to understand the imperatives of the system better, and the degree of disillusionment is found to be lower. On occasion, administrators and political leaders try to undo some of the damage done by abrupt or early transfers, by offering a place of choice as an alternative to the officer. This tends, in some measure, to take the sting out of premature transfers, and helps rebuild the morale of the officer concerned.

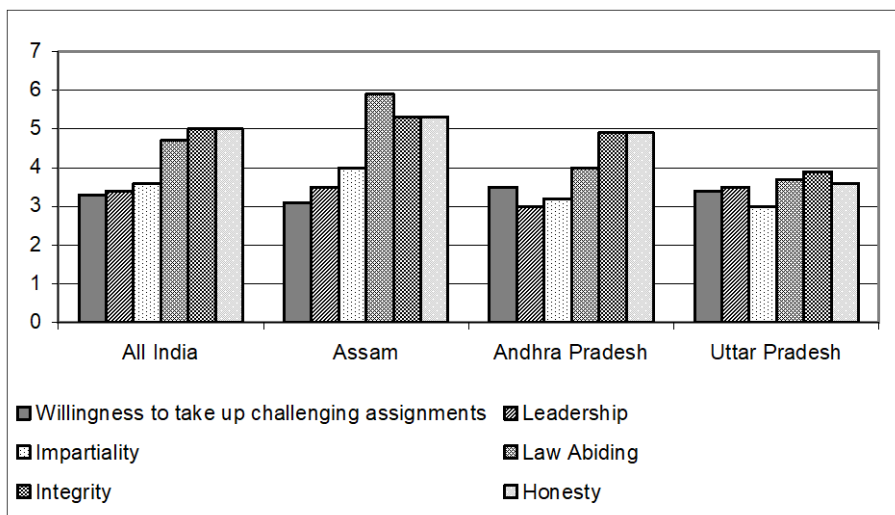
The extent of disillusionment and de-motivation is also conditioned by individual circumstances and place of posting. For example, transfer to a better place or a lucrative district may lead to a high level of motivation. One SP in Uttar Pradesh said that district to non-district transfer leads to disillusionment and non-district to district leads to high level of motivation.

Insecurity, disillusionment and loss of motivation often compel officers to compromise on the professional front, and there was a significant perception that this impacted on honesty, integrity, impartiality and the officers' willingness to take up challenges in the course of their duties. This was the conclusion that followed from the responses of both SPs and of senior police officers. Such an impact was most strongly noticed among respondents in Uttar Pradesh, followed by Andhra Pradesh and Assam. In Assam, the SPs' responses suggested that

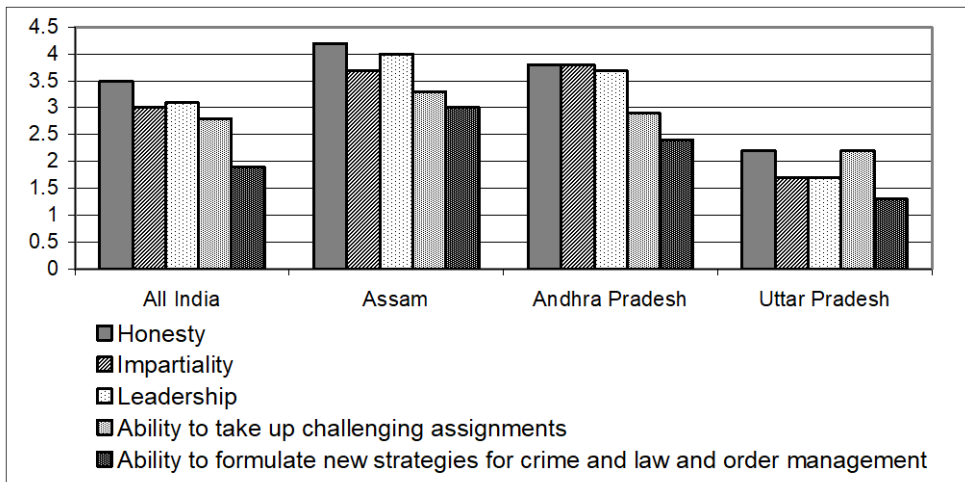
impartiality and integrity of officials was not significantly affected by frequent transfers. On the other hand, officers from Uttar Pradesh felt that impartiality was the worst casualty as a result of insecurity of tenure.



Graph 21: Perception of SPs on attributes affected by frequent transfers



Graph 22: Perception of Senior Police officials on attributes of SPs affected by frequent transfers

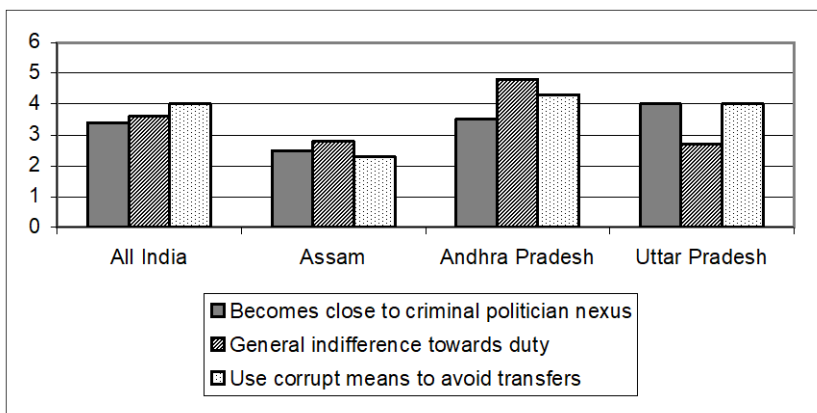


Graph 23: Perception of general public on attributes of SPs affected by frequent transfers

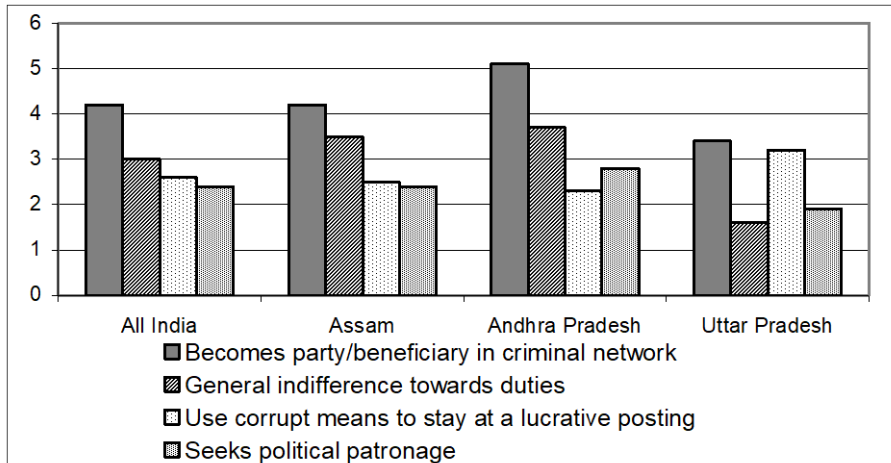
There was some variation in the emphasis in the responses from the general public, who felt that the ability to formulate new strategies for crime and law and order management, and the ability to take up challenging assignments were the attributes that were most adversely affected as a result of frequent transfers.

Evidently, a certain correlation between functional efficiency and the practice of frequent transfers of SPs is widely confirmed by the respondents. Both quantitative and qualitative responses of the various respondents – including police officers in ranks of SP and above – indicated that the uncertainty of tenure diverted the officers’ attention from their professional tasks, and forced them to focus increasing attention and efforts on safeguarding their positions, or coping with repeated and arbitrary movements and changes in jurisdiction. In order to avoid transfers, it was found that many officers were inhibited in dealing with certain ‘sensitive’ criminal cases impartially, and compromised on their integrity and honesty. Others acted deliberately and wilfully in a

partial or unprofessional manner in order to favour the interests of the ruling party. Officers also compromised on various issues in order to manage the problems created for their families by repeated and premature transfers. A certain proportion of the officers very clearly established close relationships with political leaders, or used corrupt means in order to avoid frequent transfers, or to secure transfers of their choice. The result was the increasing politicisation of the police, as well as the continuous deterioration of the organisation by the growth of non-professional motives and actions at the cutting-edge level of crime control and law and order management. To the extent that the tendencies of politicisation of the police, and of transfers in particular, have been escalating over the recent decades, it was felt that there is an increasing proclivity among officers to seek political patronage, to become a party to, or beneficiary of the politician-criminal nexus, to avoid transfers through corrupt means, or to psychologically protect themselves by an attitude of general indifference towards their duties and their organisation [Graphs 24 & 25].



Graph 24: Perception of Senior Police officers on vulnerability of SP due to frequent transfers



Graph 25—Vulnerability of a SP due to frequent transfers: Perception of General public

2. IMPACT ON CRIME AND LAW AND ORDER MANAGEMENT

Responses relating to the impact of frequent transfers on individual officers have already demonstrated not only the substantial personal impact, in terms of disillusionment and loss of motivation, but have also indicated strong negative influences of such practices on certain key attributes necessary for effective crime and law and order management. Respondents across the States and categories confirmed that current policies and practices relating to the transfer of SPs have a negative impact on crime and law and order management. Among SPs, this perception was the highest among officers in Andhra Pradesh, while they were seen as having a less perceptible impact in Assam. Among

senior officials, such a perception was strongest in Assam followed by Uttar Pradesh and Andhra Pradesh. These responses appear, in some sense, contra-intuitive, to the extent that, *a priori*, it would be expected that the deleterious impact would have been expected to be strongest in Uttar Pradesh, while responses in Andhra Pradesh ought to have fared better. It is possible, however, to understand the patterns that emerge in terms of the general decline in expectations in poorly administered systems, as compared to those that are better administered. Hence, smaller deficiencies in better-administered systems are more noticeable, and more frequently noticed, while much larger failings tend to be ignored in situations of very poor governance.

Senior police officials felt very strongly that an SP requires a certain minimum of time to understand a new jurisdiction, and to formulate an effective strategy towards crime management. For efficient functioning, an SP requires thorough knowledge of the area, its social complexity, networks of local criminals and problems peculiar to the locality. Sufficient time is also required as different officers have their own attitude and strategies to deal with criminals and anti-social elements, and the necessary transformations in organisational structures and response patterns cannot be implemented immediately at the time of taking over of charge.

Nevertheless, responses were not uniform on this point, and some of the respondents did not attach great importance to the stability of tenure. A senior police officer from Andhra Pradesh stated that the district police set up in the State was so structured that the negative impact is relatively less, since some of the subordinate officers carry on

the fight against crime fairly effectively. Another senior officer from Assam felt that, as a result of developments in information technology and their increasing applications to policing, the time required to understand and formulate effective strategy for crime management in a new jurisdiction had significantly diminished.

The SPs themselves felt differently, and a majority identified the investigative work of the police as the area that was worst affected by brief and irregular tenures. Service oriented work came second in terms of this negative impact, while preventive work tended to be least affected by frequent transfers. The reasons identified for the relatively strong impact on investigative work was that, since honest and strict officers tended to be transferred out of sensitive jurisdictions, and to have comparatively shorter tenures in all jurisdictions, unscrupulous officers – particularly subordinates with relatively permanent tenures – begin to manipulate investigations in connivance with criminals or their patrons, for own their narrow and vested interests. With the Damocles sword of arbitrary transfer hanging constantly over his/her head, a weak officer will hesitates in taking actions against criminals and wrongdoers, and the subordinate staff will inevitably take advantage of the situation. A glaring anomaly of the current system is that officers at the subordinate level – including those who have an extended record of corruption and inefficiency – enjoy relatively stable tenures, while SPs are transferred at a faster rate. The corrupt and unprofessional among such subordinate staff tend to go unpunished since they can simply ‘wait out’ the tenure of an efficient and tough superior officer. This has tremendous impact on the authority and efficiency of the SP within the police organisation, and

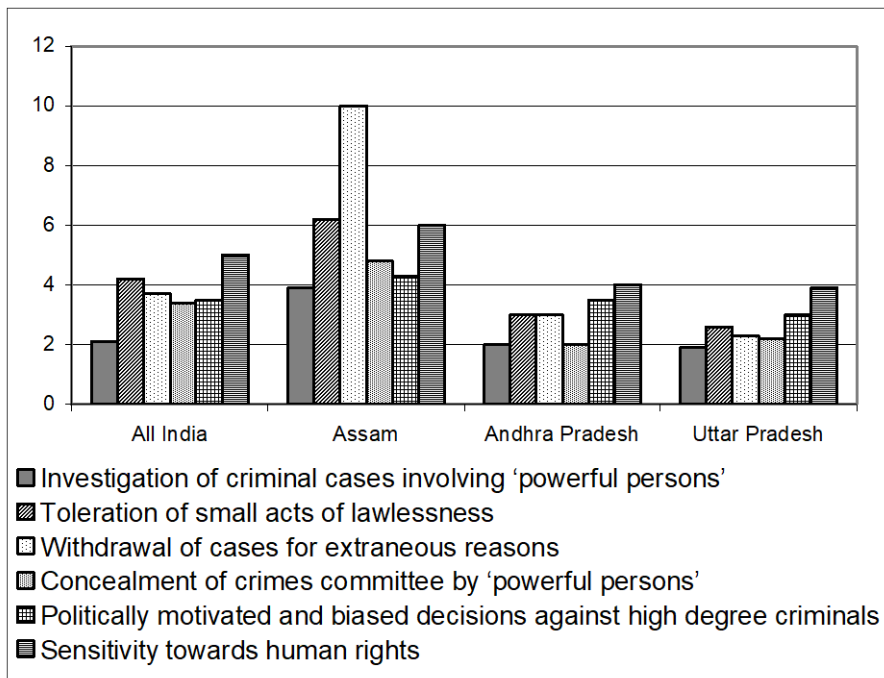
can systematically undermine an officer's capabilities to extract the best from his subordinates.

The frequency of transfers also has a direct impact on the preparedness of the district police in combating crime and lawlessness, in the perception of senior officers and representatives of the general public covered by the survey. This was emphasised most strongly in Uttar Pradesh, followed by Andhra Pradesh and Assam.

The current practice of frequent transfers also does not allow for the effective use and development of skills among police officers. Officers cannot focus on the full range of tasks, since they get transferred well before an adequate engagement with the entire range of problems and possible solutions is possible. A senior police officer from Uttar Pradesh stated that officers with expertise in a certain field were posted to the relevant charge only when there was a crisis, and were quickly removed once the crisis was over. Thus, the full resolution of the problem, and the fullest application of the officer's skills and expertise, is precluded in most such circumstances.

The current practices also hamper the effective distribution of experience and skill around the Force. Since officers with political backing get postings of their choice, efficient, upright and principled officers are neglected. One respondent in Andhra Pradesh pointed out that it is not merely the frequency of transfers, but also the failure to post the right officer to the right district that was the problem. Another respondent from Uttar Pradesh stated that in most district charges were given to officers with 'adequate linkages'. Officers who do not

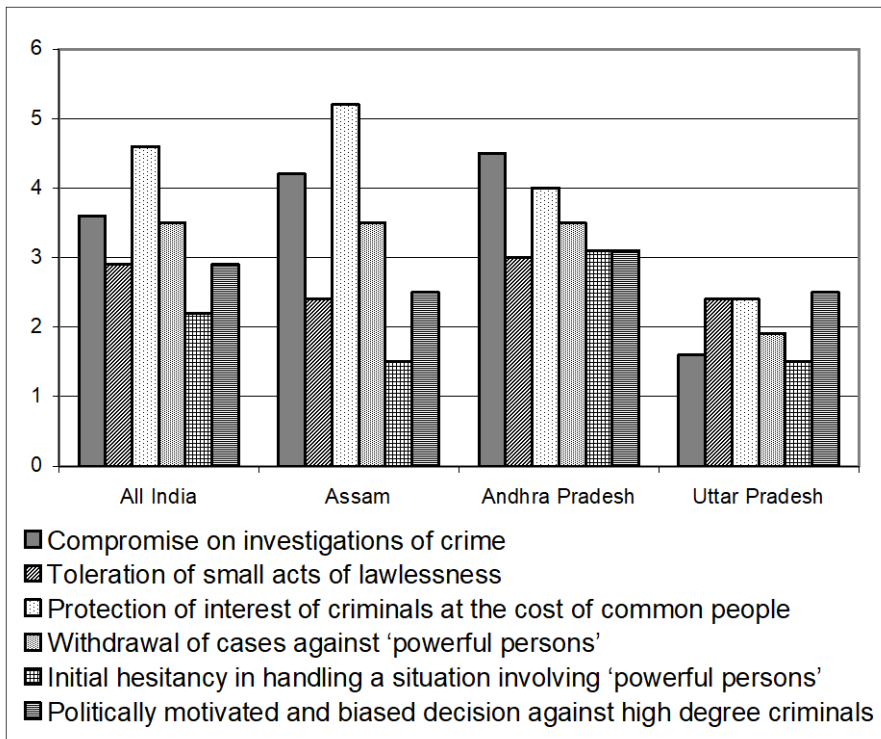
compromise, consequently, tend to have more experience in ‘non-field posting’ work. Thus, the best officers are not allowed to develop the full range of policing skills, or to acquire crucial field experience. Nor, indeed, would such officers have sufficient opportunities to share their limited experiences and skills with other professional and efficient colleagues, who would tend to be in a similar situation.



Graph 26—Perception of SPs on functions influenced by frequent transfers

The questionnaire identified some of the core functions of an SP, which were directly affected by frequent transfers. The respondents were asked to rank these according to their priority. It was found that the investigation of criminal cases involving ‘powerful persons’ was perceived as being the worst affected, resulting in the widespread concealment of crime committed by such persons, politically motivated

and biased decision against high degree and organised criminals, the withdrawal of cases for extraneous reasons, and increasing tolerance of small acts of lawlessness. Prevailing practices were also seen to have a negative impact on SPs sensitivity towards human rights issues.



Graph 27: Perception of senior police officials on functions influenced by frequent transfers

Senior police officials confirmed that SPs tended to display an initial hesitation in handling situations involving 'powerful persons'; took politically motivated and biased decisions against high intensity crime and organised criminals; tolerated small acts of lawlessness; and compromised on the investigation of crimes. However, senior officials in

Assam felt that the protection of interests of criminals and compromises in investigation of crime were the functions least affected by frequent transfers. Officers from Andhra Pradesh, however, confirmed the impact of frequent transfers on all the above-mentioned functions of the SP.

Despite such variations in the perceptions of some of the respondents, the negative impact on vital areas of crime and law and order management were, by and large, confirmed by the survey.

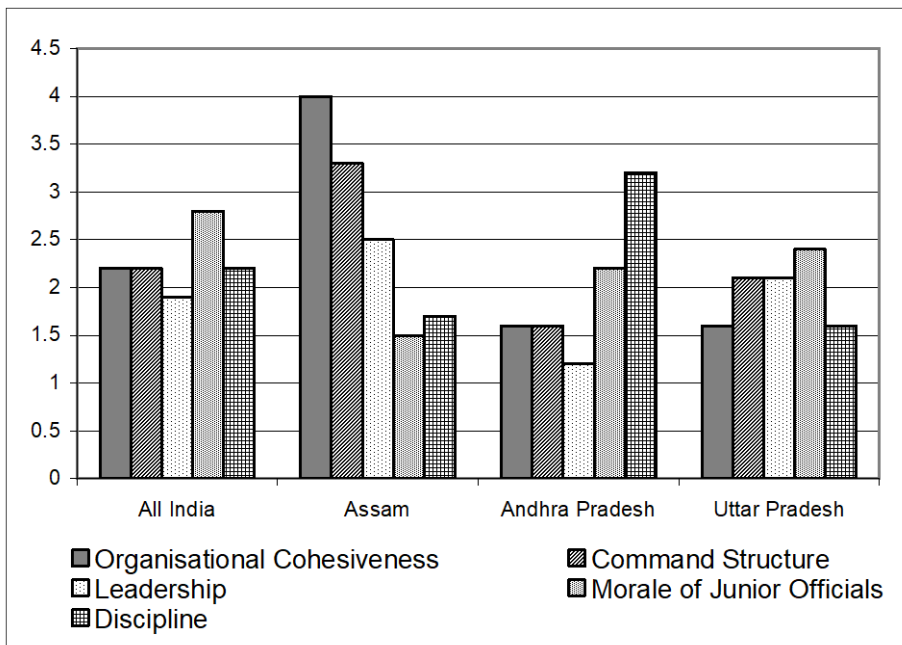
3. IMPACT ON POLICE ORGANISATION

The frequent of transfer of SPs has a negative impact on some of the vital areas of the police organisation as well. Among the SPs, the issues identified in this section of questionnaire, were seen to have the most perceptible impact in Andhra Pradesh, while officers from Assam tended to ascribe a lower value to such an impact.

In the first instance, it was widely noted that the sheer volume of movement of SPs across the State due to frequent transfers had a direct and negative impact on the organisational cohesiveness of the force. Besides, senior police officers in Uttar Pradesh strongly emphasised this dimension.

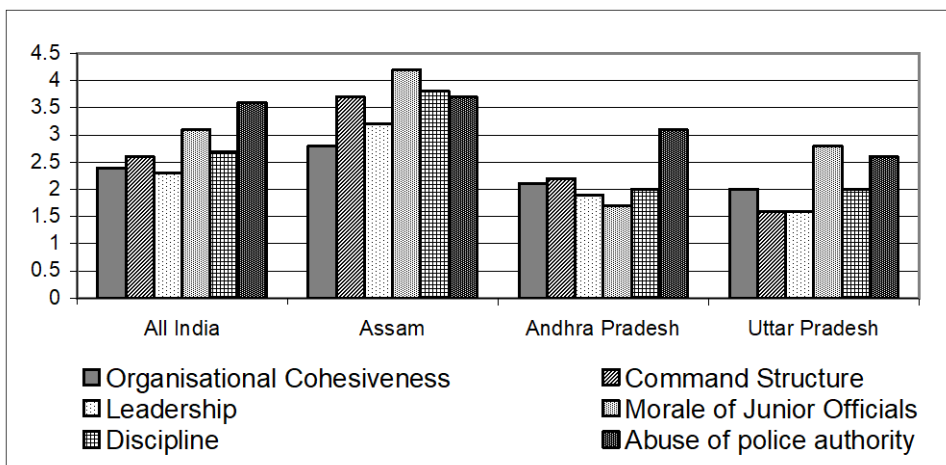
The biggest casualty of rapid and arbitrary movement of officers between jurisdictions was the collapse of effective communication with subordinate officers. As one UP officer expressed it, the message that went down the police rank and file was that subordinate officers could afford to perform indifferently on the crime management front as long as they had the support of local politicians and 'notables'. "Today, it is well

known in UP that even a constable can, on occasion, get an SP transferred,” he remarked, “The Station Officers have become extremely powerful because of their political connections and the way in which they can oblige their political masters.” The SHOs are the permanent features of the organisational structure of the police at the district level, while the SP has become ‘temporary’. While this is the case with the well connected and corrupt subordinate officers, the power of the SP to protect the honest and efficient among his/her staff has been severely compromised, while political protection has become all important for subordinate officers. This results in the victimisation of efficient junior officers who may support a principled SP during his uncertain tenure.

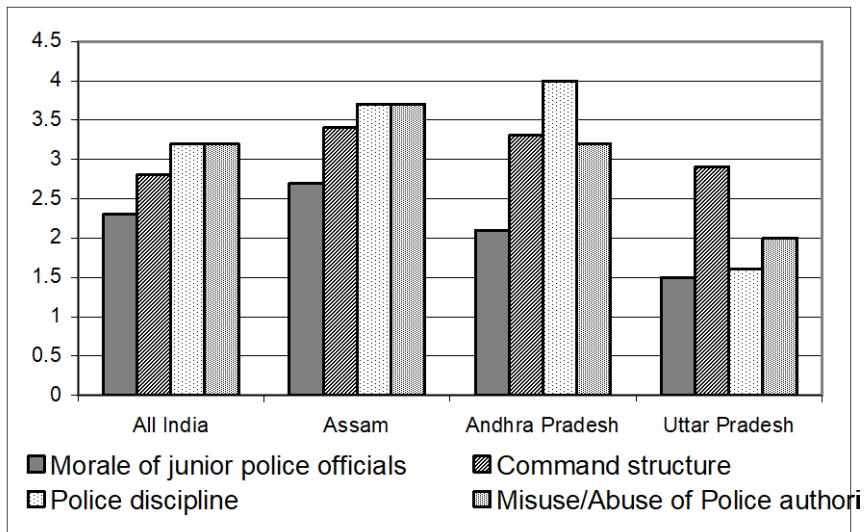


Graph 28: Perception of SP on impact of transfers on police organisation

The questionnaire identified some of the areas of police organisation, which had suffered due to current practice and policies relating to the transfer of SPs. Respondents in the rank of SPs felt that the most perceptible impact of uncertain and brief tenures was on leadership, organisational cohesiveness, command structure and discipline, as well as on the morale of junior officers. In Assam, SPs felt that frequent transfers severely undermined the morale of junior officials, while organisational cohesiveness and command structure did not suffer as much as discipline and leadership. In Andhra Pradesh, leadership, organisational cohesiveness and command structure were seen to be the most affected areas, as compared to discipline and morale of junior officers. In Uttar Pradesh, discipline was worst affected, followed by organisational cohesiveness, command structure, leadership and morale of junior officials. These perceptions were substantially confirmed in the responses of senior police officers. The impact was most visible in Uttar Pradesh and Andhra Pradesh.



Graph 29: Perception of senior officials on impact of transfers on police organization



Graph 30: Perception of General public on impact of transfers on police organisation

The general public respondents felt that the frequent transfer of SPs affected the morale of junior officers the most, followed by command structure and discipline. There was also a feeling that the practice results in misuse/abuse of police authority.

Insecurity of tenure also affects the SP's relationship with superior officers in the hierarchy, making them vulnerable to illegitimate pressures from his/her seniors. The strongest responses, in this regard, were noticed among SPs in Andhra Pradesh, followed by Uttar Pradesh and Assam. The general perception among SPs from Uttar Pradesh was that some of the senior officers had become highly politicised, while others displayed excessive concerns for caste affiliations. A common view that emerged during interviews was that senior officers failed to oppose inappropriate, incorrect and biased decisions by political leaders,

and there were increasing instances where senior officers were, in fact, party to the flawed decisions of the political executive.

The general perception among the common people was that an insecure tenure creates a system and culture of patronage and impunity in the police organisation. Such a perception of lack of accountability was strongest among the respondents from Uttar Pradesh followed by Assam and Andhra Pradesh.

Instability of tenure was also seen to contribute to the increasing influence of organised criminal groups in the decisions and functioning of the police organisation. Superior officers in Andhra Pradesh laid the greatest emphasis on such a trend. Insecurity of tenure also rendered the SP vulnerable to the local level criminal-politician nexus. A senior officer from Uttar Pradesh commented that the practice of destabilising a fair and honest SP has been perfected by the criminal-politician nexus to serve its interests. This perception was the strongest among superior officials in Assam followed by Andhra Pradesh and Uttar Pradesh.

III: RULES AND NORMS GOVERNING TRANSFERS

The general trend that emerges from an analysis of data in this study suggests that, in all three States, rules and norms governing transfers of SP were not implemented properly. Among the SPs, this perception was the strongest in Assam, followed by Uttar Pradesh and Andhra Pradesh. Among senior police officers, again, the perception was at its highest in Assam and Uttar Pradesh, while the situation appeared to be relatively better in Andhra Pradesh. The same trend was confirmed in the responses of the 'general public' category.

In all the three States, the government has not been consistent in applying rules and norms. The general view that emerged was that different sets of criteria seemed to exist for different officers at different times. It was observed, however, that the problem did not appear to lie in the transfer policy itself, but in the more general issue of how the process was managed. Every State has a transfer policy, which talks of a stable tenure and transfers only during a certain period of the year. Most SPs, however, felt that the current policy was open to widespread abuse. This perception was the strongest among SPs in Uttar Pradesh. The general impression, moreover, was that seniority and merit were definitely given the go-by in an overwhelming majority of cases.

The major reason for non-implementation or selective implementation of rules and norms is the centralisation of authority and the lack of checks and balances. In matters relating to transfers of SPs, the office of the Chief Minister has become all-powerful. The police department, and even the Ministry of Home Affairs, have been rendered relatively insignificant. Since the Chief Minister cannot personally assess the situation and performance of SPs in each district, politicians, more often than not, manoeuvre such decisions. In Uttar Pradesh, even low-level politicians have access to the Chief Minister, while the viewpoints of senior officers from the department are given little consideration.

In Uttar Pradesh, political instability is a significant reason that leads to frequent changes in the bureaucracy. Even in the absence of changes in the government, the Chief Minister frequently succumbs to pressure from dissident groups and factions within the party or the ruling coalition on matters relating to transfer and postings. Other factors

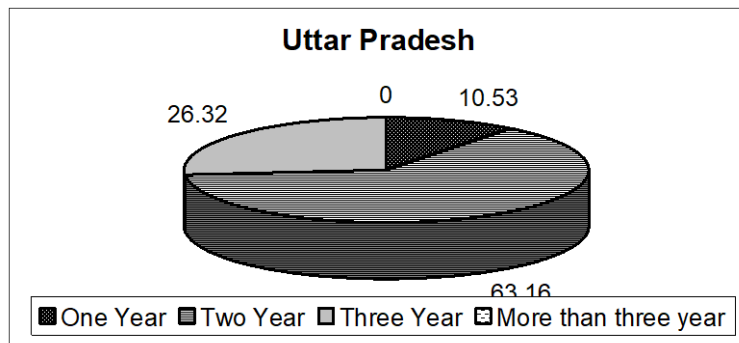
identified by respondents as reasons for the increasing trend to frequent transfers in the rank of SP included a failure of leadership at the DGP level; lack of perspective on policing issues on the part of the political leadership; and political imperatives, such as elections. Senior officers from Andhra Pradesh also cited the lack of political will to provide an efficient administration; lack of will on the part of the political leadership; and the absence of public pressure. One senior police officer from Andhra Pradesh said bureaucrats, particularly those who were inefficient and corrupt, were always against an established and transparent policy on transfers. In Assam, senior officers identified the politicisation of policing, corruption, the nexus with the political leadership, and a high degree of criminal operation and the incessant insurgency prevailing in the State, as the main hurdles in formulating and implementing a rational tenure policy.

There was general agreement that the formulation and implementation of a consistent transfer policy would be possible only if there was political stability in the State and the police organisation was free from day-to-day interference by the political class.

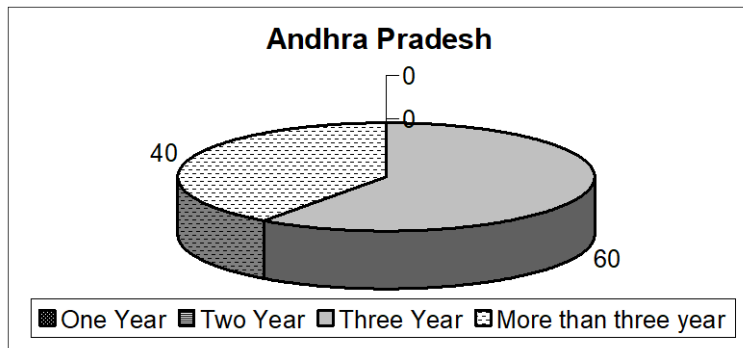
In the perceptions of SPs, elements within the police department were also responsible for poor implementation of rules and norms governing transfers. This perception was the strongest in UP, followed by Andhra Pradesh and Assam. During the field survey, a number of officers in Uttar Pradesh expressed the view that the police organisation was responsible for poor management because no one wanted to risk displeasing their political masters. The Personnel branch of the police department had, consequently, ceased to exercise any influence or control

over the transfer of SPs and was, in most cases, not even consulted. Even when consulted, there was no inclination to give professionally correct advice, and instead, there was great eagerness to curry favour with the political leadership. The interests of the department, of professionalism and efficiency, had clearly become a secondary concern for those who were charged with personnel management within the police organisation.

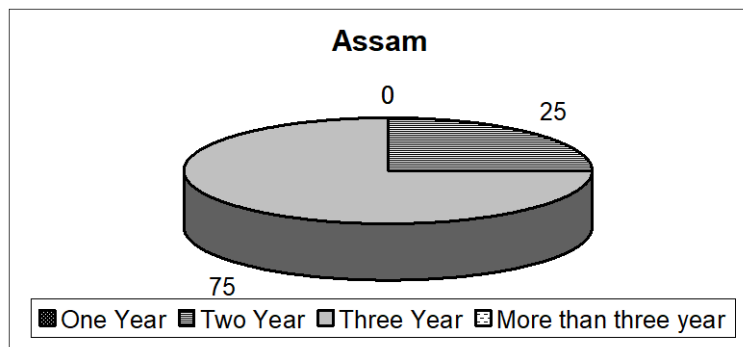
Most of the SPs expressed themselves in favour of a fixed tenure system. Senior officers from Uttar Pradesh suggested that SPs should be transferred only if the DIG range, IG zone and DGP concurred. There appears to be a consensus among officers that SPs should be given sufficient time to utilise their professional abilities and deliver results in the management of crime and law and order, before being moved out of a district.



Graph 31: Perception of SPs from Uttar Pradesh on tenure length



Graph 32: Perception of SPs from Andhra Pradesh on tenure length



Graph 33: Perception of SPs from Assam on tenure length

In Uttar Pradesh, 63.16 per cent of SPs in the study favoured a two-year tenure, 26.32 per cent favoured a three-year tenure, and 10.53 per cent of them said that SPs should be posted for at least a year. In Andhra Pradesh 60 per cent of SPs favoured a three-years tenure and the remaining 40 per cent felt that more than three years should be assured in a post. In Assam, 75 per cent of SPs felt that a tenure of three year would be appropriate for SPs, while 25 per cent of them were in favour of a two-year tenure.

Since the centralisation of the decision-making process relating to transfers of SPs was seen to have been among the primary causes of the poor implementation of rules and norms, the present study explored certain alternative policy options, including the vesting of greater powers with the Director General of Police and transfer by a collective impartial body as suggested by the National Police Commission.

On the issue of whether transfer of SPs should be the exclusive domain of the police hierarchy, divergent perspectives emerged. Some senior officers in Assam suggested that transfers of SPs should be left exclusively to a committee comprising the DGP as chairperson, with one ADGP and three IGPs as members. Officers from UP expressed apprehensions that, if the decision was left exclusively to the DGP, he would emerge as another arbitrary centre of power. Senior officers from Andhra Pradesh also felt that this option would not necessarily result in improvement, and that, at least on occasion, the political executive has a better perspective than the police hierarchy in matters relating to transfers. What was required, consequently, that certain objective parameters identifying the correct rationale that should govern transfers be defined and transparently implemented.

The common apprehension was that, unless the State police chief is chosen on principles of professionalism and integrity, and not his compatibility with the party in power, vesting the power of transfers in the DGP would serve little purpose. Theoretically, the role of the State police chiefs should be vital, but given their relationship with the political executive, such a proposition would fail to escape the existing hazards of the system. Most respondents among the general public in Assam also

rejected the option of vesting the power of transfer in the DGP. Their apprehensions were two fold: the vulnerability of the DGP to political pressure; and the fear of the concentration of power in a new centre.

The selection process of the State police chief assumes extraordinary significance within this context. A majority of the SPs in Uttar Pradesh and Andhra Pradesh felt that the process of selection of the State police chief has a direct bearing on the procedure relating to the transfer of SPs, though officers from Assam did not share this view. Among senior officers, this perspective was the strongest in Andhra Pradesh followed by Uttar Pradesh and Assam. The general public respondents felt very strongly about this in Uttar Pradesh, followed by Andhra Pradesh and Assam. Currently, the State police chief is handpicked by, and stays at his post at the pleasure of, the Chief Minister. In most cases, the DGP is a 'loyalist' and exerts little influence in matters relating to transfers of SPs. Such loyalty, on occasion, goes beyond professional propriety, and many police chiefs are perceived as being partisan in the extreme, virtually acting as if they are members of the ruling party. The general perception that emerged during the survey, however, was that the police leadership at the State level can make a difference in transfer policies if it is selected on the basis of merit and seniority.

The present survey did focus directly on the question whether the selection of the DGP through an impartial body would have a positive impact on the tenure policy for SPs. Senior officers, particularly those from Uttar Pradesh, felt strongly that an impartial DGP, selected on the basis of merit and seniority, would have a positive impact on the stability

of tenures for SPs. A more transparent selection process would also mean more accountability. If the DGP is not sure about his own tenure, there is little he can do about the stability of tenure for SPs. Only a fair and stable police chief can ensure a fair and stable SP under him.

A senior officer from Assam suggested that there should be an elaborate and clearly laid-down process for the selection of the DGP and chiefs of the CID and intelligence wings. Thereafter, the DGP should be allowed to select the SPs for the districts, and the State security committee should not ordinarily interfere, except on very specific grounds.

Another option explored by the study related to the transfer of SPs by a collective and impartial body. A majority of the SPs supported such an option, with the strongest assent coming from Andhra Pradesh followed by Uttar Pradesh and Assam. The general public category was also in favour of this option, with maximum support coming from respondents in Uttar Pradesh followed by Andhra Pradesh and Assam. Regrettably, most of States have no such body or impartial process.

There appeared to be a significant consensus that a collective and impartial body controlling transfers would lead to a reduction in the frequency of transfers, as well as to a reduction in the harassment of honest officers. The general apprehension expressed by most of the respondents, however, was that, if such a collective body was not free from all sorts of obligations and influences, it would serve no purpose. Many officers wondered whether such a collective body, for instance, the State Security Committee (SSC), could be free from political influence.

Only if such a committee is set up on strong footing, is not pliable and comprises of members who can resist extraneous pressure, would it be able to exercise a check on whimsical decisions made under political compulsion. Such a committee, consequently, could not be a creation of the Chief Minister. The composition of the SSC would have to reflect a plurality of perspectives and experience available in the police and political leadership, and in the civil society.

Senior police officials in all the three States felt that the recommendation of the National Police Commission should be implemented in this regard. The Commission had recommended that, to help the State governments discharge their superintending responsibility in a transparent manner under the framework of law, an SSC should be established in each State. The Committee should have the Minister in Charge of Police as its chairman, and with six other members, two of these from the State Legislature (one from the ruling and the other from the opposition party) and four to be appointed by the Chief Minister, subject to the approval of the State Legislature, from amongst retired judges of the High Court, retired senior government officers and eminent social scientists or academicians.

The National Police Commission had suggested that the SSC should generally review the functioning of the State police force and that the State police chief should be assured of a fixed tenure in office. The tenure may be for four years or for a period extending up to the period of retirement, whichever is earlier. The removal of the chief of police from his post before the expiry of his tenure should require the approval of the SSC. The Commission also recommended that the Chief of the State

Police should be selected from a panel of three IPS officers of that State and that a committee headed by the Chairman of the UPSC should prepare the panel.

Yet another option explored by the study related to limiting the role of the State government in the investigative role of the police. Most of the SPs interviewed felt that the State government's intervention in purely investigative matters should be severely limited, and that the police should be allowed to act in such matters in strict accordance with the law. Professional areas of policing should, by and large, be outside the purview of political interference. The National Police Commission had also suggested that the investigative role of the police should be beyond the scope of intervention by the political executive. To ensure this, some of the respondents also suggested the constitution of a committee to oversee the investigative role and activities of the Force.

It is not clear, however, whether such changes in the system can, in fact, guarantee an end to political interference in investigations. Even within the current system, the strict law does not see any significant role for the political executive, and certainly does not allow interference in criminal investigations, other than in matters of withdrawal of criminal cases from courts of law. In principle, all investigative work by the police is governed solely by provisions of the Criminal Procedure Code (CrPC). In practice, however, the State government exercises significant control, particularly in cases in which the interests of the ruling party are involved. This is largely done through informal mechanisms of political pressure on a pliable police leadership. Under the circumstances, as one respondent from Andhra Pradesh observed, unless alternative systems of

accountability are established within the police organisation, it is neither possible, nor, indeed, desirable, to completely remove the control of the political executive.

Nevertheless, the fact that it is highly desirable that the control of the State government be clearly and rigorously circumscribed in matters relating to investigations cannot be evaded. The present situation of large-scale political interference in the work of the Crime Branch, the CID, the Vigilance Department etc, is unacceptable and extremely damaging to the integrity of the Force the efficiency of its operations and its public credibility. Within this context, officers from Uttar Pradesh suggested that the government's right to transfer the investigation of cases to a particular agency, to approve prosecution in corruption cases and to withdraw cases from courts should be withdrawn or regulated by transparent norms and processes.

In all, the emphasis in the qualitative and quantitative inputs from all three categories of respondents in the three States covered by the present study was on professional policing, transparency of rules, norms and processes, objective criteria for decision making, and the evolution of suitable checks and balances, both on the political and police leadership, to restore the integrity of the Force, and of the processes that govern decisions relating to the stability of tenures, and the transfers and postings of officers.