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Prevention of Correction in India: Challenges Ahead



About the Author

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Prologue

The inception of corruption started with our opportunistic leaders who have done greater damage to our nation. People who work on right principles are unrecognized and considered to be foolish. Corruption in India is a result of the connection between bureaucrats, politicians, businessmen and criminals. Earlier, bribes were paid for getting wrong things done, but now bribe is paid for getting right things done at right time. Corporate sector corruption like less weighing of products, adulteration in edible items, charging high profit margin and bribery of various kinds have incessantly prevailed in the society. Tax evasion is one of the most popular forms of corruption. In municipalities and Nagar Nigams, in the assessment of property tax the officers charge money even if the house is built properly as per Government rules and regulations.

Political corruption is the worst in India. The major cause of concern is that corruption is weakening the political body and damaging the supreme importance of the law governing the society. Democracy, state security, rule of law, sovereignty and integrity, basic human rights etc are under the attack of corruption. Today, corruption is not the problem of India but it has become a global threat with global effects; it has become challenge to the whole community of civilized nations. Fighting corruption has emerged as a key development issue in India in recent years.

It is said that if corruption levels in India were reduced to levels in developed economies such as Singapore or the United Kingdom, India's GDP growth rate could increase at a higher rate annually. As a result there were no unemployment problem, no poverty and would be more development. Now the time has come that demon like corruption must be killed from the country.

Keeping this in mind a little endeavor is being made in this direction to get the solution for the problem of corruption by editing a book. For the purpose, the research papers were called from the different corners of the country. I hope this collection of papers will be useful for the academicians, researchers and policy makers in eliminating the corruption from the country. This book includes the following sub-themes:

- 1. Impact of Corruption on Economy**
- 2. Corporate Ethics & Corruption**
- 3. Avoidance of double tax agreements and corruption**
- 4. Anti-Corruption Movements & measures**
- 5. Various Kinds of Corruptions and their prevention**
- 6. Role of NGOs/Societies in sensitisation and controlling corruption**
- 7. International Cooperation to tackle Corruption**
- 8. Any other issue relating to the theme**

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Anti- Corruption Movements & Measures in India

1

Dr. S. K. S. Yadav

Abstract

Corruption is a double jeopardy for the poor, who are hardest hit by economic decline, are most reliant on the provision of public services and are least capable of paying the extra costs associated with bribery, fraud and the misappropriation of economic privileges. This paper provides a study of the current status of corruption in the country, various forms of bribery faced and efforts made by them toward the compliance program. It also talks about the impact of corruption on the economy, sector-wise corruption and how poor enforcement of existing laws has led to corruption. What is interesting to know in the paper are the different ways through which manipulations are done for their short term gains.

Keywords: *Bribery, bureaucracy, public officials, lack of penalties for corruption of public officials,*

Introduction:

Corruption can be defined as Wrongdoing on the part of an or through that are illegitimate, immoral or incompatible with. Corruption often from backup and is with. It can result in the diversion of public resources to private consumption and thus in the overall loss of the impacts that were intended to be of wider benefit. Thus it results in social inequality and widened gap between the rich and poor.

“An uncorrupted individual in a corrupted system will finally end up being corrupted himself except and unless he is constantly fighting against the corruption.”

– Jhurry Muhammad Anas

Given the state of India’s economic development, good governance is absolutely critical to give us a competitive edge and sustain growth. It is becoming increasingly evident that it is impossible to separate good governance and sustainable development. Public opinion suggests that high levels of corruption are associated with lower levels of investment. Corruption invariably increases transaction costs and uncertainty in an economy by lowering efficiency, by forcing entrepreneurs to divert their scarce time and money to bribery rather than production. It inhibits the development of a healthy marketplace and imbalances economic and social development by distorting the rule of law and weakening the institutional foundation on which economic growth depends. Corruption is a double jeopardy for the poor, who are hardest hit by economic decline, are most reliant on the provision of public services and are least capable of paying the extra costs associated with bribery, fraud and the misappropriation of economic privileges.

Very heavy amount corruption scams held in India:

- **2G Spectrum Scam of Rs 1658 crore.**
- **Commonwealth Games Scam of Rs.70000 crore.**
- **Telgi Scam of Rs.20000 Crore**
- **Satyam Scam of Rs. 14000crore**
- **Bofors Scam Rs 4000**
- **The Fodder Scam of Rs 950 crore**

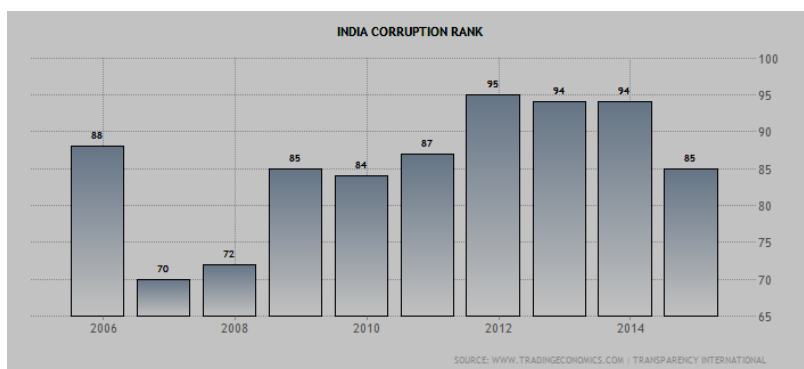
Asso. Prof., Deptt. of Commerce & Business Administration, Meerut College, Meerut

- **The Hawala Scandal** of US\$18 million
- **IPL Scam**
- Rs 4,000 crore **Harshad Mehta & Ketan Parekh Stock Market Scam**

Today, India is one of the most sought-after investment destinations. Several reports place India among the top three countries globally in terms of an attractive investment destination ranked by global corporations. While several positive factors such as a large and growing domestic market, favourable demographic profile and the availability of large pool of skilled manpower, have brought global investors to India, in terms of “ease of doing business”, India still has a long way to go.

India is the 85 least corrupt nation out of 175 countries, according to the 2014 Corruption Perceptions Index reported by Transparency International. Corruption Rank in India averaged 75.10 from 1995 until 2014, reaching an all time high of 95 in 2011 and a record low of 35 in 1995. Corruption Rank in India is reported by the Transparency International.

COUNTRIES	Corruption Rank	Reference	Previous	Highest	Lowest
Australia	11.00	Dec/14	9.00	13.00	7.00
Brazil	69.00	Dec/14	72.00	80.00	36.00
Canada	10.00	Dec/14	9.00	14.00	5.00
China	100.00	Dec/14	80.00	100.00	40.00
France	26.00	Dec/14	22.00	26.00	18.00
Germany	12.00	Dec/14	12.00	20.00	12.00
India	85.00	Dec/14	94.00	95.00	35.00
Indonesia	107.00	Dec/14	114.00	143.00	41.00
Italy	69.00	Dec/14	69.00	72.00	29.00
Japan	15.00	Dec/14	18.00	25.00	14.00
Mexico	103.00	Dec/14	106.00	106.00	32.00
Netherlands	8.00	Dec/14	8.00	11.00	6.00
Russia	136.00	Dec/14	127.00	154.00	47.00
South Korea	43.00	Dec/14	46.00	52.00	27.00
Spain	37.00	Dec/14	40.00	40.00	20.00
Switzerland	5.00	Dec/14	7.00	12.00	5.00
Turkey	64.00	Dec/14	53.00	77.00	29.00
United Kingdom	14.00	Dec/14	14.00	20.00	10.00
United States	17.00	Dec/14	19.00	24.00	14.00



Corruption in the country continues to be a problem tearing into the fabric of governance. There is corruption in all spheres, and people are adversely affected in their day-to-day life. Corruption is growing by leaps bound in India as the nation grows, the corrupt invent new methods of cheating the Government and public. More and more people, all over the world are demanding greater transparency and accountability from public. More and more people, all over the world are demanding transparency and accountability from public representatives. In May 2011, India ratified the United Nations Convention against corruption (UNCAC), an instrument that legally binds all the state parties, to take appropriate punitive and preventive measures to address the problem of corruption.

There is currently no exclusive legislation to check Corruption in the private sector in India. Existing legislative tools in India, such as Prevention of Corruption Act, 1988, do not expressly seek to punish corrupt acts by private parties, except to a limited extent through Sections and 9 (dealing with persons accepting gratification to use their influence on a public servant in the conduct of an official act) and section 12 (dealing with abetment, pursuant to which a person offering a bribe could be punished).

The draft Indian Penal Code (Amendments) Bill 2011 encompasses graft by an Individual firm, society, trust, association of individuals or company, whether incorporated or not, that undertakes any economic, financial and commercial activity.

Factors Contributing to Corruption in India

In a 2011 report on Corruption in India, one of the world's largest audit and compliance firms KPMG notes several causes that encourage corruption in India. The report indicates major causes as.

1. High Taxes,
2. Complex and Excessive Regulation,
3. Bureaucracy
4. Emergence of Political elite
5. Artificial Scarcity
6. Change in the value system and ethical qualities
7. Absence of strong public forum
8. Over population and widespread illiteracy

India has high marginal tax rates and numerous regulatory bodies with the power to stop any citizen or business from going about their daily affairs.

This power of Indian authorities to search and question individuals creates opportunities for corrupt public officials to extract bribes - each individual or business decides if the effort required in due process and the cost of delay is worth not paying the bribe demanded. In cases of high taxes, paying off the corrupt official is cheaper than the tax. This, claims the report, is one major cause of corruption in India and 150 other countries across the world. In real estate

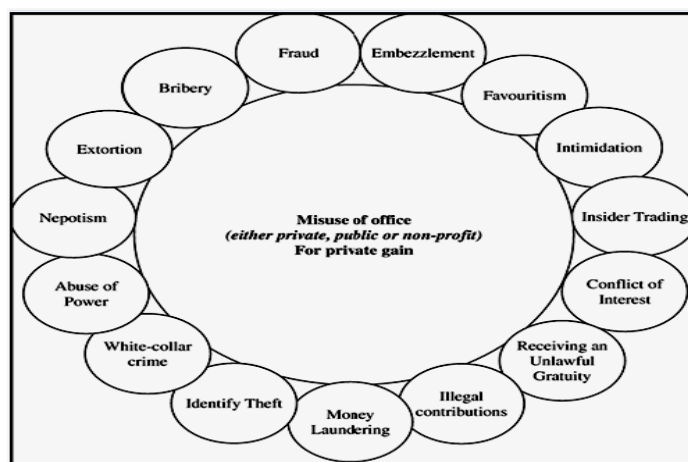
industry, the high capital gains tax in India encourages large-scale corruption. The correlation between high real estate taxes and corruption, claims the KPMG report, is high in India as well as other countries including the developed economies; this correlation has been true in modern times as well as for centuries of human history in numerous cultures.

The desire to pay lower taxes than those demanded by the state explains the demand side of corruption. The net result is that the corrupt officials collect bribes, the government fails to collect taxes for its own budget, and corruption grows. The report suggests regulatory reforms, process simplification and lower taxes as means to increase tax receipts and reduce causes of corruption.

In addition to tax rates and regulatory burden, the KPMG report claims corruption results from opaque process and paperwork on the part of the government. Lack of transparency allows room for manoeuvre for both the demanders and suppliers of corruption. Whenever objective standards and transparent processes are missing, and subjective opinion driven regulators and opaque/hidden processes are present, the conditions encourage corruption.

Vito Tanzi in an International Monetary Fund study suggests that in India, like other countries in the world, **corruption is caused by excessive regulations and authorisation requirements, complicated taxes and licensing systems, mandated spending programmes, lack of competitive free markets, monopoly of certain goods and service providers by government controlled institutions, bureaucracy, lack of penalties for corruption of public officials, and lack of transparent laws and processes.** A Harvard University study finds these to be some of the causes of corruption and underground economy in India.

Types of Corruption



The above Corruptions can be put into the following Types:

1. Petty Corruption

This is the everyday corruption that takes place at the execution end of politics to implement existing laws, rules and regulations. It can be defined as the use of public office for private benefit in the course of delivering a public service. This is practiced on a smaller scale. The direct victim of this kind of corruption is the citizen.

2. Corruption

Grand corruption is at the top levels of the public sphere, where policies and rules are made in the first place and is considered the most dangerous type of corruption. Public officers in high positions (such as councilors) usually accept bribes in the process of making decisions of

significant economic value and ensure that tenders or contracts are awarded to specific contractors. This occurs at financial, political and administrative centers of power.

3. Business Corruption

Business corruption is considered only as a means to accelerate business processes and often not regarded as a crime. Patrons claim that the end result is not affected but can be achieved quickly. Includes bribery, insider trading, money laundering, embezzlement, tax evasion and accounting irregularities.

4. Political Corruption

Political corruption is any transaction between private and public sector through which collective goods are illegally converted into private-regarding payoffs. This takes place at the high levels of the political system, when politicians and state agents use their authority to sustain their power, status and wealth. Political corruption not only leads to the improper allocation of resources, but also falsifies the manner in which decisions are made. It includes:

- voting irregularities
- nepotism (favouritism granted to relatives regardless of merit) and cronyism (favouritism granted to old friends regardless of merit)
- rule of a few
- false political promises
- paying journalists for favourable coverage of candidates and parties influencing voters by the distribution of money, food and/or drink
- holding on to power against the will of the people

5. Organized Corruption

A well-organized system of corruption in which there is a clear idea:

- of whom to bribe
- how much should be offered
- and are confident that they will receive the favor in return

Organized corruption is often carried out by crime gangs and syndicates and includes white-collar crime and identity theft.

6. Chaotic Corruption

A disorganized system where there is no clarity regarding whom to bribe and how much should be offered. Entrepreneurs may need to bribe several officials, but with no guarantee that they will not face further demands for bribes or that the things will be done.

Causes and Consequences of corruption

The following are Some of the Causes of Corruption:

- i. Lack of effective management and organization
- ii. Lack of economical stability
- iii. Lack of effective leadership
- iv. Lack of support
- v. Lack of values
- vi. Lack of love for country
- vii. Lack of proper system
- viii. Lack of satisfaction
- ix. Lack of autonomy
- x. Lack of good control and vigilance
- xi. Lack of good remuneration
- xii. Lack of employment

xiii. Lack of seats and educational institutions

Consequences of Corruption:

The consequences of corruption have many dimensions related to political, economic, social and environmental effects.

Political effects

Corruption retards democracy and the rule of law. Corruption may also result in negative consequences such as encoring acrimony and reducing political competition, interest of participation and the transparency of decision making, political instability, distorting political development and sustaining political activity based on patronage, clientelism and money, etc.

Economic effects

The economic effects of corruption have serious impact on the individual community and country. First and foremost, corruption leads to the depletion of national wealth. It is often responsible for increased costs of goods and services, the channeling of scarce public resources to uneconomic high profile projects at the expense of the much needed projects such as schools, hospitals and roads, or the supply of potable water, diversion and misallocation of resources, conversion of public wealth to private and personal property, inflation, imbalanced economic development and weakling work ethics and professionalism. Large scale corruption hurts the economy and impoverishes entire population reads a recent report on corruption.

Social effects

Social effects can have a strong effect on individual behavior. Corruption discourages people to work together for any good cause. Demanding and paying bribes becomes the tradition. Frustration and general indifference among the public result in a weak civil society. Laws cannot be enforced if officials can easily be bribed. The same applies to social rights worker protection, unionization prevention, and child labor. Violation of these laws and rights enables corrupt countries to gain illegal economic advantage in the international market.

Environmental effects

Corruption facilitates trafficking in wildlife and other natural resources, depletion of natural resources and pollution of environment through bribery in environmental inspections and permitting system. Corruption also contributes to the development of environmentally damaging policies and practices and to unlawful allocation of resources that leads to environmentally harmful practices.

Loss of credibility

A study on Bribery and Corruption in India conducted in 2013 by one of the largest global professional services firms Ernst & Young (EY), a majority of the survey respondents from PE firms said that a company operating in a sector which is perceived as highly corrupt, may lose ground when it comes to fair valuation of its business, as investors bargain hard and factor in the cost of corruption at the time of transaction.

According to a report by KPMG, "high-level corruption and scams are now threatening to derail the country's its credibility and [its] economic boom".

Economic loss

Corruption may lead to further bureaucratic delay and inefficiency as corrupted bureaucrats may introduce red tape in order to extort more bribes. Such inadequacies in institutional efficiency could affect growth indirectly by lowering the private marginal product of capital and investment rate. Levine and Renelt showed that investment rate is a

robust determinant of economic growth. According to the neoclassical growth model, institutional variables contribute to determining steady-state per capita income levels and speed of convergence to its steady state, hence affecting its growth rate.

Bureaucratic inefficiency also affects growth directly, such as through misallocation of investments in the economy. Additionally, corruption results in lower economic growth for a given level of income.

Lower corruption, higher growth rates

If corruption levels in India were reduced to levels in developed economies such as Singapore or the United Kingdom, India's GDP growth rate could increase at a higher rate annually. C. K. Prahalad estimates the lost opportunity caused by corruption, in terms of investment, growth and jobs for India is over US\$50 billion a year.

Impact of bribery and Corruption on India's Economy and Corporate Organizations

- Nearly 835 of respondents felt that the recent spate of reported scams may negatively impact on FDI inflows into the country.
- 73% of investors are expected to bargain hard and factor in the cost of corruption at the time of entering transactions.
- Nearly 50% of respondents said their companies have lost business to their competitors because of the latter's unethical conduct.

Myths and Facts about corruption

Find below some of the myths and facts about corruption given by the Irish Association of Non-Governmental Development Organizations.

Myth: Corruption is predominantly an African problem.

Fact: Corruption occurs everywhere where the risk of getting caught is low, and the rewards are high. Corruption is prevalent in all countries but corruption on a scale that threatens human rights and economic development is most likely where state structures are very weak, have broken down or are changing rapidly.

Myth: It is better to channel aid through NGOs rather than governments, who might waste it.

Fact: By-passing government systems effectively means undermining those governments own efforts to improve planning, budgeting and delivering services that reach all citizens. A study conducted by the OECD in 2006 found no evidence that aid channeled through developing countries governments is any more or less vulnerable to corruption than aid delivered through other channels. Monitoring and tracking expenditure, providing technical support to government accountability bodies, strengthening parliament's role in providing oversight, and supporting civil society watchdog groups are all effective ways to ensure that aid reaches those for whom it is intended.

Myth: Corruption is a matter of culture.

Fact: Corruption happens anywhere there is the right mix of opportunity and inclination; where those with power and influence can take advantage of others for their own private gain. Few would argue that Switzerland's secretive banking system is in their culture, in light of demands by Swiss NGOs to return money stolen by corrupt leaders to nations whom it was stolen from. Neither is it the case that Africans have a different understanding of corruption than ours. Afro barometer, an independent group that measures political attitudes in Africa, found that a significant majority of citizens condemn public officials who locate development

projects where friends and supporters live, who demand favors for state services and who give jobs to unqualified family members and friends.

Myth: People in developing countries can do little to curtail corruption.

Fact: Civil society watchdog groups and investigative journalists are active across the developing world in tracking the activities of governments, public sector bodies and private companies. Transparency is the greatest enemy of corruption: Given the right information and support, political parties and local organizations can do great job of monitoring public spending and demanding accountable administration. Fighting corruption, in both its demand and supply sides, is not simply a matter of cutting aid: The best way to fight corruption is to strengthen formal and informal systems and mechanisms for checks and balances: free and independent media, an effective judiciary system and active citizenship in fighting corruption. To fight corruption, investment is needed: Investment in education, in democracy, in legislation and in free media. And rich countries can help further, by introducing legislation ratifying the UN Convention Against Corruption; by pressing for better transparency and accountability in the World Bank, the UN and the EU; and by helping to make sure that no Irish companies give or take bribes to secure business.

Suggestions to Minimize Corruption

1. The first tool is education. We can minimize corruption with the help of education. According to a survey conducted by India today the least corrupt state is Kerala, the reason being that in Kerala literacy rate is highest in India.

2. We need to change the government processes. In India there is a rule that no person as a criminal shall be allowed as the MP or MLA. Unfortunately a fairly large number of them are a part of it. Therefore a major shift in the government processes and administrative policies can make them more public oriented.

3. We can reduce corruption by increasing direct contact between government and the governed. E-governance could help a lot towards this direction. Sivraj Patil said that the Right to information can ensure transparency. We have legal rights to know any information. According to this act, (Right to Information act 2005), generally people should follow the procedure of law given to them when there is no transparency and accountability in the working of public authority. This act would be of great help in order to control corruption.

4. Revising the act for its better implementation. Strong and stringent laws need to be implemented which gives no room for the guilty to escape.

5. Individual effort. We should be honest to ourselves. Until and unless we will not be honest, we cannot control corruption.

Indian Anti corruption Movement:

The peaceful movement led by Hazare was supported by the entire country. For the first time in decades it saw the urban middle class emerge spontaneously on the streets in huge numbers for a political cause.

The 74-year old Hazare, whose struggle is deeply inspired by Mahatma Gandhi, had wanted to stage an indefinite hunger strike in a park in New Delhi, vowing to fast until death unless the government accepted the movements demand to create an independent anti-corruption agency with sweeping powers, a so-called Lokpal, or ombudsman.

Attempts made by the Indian government to restrain anti-corruption movement in the country had backfired. After arrest of some 2,600 protesters, including the high-profile anti-corruption activist Anna Hazare, millions of Indians poured out into the streets to fight for a strong anti-corruption law.

The Jan Lokpal Bill, also referred to as the citizens' ombudsman bill, is a proposed independent anti-corruption law in India.

The salient features of Jan Lokpal Bill:

1. An institution called LOKPAL at the centre and LOKAYUKTA in each state will be set up.
2. Like Supreme Court and Election Commission, they will be completely independent of the governments. No minister or bureaucrat will be able to influence their investigations.
3. Cases against corrupt people will not linger on for years anymore: Investigations in any case will have to be completed in one year. Trial should be completed in next one year so that the corrupt politician, officer or judge is sent to jail within two years.
4. The loss that a corrupt person caused to the government will be recovered at the time of conviction.
5. How will it help a common citizen: If any work of any citizen is not done in prescribed time in any government office, Lokpal will impose financial penalty on guilty officers, which will be given as compensation to the complainant.
6. So, you could approach Lokpal if your ration card or passport or voter card is not being made or if police is not registering your case or any other work is not being done in prescribed time. Lokpal will have to get it done in a month's time. You could also report any case of corruption to Lokpal like ration being siphoned off, poor quality roads been constructed or panchayat funds being siphoned off. Lokpal will have to complete its investigations in a year, trial will be over in next one year and the guilty will go to jail within two years.
7. But won't the government appoint corrupt and weak people as Lokpal members? That won't be possible because its members will be selected by judges, citizens and constitutional authorities and not by politicians, through a completely transparent and participatory process.
8. What if some officer in Lokpal becomes corrupt? The entire functioning of Lokpal/Lokayukta will be completely transparent. Any complaint against any officer of Lokpal shall be investigated and the officer dismissed within two months.
9. What will happen to existing anti-corruption agencies? CVC, departmental vigilance and anti-corruption branch of CBI will be merged into Lokpal. Lokpal will have complete powers and machinery to independently investigate and prosecute any officer, judge or politician.
10. It will be the duty of the Lokpal to provide protection to those who are being victimized for raising their voice against corruption.

Author Chetan Baghat said-

[Hazare's] non-violent yet aggressive, Gandhi-like method of protest, together with his anti-corruption cause, struck a chord with Indians. Thousands of non-government organizations fight for social causes every day in India, but none has ever achieved this kind of support. From rickshaw drivers to software engineers, from businessmen to spiritual leaders, people from all walks of life back Anna. So do I.

In a serious lapse of judgment, the government arrested Anna from his home on the morning of 16 August. News spread, and the nation exploded on to the streets. By evening, the government wanted to release him. In a masterstroke, Anna refused to come out of jail, and continued his fast there. The country is in frenzy, and the government is in a fix.

The New York Times reported:

Fueled by obsessive coverage on Indias all-news television networks, [Hazare's] jailhouse protest had clearly captured the imagination of the country, and appeared to back government leaders into a political corner. Elsewhere in India, protests were held in major cities, as well as in villages and across many states.

Corruption is a source of growing public anger and frustration in India, as well as a yoke threatening to drag down the national coalition government led by the Indian National

Congress Party. Mired in scandals for months, Congress Party leaders have attempted to convince the public that they are cracking down on corruption, yet public skepticism remains high.

The Indian journalist Seema Sengupta wrote:

Once conferred with the third-highest civilian honor of the land, he has now been arrested and is facing the wrath of the ruling Congress party for his effort to retrieve Gandhis legacy of nonviolence at a time when India is struggling to fetter the home-bred rebellions shattering the nations tranquillity.

Short-changed by the ruling establishment, Indias modern-day Gandhi threatened a fast unto death. The public, livid at the governments pernicious attempt to defame a person who has appropriated the most potent symbol of nationalism in Indian history took to the streets in vast numbers. Ired by administrative apathy towards the widespread abuse of authority, people on the street are now desperate to unearth the reason for a ruthless assault on civil liberties. What prompted this sudden high-handedness? Who is behind the orchestrated smear campaign against the anti-corruption activists?

Independent political analyst Prem Shankar Jha said-

We had a paternalistic government handed down to us from the imperial days we draft a bill and we pass the bill, we never consult with you, we never bring any outsiders in,” says Jha. “We want to do everything ourselves which means we want to keep power in our hands. This total monopoly of power masquerading as paternalism has been smashed. In this particular occasion, the government was forced in parliament to approve the key elements of the peoples draft. Now that is the end of paternalistic government in India and the beginning of real empowered democracy.

Kiran Bedi said-

Anna does not have any political inclination, but we will oppose all those political parties that oppose the Jan Lokpal Bill. We have nothing against any political party. Our entire movement is apolitical, as is very clear now. What Anna has envisioned is a strong Jan Lokpal free of political and bureaucratic interference so that it can function independently.

Celebrity tweets on Anna Hazare’s movement

* **Actor Anupam Kher** tweets “Anna Hazare, Kiran Bedi and Arvind Kejriwal arrested even before they reach JP park. Saddest day for Indian Democracy.”

* **Actor R. Madhavan** tweets “This move and method of preventing Anna Hazare is, in my opinion, most foolish and silly high handed act by the authorities. Big Mistake”

* **Director and producer Madhur Bhandarkar** tweets We totally condemn d arrest of Anna Hazare... Voices of people like Anna can’t be muffled by detaining them... He stands today as d voice of 120 crore Indians...”

* **Actor Sidharth** tweets Democracy was supposed to be citizens represented by citizens in parliament. Today its become us vs. them. Tomorrow new unknown citizens participating in rule making might just increase the numbers of the them, and the cycle will continue, if not done with solid constitutional amendments and instruments of supervision and transparency. Anna Hazare could easily be transformed into an unwilling politician and thats the last thing he or any of us wants.

* **Actor Prakash Raj** tweets Voice against CORRUPTION. The journey has just begun. I BELIEVE if we stay together on this it will turn into a lovely song for our future!

* **News Anchor and Journalist Vikram Chandra** tweets, Lots of people had issues with Anna’s approach. But they will be horrified at seeing him sharing jail space with Kalmadi

* **Kiran Bedi, a retired IPS officer and member of team Anna**, tweets Tweeples urge u stay alert. Lokpal without investigation powers is mere form without substance. Past corruption remains buried with CBI

* **Actress and Rajya Sabha member Shabana Azmi** tweets, We condemn the arrest of Anna Hazare and his team and the ban on the proposed fast. Right to protest peacefully is a democratic right.”

* **Poet and screenwriter Javed Akhtar** tweets, “I have had certain reservations about Anna’s method but his arrest cannot be condoned. It is undemocratic, unacceptable.”

* **Actress Minissha Lamba** tweets, “Happy I-Day India! Gr8 going by ARRESTING Anna Hazare. Show d world how ready we r 2be a superpower! India NOT Shining”.

Civic Anti-Corruption Organisations

A variety of organisations have been created in India to actively fight against corrupt government and business practices. Notable organisations include:

- Bharat Swabhiman Trust, established by Ramdev, has campaigned against black money and corruption for a decade.
- 5th Pillar is most known for the creation of the zero rupee note, a valueless note designed to be given to corrupt officials when they request bribes.
- India Against Corruption was a popular movement active during 2011-12 that received much media attention. Among its prominent public faces were Arvind Kejriwal, Kiran Bedi and Anna Hazare. Kejriwal went on to form the Aam Aadmi Party and Hazare established Jan Tantra Morcha.
- Jaago Re! One Billion Votes was an organisation originally founded by Tata Tea and Janaagraha to increase youth voter registration. They have since expanded their work to include other social issues, including corruption.
- Association for Social Transparency, Rights and Action (ASTRA) is an NGO focused on grass-roots work to fight corruption in Karnataka.
- The Lok Satta Movement, has transformed itself from a civil organisation to a full-fledged political party, the Lok Satta Party. The party has fielded candidates in Andhra Pradesh, Tamil Nadu, and Bangalore. In 2009, it obtained its first elected post, when Jayaprakash Narayan won the election for the Kukatpally Assembly Constituency in Andhra Pradesh.

On 4 June 2011, Ramdev launched the Bhrashtachar Mitao Satyagrah at Ramlila Maidan, New Delhi. Key demands were:

- Declare all illegal wealth/black money lying in foreign countries, which belong to Indians as National Property.
- Declaring money laundering as a National Crime and should be punishable.
- Investigate and shut down the Mauritius route of foreign investment.
- Sign and ratify the United Nations Convention Against Corruption, pending since 2006
- Recall Rs. 1000 and Rs. 500 notes to curb corruption, bribery and illegal flow of money in the internal economy of the country.
- Enact a strong Lokpal bill.
- Establish infrastructure to deliver medical and engineering education in Indian languages.
- Enact Public Service Delivery Guarantee Act to enable all citizens to avail government/public services easily and quickly
- Enact the Kisan Vetan Ayog to establish standards for payment of wages to farmers and classify farming as skilled labour.

Other Anti-corruption Efforts made In India

1) Right to Information Act

The 2005 Right to Information Act required government officials to provide information requested by citizens or face punitive action, as well as the computerisation of services and the establishment of vigilance commissions. This considerably reduced corruption and opened up avenues to redress grievances.

2) Right to public services legislation

Right to Public Services legislation, which has been enacted in 19 states of India, guarantee time bound delivery of services for various public services rendered by the Government to citizen and provides mechanism for punishing the errant public servant who is deficient in providing the service stipulated under the statute. Right to Service legislation are meant to reduce corruption among the government officials and to increase transparency and public accountability.

3) Anti-corruption laws in India

Public servants in India can be penalised for corruption under the

- Indian Penal Code, 1860
- Prosecution section of Income Tax Act, 1961
- The Prevention of Corruption Act, 1988
- The Benami Transactions (Prohibition) Act, 1988 to prohibit benami transactions.
- Prevention of Money Laundering Act, 2002

India is also a signatory to the United Nations Convention against Corruption since 2005 (ratified 2011). The Convention covers a wide range of acts of corruption and also proposes certain preventive policies.

The Lokpal and Lokayuktas Act, 2013 which came into force from 16 January 2014, seeks to provide for the establishment of the institution of Lokpal to inquire into allegations of corruption against certain public functionaries in India.

Whistle Blowers Protection Act, 2011, which provides a mechanism to investigate alleged corruption and misuse of power by public servants and also protect anyone who exposes alleged wrongdoing in government bodies, projects and offices, has received the assent of the President of India on 9 May 2014, and (as of 02 August) is pending for notification by the Central Government.

At present there are no legal provisions to check graft in the private sector in India. Government has proposed amendments in existing acts and certain new bills for checking corruption in private sector. Big-ticket corruption is mainly witnessed in the operations of large commercial or corporate entities. In order to prevent bribery on supply side, it is proposed that key managerial personnel of companies' and also the company shall be held liable for offering bribes to gain undue benefits.

The Prevention of Money Laundering Act, 2002 provides that the properties of corrupt public servants shall be confiscated. However, the Government is considering incorporating provisions for confiscation or forfeiture of the property of corrupt public servant in the Prevention of Corruption Act, 1988 to make it more self-contained and comprehensive.

A committee headed by the Chairman of Central Board of Direct Taxes (CBDT), has been constituted to examine ways to strengthen laws to curb generation of black money in India, its illegal transfer abroad and its recovery. The Committee shall examine the existing legal and

administrative framework to deal with the menace of generation of black money through illegal means including inter-alia the following: 1. Declaring wealth generated illegally as national asset; 2. Enacting/amending laws to confiscate and recover such assets; and 3. Providing for exemplary punishment against its perpetrators. (Source: 2013 EY report on Bribery & Corruption)

The Companies Act, 2013, contains certain provisions to regulate frauds by corporations, including, increased penalties for frauds, giving more powers to Serious Fraud Investigation Office, mandatory responsibility of auditors to reveal frauds, and increased responsibilities of independent directors. The Companies Act, 2013 also provides for mandatory vigil mechanism which allows directors and employees to report concerns and whistleblower protection mechanism for every listed company and any other companies which accepts deposits from public or has taken loans more than 50 crore rupees from banks and financial institutions. This intended to avoid accounting scandals such as the Satyam scandal which have plagued India. It replaces The Companies Act, 1956 which was proven outmoded in terms of handling 21st century problems.

In 2015, the Parliament passed the Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Bill, 2015 to curb and impose penalty on black money hoarded abroad. The Act is pending for assent of the President of India.

4) Anti-corruption police and courts

The Directorate General of Income Tax Investigation, Central Vigilance Commission and Central Bureau of Investigation all deal with anti-corruption initiatives. Certain states such as Andhra Pradesh (Anti-Corruption Bureau, Andhra Pradesh) and Karnataka (Lokayukta) also have their own anti-corruption agencies and courts.

Andhra Pradesh's Anti Corruption Bureau (ACB) has launched a large scale investigation in the "cash-for-bail" scam. CBI court judge Talluri Pattabhirama Rao was arrested on 19 June 2012 for taking a bribe to grant bail to former Karnataka Minister Gali Janardhan Reddy, who was allegedly amassing assets disproportionate to his known sources of income. Investigation revealed that India Cements – one of India's largest cement – had been investing in Reddy's businesses in return for government contracts. A case has also been opened against seven other individuals under the Indian Penal Code and the Prevention of Corruption Act.

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‘Corruption’ Its Sources and Solutions

2

Dharmendrasinh G. Rana

Once a man sees a tree close to his home, it started wilting. As he fond of nature, greenery of herbs and trees, he dislikes that wilting tree and seriously started thinking to stop its wilting and make its leaves again become green and groom. Out of the mental struggle he got an idea to make it green again and immediately started working upon it. He purchased dark green paint and number of brushes from the shop and started painting that tree from the bottom to top with the help of a ladder.

Upon witnessing serious and sincere efforts of that nature lover, one wise person who was passing by from the way laughed at him. He suggested, “Oh man.. Don’t paint the tree and its leaves to make green! Think of the cause of its wilting.. That is autumn, I mean lack of humidity in its roots. So, If you really wish to see this tree green again, please go and put the water and fertilizer with necessary ingredients in its roots. Your endless and courageous efforts will certainly make this tree green again.”

This story is just like a fairy-tale, but it is very significant with the present scenario of our country, we found lots of hue and cry against corruption everywhere. Our politicians frequently talks on corruption. Our religious and social leaders found time and again raising their voice against corruption. Not only that, law makers and law protectors also very seriously discussed this issue at length in its judicial pronouncement. But all in vain.. Instead of decreasing, ‘corruption’ is continuously towering to touch the sky. In every new scam, amount of scam left behind previous one.

We are frequent to hear breaking News of novice and big scams on visual media and even in Newspaper headlines as well. From the beginning of our independence to till date our country witnessed a number of scams and thousand of corruption cases. It is ground reality that, Corruption in terms of monetary benefit or gaining something by illicit means become usual in our day to day business.

We can hear at every corner of public gathering talks of corruption and blame some particular class of people, i.e., leaders and public servants. Even it is a bitter truth, that we have legal provisions to curb corruption of only that particular class. Further, it is also worth to note that, we always meant to understand the term ‘corruption’ in its superficial meaning, that is ‘dishonest monetary advantage other than legal remunerations’.

If we desire eradication of corruption or if “We the people of India” really wish to overcome with this disease, what we need to do is,

- A) To find out the root cause of corruption,
- B) Thereafter make an endeavor to remove putrefaction and
- C) To enrich it with water and necessary supplements,

I am sure; the wilting tree of civilization would automatically bloom. If we go through the history of our country and gaze upon previous efforts which we have made to curb corruption, it can put as under.

History of Legislations to curb corruption

By the term ‘corruption’ what we actually understood and what the law intended to remove is only bribe taking or giving in performance of one’s official duty. We have had penal provisions against corruption in Indian Penal Code since 1857. Thereafter, our legislature formed special Act called as PREVENTION OF CORRUPTION ACT. To put a

Assis Public Prosecutor, Govt. of Gujarat

check on governmental machinery, we have Right to Information Act.2005. This has given power to seek information to every citizen of India. But it is a surface reality that all efforts fall short to curb corruption. Hence, we have looked with a steady gaze on LOKPAL BILL this dream also converted in to reality and LOKPAL AND LOKAYUKTA ACT is now a reality. At this juncture, I must note that whether this statute fulfills the aspirations of public against corruption is different subject which is not aimed here to discuss.

Can strong legislation is Enough to curb Corruption.?

Our optimistic hope to curb 'corruption' through strong legislation is reasonable, but unless we understand 'corruption' in its real meaning and unless we remove its very cause and start curing this disease from its roots, it could not control. We all dislike corrupt practice in government offices. All the people from everywhere and out of all strata of society abuse Politicians, Police, Public Servants and so on for corruption and wanted to stop all corrupt practice. But, can statute is enough sufficient to stop, is still puzzling question. I wish all of us to introspect and ask our conscience that, Am I not corrupt..? You may easily answer 'yes' and say, I have never demanded bribe from anyone. Any person with high moral character can prevent himself from 'corrupt practice' which is penalized by statute, but it is not possible for any mankind to remain intact in the general meaning of 'corruption' which is a source. We must look for its common meaning.

Lateral Meaning of Corruption

Here, I am not intending to define 'corruption' as per statute book, but in order to remove or overcome 'corruption' which is penalized in statute book/Act and committed only by public servant, we must understand the basic meaning of corruption. In Hindi Devnagari script Corruption means "BHRASHTACHAR" Term consist of two words 'BHRASHTA' and 'AACHAR'. Now if we define the dictionary meaning of term 'BHRASHTA' it means fallen (from above); depraved; vicious, sinful, polluted, defiled; corrupt. And then 'AACHARA' means behavior, conduct; good conduct; sacred precept; rules of conduct prescribed by the scriptures or some authority; good manners.

As The term 'corruption' 'bhrashtachar' is a euphonic union or coalition of 'bhrashta' and 'aachar' letters, we may derive its meaning as follows-

- 1) Fallen behavior or conduct
- 2) Depraved or vicious conduct
- 3) Not good conduct
- 4) Polluted or corrupt behavior against sacred precept
- 5) Receive the benefit to which is not actually entitle
- 6) Take a bribe
- 7) Misuse of position or power

These lists are still not complete and may ever remain incomplete... This all are seeds from where the offense of corruption is sprouted.

Who is non-corrupt..?

Now, if everyone of us inquire within ourselves with conscience and ask one simple question that.. Am I, not corrupt..? I hope if you are human being and not almighty God or pious deity, your conscious answers you in negative.

We have penal provisions against corruption for public servant, police and now politicians also included through The Lokpal and Lokayukta Act, but unfortunately we have no penal provisions against corruption of Industrialist, intellectual giants like doctors, engineers, lawyers, Chartered Accountants and so on. We have no penal provisions for businessman who corruptly gains profit. We have no penal provisions for landlords and wealthy people, who evidently exploit poor and downtrodden people with their power. Most of us have somewhere and sometime committed corrupt practice, but it remain unpunished.

Here I must make it clear that, it is not possible to frame new penal provisions for such endless corrupt practices. I just want to emphasize that, to remove the corruption of public servants, etc. counterpart of society should not be overlooked. Until we change the mindset of society as a whole and implant high moral values within new generation, empire of corruption which is spreading everywhere can't be eradicated.

So, the crucial question now arises.. That; political leaders, public servant are part and partial of society, without transformation of the whole society, how any specific part of society remains free from corruption.?

So, What should be our efforts to curb corruption.?

If every one of us is corrupt either more or less in degree, then our efforts to curb corruption should be aimed to strengthen whole society. Our legislation should adhere strictly to the Directive Principles of State Policy of our Constitution. I would like to draw attention to one of striking and important provision of our constitution, which is envisaged in article 38 directive principles of state policy.

“ARTICLE 38 : State to secure a social order for the promotion of the welfare of the people

[(1)] The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life.

[(2) The State shall, in particular, strive to minimize the inequalities in income, and endeavor to eliminate inequalities in status, facilities and opportunities, not only amongst individuals, but also amongst groups of people residing in different areas or engaged in different vocations]”

This provision has great relevance with embezzlement or corruption. In most of the cases mother of corruption is any one of above-mentioned inequality. When one class of society becomes wealthy, and another class is asked to rule upon them, corruption will automatically increase. We are crying for socialism and equality, but we have vigorously thrown out spiritualism (religious faith).

In order to give a complete blow to embezzlement and corruption our country we must fight at three battlefields. 1) Individual 2) Government 3) Society is required.

1)Individual Efforts

It is true that, every time, we behave corrupt or fallen, its reasons are first, we lose faith in values and second, we have uncontrolled desires. When we, as a citizen of this pious country, forget the sacrifice of selfless patriots, we start commit corruption. Any person when he commits corruption his world becomes limited to him or his beloved only. If he had previously been taught the lesson of our scripture ‘*वसुधैवकुटुंबम्*’ *vasudhaiva kutumbakam*’ ईशावास्यमिदं सर्वयत्किञ्च जगत्यां जगत्तेन त्यक्तेन भुञ्जीथा मा गृधः

कस्यश्चिद्वनमिदं शिवद्वयम् *ishavashyamidam sarvam yatkinch jagtyam jagat ten tyakten bhunjeetha ma grudhah kashyashvid dhanam*’ meaning thereby, ‘All this here, is permeated by Brahman

[The Supreme Soul],

Whatever there is in this world. Enjoy things by renunciation. Do not covet wealth its belongs to no one.’ Upanishads which are praised and well known as the pinnacle of human wisdom. But, unfortunately we have lost faith in our own esteemed cultural greatness.

Every citizen should be faithful. Not merely for religion, but also to construct a society with high moral values, this faith make us a real secular. My understanding of secular is not DHARMANIRPEX (No expectation from religion) but ‘faithful’. ‘Faith’ is very important for mankind, I would like to emphasize on the preamble of the Constitution. It envisaged ‘to secure LIBERTY of thought, expression, belief, faith and worship.’ I think this is a very important aspect which require due consideration for the betterment of democratic atmosphere

in our country. Until we respect and establish faith in the mind of every citizen, the desire to secure JUSTICE, LIBERTY, EQUILITY to all citizens and to promote FRATERNITY among them, only remains between the cover pages of our holy book (Constitution of India).

As an individual we all should respect the constitution and strongly adhered to its fundamental duties. Our preamble of the constitution and its fundamental duties represents our basic quality and identity.

We need to confess for wrong deeds and take self expiation

ATONEMENT OR EXPIATION for every corrupt deed which is not discovered or cannot be penalized. In the ancient India We have great scripture like *smritis* in which complete and well established jurisprudence is included. In the *YAGYAVALKYA SMRITI* and in one other scripture *PRAYASHCHITTA MAYUKH* ways are described for expiation of the deeds to which any person feels guilty. There is a procedure for discharging this feeling. Way to expiate for self wrong deeds or evil thoughts are the basics of what we called as *DHARMACHARAN*. Even in Mohmadens there is a command to keep Roza, in Jainism there is performance *PRATIKRAMANA* to become pure again while in Christians there is methods of confession before a priest.

But, we as a nation forgotten all this holy ritual and ancient methods of jurisprudence and stupidly adopted foreigners jurisprudence. Our religious scriptures are meant for purifying and protect our conscience to further commission of such wrong act. On the contrary, we have established that nothing is an offense which is not clearly branded as an offense. It's a complete controversial belief.

One of the way of transforming oneself into a powerful and strong moral personality is the adherence to the value of an "IDEAL Or HERO". It was a time when Swami Vivekanand, Gandhiji and Sardar Patel were ideals of Indian youth, while now they are replaced with wealthy people or film hero and heroine, obviously the material which transfers from such ideals make a person crazy for worldly things.

In the conclusion as an individual we require to follow following norms to overcome corruption.

- a) We must be faithful and respect other's faith;
- b) Strictly follow preamble and fundamental duties;
- c) The clear perception that worldly things like money, power or other wealth cannot make real happiness.
- d) Establish own moral standards, according to status and expiate for every fallen deed;
- e) Everyone must have a perfect 'HERO' for his every duty to follow;

Legislative/Government

In order to curb the corruption.. What the government need to do is, to prepare all its policy, planning and the system aiming to reduce inequality of income, status etc among citizens in consonance with the letter and spirit of Article 38. This article should be the foundation stone to construct great democratic BHARAT.

As a state, every act which is against this fundamental expectation of directive principles is required to be declared forbidden immediately. The following are its striking examples. A person who is member of politics, executives, judiciary, police or armed forces enjoys a higher status in India as they are powerful. Secondly, people who are wealthy businessman, intellectual professionals like lawyer, Chartered Accountant, Doctors, Journalists, Engineers, Religious masters should not be treated specially anyway. This heed would be resulted in decreasing the feelings of inequality between citizens. Equal distribution of wealth, natural resources and state property as well between all its citizens should be the motto of every government.

As early as possible, opportunity for basic things like shelters, food and education, medication should be available and affordable for poorest citizen. To serve this purpose Government may either increase income of poorest citizen or takes back extra earning through other way (tax).

To achieve this goal KAUTILYA'S principle is required to be adopted.

We are still living in the shadow of colonial rule as there is a special status to some dignitaries and constitutional post holders. Special status to President, Governors, Judges, Ministers, Secretary should be stopped immediately. In our country, no one is higher than constitution. Protection to VIP is necessary but special treatment and special status like colonial rulers or king to these dignitaries create a sense of inequality in the common citizen.

Simplify procedures of government permissions, sanction, licenses, registrations and other paper works and Endeavour to make it paperless in order to reduce scorning of people. It is also required to but maximum time limit to clear every file and fix the responsibility of concern public servant for the delay. It's very admirable that the Government of Gujarat has already enacted Gujarat (Right of Citizens to Public Services) Act, 2013 which provide limitations to every work.

Society

Corruption is a crime which seriously affects society and its well knitted fabric. To curb corruption in society it is required to strengthen its religious and educational institutions. They play a vital role in building individual character. If the systematic study of corrupt people is done, one common thing is derived from every corrupt person is his lack of strength to overcome such temptation. In the present scenario we must worry as a society that, we have lost quality in all institutions. We are witnessing a number of examples in society, where religious heads themselves performs corrupt practice, educational institutions are blindly running for money making, political parties have lost their principles and intellectuals become selfish.

Even we also forget the real purpose of education to bring out good qualities in generation and consider education need for money making. So, as a society we must reconstruct educational and religions institutions.

Conclusion

Corruption is very serious epidemic of any country and require to be swept out vigorously. To solve this purpose making new legislations is not enough. For corruption free India we must return to our ancient civilization. We must renovate our educational structure. We must sincerely start working to achieve the goal of our Directive Principles of State Policy and to give importance to merit, quality and ethics of individual as well. We, as a whole society must start respecting such persons. And last but not least. We all as an individual be faithful to conscience, religion and country. I hope "We the Indian" can remove corruption and built a better Bharat.

Written by

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ASSISTANT PUBLIC PROSECUTOR
JUDICIAL MAGISTRATE(F.C) COURT. SURAT

Prevention of Corruption in India : Challenges Ahead

3

Dr. Krishna K Verma

Corruption is dishonest, lack of integrity, violation of duties or fraudulent conduct by those persons who are in power. It destroys people's trust .

Corruption has been endemic throughout India. It exists from not today but it is an evil which is en-rooted from past. It has adversely affected Indian economy. In 2015, India was ranked 85th out of 175 countries in Transparency International's Corruption Perceptions Index, Corruption degrades the quality of the services and also ruins the life of the common man. India is one of the countries highly affected by this threat called corruption. In India the maximum number of cases of corruption is found in the entitlement programmes and social spending schemes of the Indian government as MGNREGA and NRHM. Other daily sources of corruption include India's trucking industry which is forced to pay billions of rupees in bribes annually to numerous regulatory bodies and police stops on its inter-state highways. In the business, there are many types of corruptions are found as bribery, insider trading, money laundering, graft, embezzlement, tax evasion and accounting irregularities. Resources are tampered with and used improperly and efficiency in the business suffers. When the news about corrupt professional breaks, the customers lose respect and trust in that business. There will be weakened development due to corruption. Investors are skeptical of doing business with those companies and municipalities that are known for corruption. If a company have a corruption record or unfairly practices, investors will not favour you and will not grow with you.

Crime is increasing due to corruption in business. You have to face the police department and investigating agencies also. It feeds the black market interests and sometimes it may support the efforts of organized crime. The effect of corruption in emerging third world countries is evident and widespread.

As a result there are major corporate frauds as Satyam Scam and 2G Spectrum.

In nut shell we can say that corruption inevitably leads to a diminished business climate when the public trust is put at risk.

Thus it seems that our corporate governance system has failed. There is a need for appropriate governance rules to ensure effective functioning of the corporate bodies in India.

Avoidance of Double Taxation: If any income that is subject to twice taxation, it is called double taxation. Income can be from any head of income as salary, house property, business , capital gain and other source. Some examples of double taxation can be as-

1. Any income earned by a citizen in a country if it is remitted back to his home country, is taxed there again.
2. Profit on sale of immovable property situated in a foreign country made by a resident citizen.

Double Taxation Avoidance Agreement (DTAA)- India has done a treaty with 38 countries regarding double taxation. If you pay the tax in a county, but you are avoiding the tax in the resident country, it will be the problem of double taxation.

Politicians are also doing various corruptions as voting irregularities, nepotism and cronyism, rule of a few, false political promises, paying journalists for favourable coverage of candidates and parties, influencing votes by distribution of money, food and/or drink, holding on to power against the will of the people.

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Many public officials are alleged to steal state property. In cities and villages throughout India, consisting of municipal and other government officials,

Judicial corruption is also found in India due to delays in the disposal of cases, shortage of judges and complex procedures, all of which are exacerbated by a preponderance of new laws.

Reasons Contributing Corruption

a. A Network of High Taxes:

- High taxes and excessive regulation bureaucracy are the major causes of corruption in India. This power of Indian authorities create opportunities for corrupt public officials to extract bribes. If there are delays in the process, in order to remove the delays, an individual or businessman decides to pay the bribe demanded by official. In cases of high taxes, paying off the corrupt official is cheaper than the tax. This is one major cause of corruption in India
- In real estate sector, the high capital gains tax in India encourages large-scale corruption. The correlation between high real estate taxes and corruption is high in India as well as other countries including the developed economies.
- The desire to pay lower taxes than those demanded by the state explains the demand side of corruption. The net result is that the corrupt officials collect bribes, the government fails to collect taxes for its own budget, and corruption grows. Therefore it is suggested that regulatory reforms, process simplification and lower taxes as means to increase tax receipts and reduce causes of corruption should be introduced in the country.

b. Excess of Poverty:

- India is a poor country. There are low job opportunities for the youngsters. Due to lack of desired job opportunities, many people like to go for corruption mode in order to get the job offer and they get ready to pay lump sum amounts to the higher officials or politicians for the job offer.
- Lower salaries and wages to most of the employees in government sector is another cause of corruption in India. **Sometimes some employee in the government sector are not promoted in time.** Hence, in order to meet their financial needs, some employees revert to do malpractices for more financial benefits.

c. Lack of Transparency and Accountability of Affairs: There is lack of transparency in many seat selection processes like in education, contracts for job, employee income reports (wealth possession), etc. RTI is there but that is not enough to stop malpractices. On the other side, the employees in government departments do not perform to their par excellence. If they receive 100 files to clear in a week they may not even clear 50 of them in that week. They tend to post-pone the clearance of the files. So those who are in urgency of the clearance have to get them done by rewarding the officials involved in the clearance office. This lack of accountability in government offices is chief cause of corruption.

d. Lack of punishment in the Judicial System:

- In India, if some one is found guilty or even caught red-handed by the anti-corruption officials or media, the convicts get less punishment. First s/he will be suspended from his/her work for few months or weeks and then re-posted to another location with same Job grade and pay. So this means the official who did the corrupt practice is

given a free license to continue his practice. If the government gives permanent removal from job and also punishment like several years imprisonment to the corrupt employee then the corruption will come down to a large extent.

- If a person is found to be corrupt or has done some unacceptable misconduct, he or she has to be avoided and not be respected. But in India those with corruption and other offense related history are given prominent positions like the MP or even higher posts.

e. Unhealthy Competition in Business:

- Competition is a good in business for quality of product and service to be delivered. But in India, there is found an unhealthy competition. Companies have a relation with political parties and give a donation of good amount to them before election. After winning the election the companies get various tenders due to their political influence, Companies do whatever they like. They can do un-ethical practices also as adulteration, malpractices in accounts, monopoly of certain goods and service etc.

Measures to Prevent Corruption

In 2011, there was a great protest against corruption. As a result, Government of India has taken a number of anti-corruption measures, such as:

1. Right to Information Act

2. Right to public services legislation

3. Laws Relating to Prevention of Corruption in India

a. Prevention of Money Laundering Act, 2002

b. Benami Transactions (Prohibition) Act, 1988

d. Prosecution section of Income Tax Act, 1961

e. Indian Penal Code, 1860

f. The Lokpal and Lokayuktas Act, 2013

h. Whistle Blowers Protection Act, 2011

i. Companies Act, 2013,

j. Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Bill, 2015

4. Anti-Corruption Police and Court as Directorate General of Income Tax Investigation, Central Vigilance Commission and Central Bureau of Investigation

5. Civil Anti-Corruption NGOs as Bharat Swabhiman Trust and India Against Corruption

The enactment of above laws is not sufficient. If we really want to eradicate it, there must be public awareness to combat corruption in India, for this our education system should be improved. Education is the best means to understand fundamental rights and Right – Wrong conversation. Corruption can be removed if people can understand and start to believe the value of ethics and morality in their life. People will start to believe that their life is accountable if they really start to believe in God, in oneness of God and if they really start to live life on the way which God has chosen for mankind.

Impact of Corruption:

Loss of credibility

Corruption seriously affects India's business and its growth. Corruption scandals have damaged the government's credibility, caused major loss in tax revenues, led to social unrest and widened income inequality. India has been hit by a string of huge corruption scandals including a multi-billion dollar telecom licenses scam in 2008, alleged financial malpractices associated with the Commonwealth Games in 2010 and the illegal mining scandal in Karnataka state during 2006-2010;

- Pervasive corruption reduces competition and efficiency in the Indian economy. India ranked 134th out of 183 countries in the World Bank's Ease of Doing Business Index in 2011, a ranking lower than both China (79th) and Brazil (127th). Businesses face constraints in starting a business, dealing with construction permits and enforcing contracts;
- Corruption raises the cost of doing business and adds to the problem of regulatory uncertainty, thus affecting foreign direct investment (FDI). Due to strict foreign investment regulations, FDI inflows to India remain low compared to its peer economies and stood at US\$24.6 billion in 2010, compared to US\$106 billion for China and US\$41.2 billion for Russia;
- Significant tax revenues have been lost due to corruption. The sale of the 2G spectrum telecom licences in 2008 alone caused an estimated US\$40.0 billion revenue loss for the Indian government. India has faced a rising budget deficit which stood at Rs7.0 trillion (US\$153 billion) in 2010 or 8.9% of total GDP.

Economic loss

Economy of India is engulfed by devil known as corruption. Corruption may lead to further bureaucratic delay and inefficiency as corrupted bureaucrats may introduce red tape in order to extort more bribes. Such inadequacies in institutional efficiency could affect growth indirectly by lowering the private marginal product of capital and investment rate. Bureaucratic inefficiency also affects growth directly, such as through misallocation of investments in the economy. Additionally, corruption results in lower economic growth for a given level of income.

Corruption is like a cancer for society. It is destroying Indian economic, democratic and political system. Corruption reduces public revenue and increases public spending. It thus, contributes to larger fiscal deficits, making it more difficult for the government to run a sound fiscal policy. Corruption is likely to increase income inequality because it allows well positioned individuals to take advantage of the government activity at the cost of the rest of the population.

In recent years so many major scandals involving high level public officials have shaken the Indian public services. These scandals suggests corruption has become a pervasive aspect of Indian political and bureaucratic system. Some of them major scams are following –

1. Coal Allotment Scam (Cost – 186000 Crores)
2. 2 G Spectrum Scam (Cost – 176000 Crores)
3. Commonwealth Games (CWG) Scam (Cost – 70000 Crores)
4. Mega black money laundering Scam (Cost – 70000 Crores)
5. Adarsh Housing Scam (Cost – 18978 Crores)
6. Stamp Paper Scam (Cost – 20000 Crores)
7. Boforce Scam (Cost – 400 Million)
8. Fodder Scam (Cost – 950 Crores)

9. Hawala Scam (Cost – 8000 Crores)
10. Satyam Scam (Cost – 14000 Crores)
11. Stock Market Scam (Cost – 3500 Crores)
12. Madhu Koda Scam (Cost – 4000 Crore)

Lower corruption, higher growth rates:

If corruption levels in India were reduced to levels in developed economies such as Singapore or the United Kingdom, India's GDP growth rate could increase at a higher rate annually. It is estimated the lost opportunity caused by corruption, in terms of investment, growth and jobs for India is over US\$50 billion a year.

Challenges Ahead:

To control this corruption, we are the people of nation should work together to fight against it. The election procedure should be change. Election commissioner should give tickets to well educated and requited candidates for election. The tax system should be clear for the illiterate and general people to pay easily. The Govt. expenses should be liberal. The law and order should be strict in each and every sector, and then only it can be controlled. Corruption in India has degraded the Indian economy. Strong steps should be taken by the judiciary of India so that every culprit who has taken the national advantages in form of corruption should be punished. Government should bring some changes in administrative procedure to cover all the loop holes so that no exploitation should occur.

We must work together to throw away this evil from ourselves and from nation. If not detected in time it was sure to turn the polity malignant leading to “disastrous consequences.”

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Legal and Institutional Framework to Tackle Corruption in Public Sector- Needs and Challenges

4

Preeti Rawat

Corruption is a universal phenomenon and in India, the political and administrative corruption does not surprise anyone any more. The K. Santhanam committee on whose recommendations the CBI and the CVC were created in 1963 and 1964 respectively had noted the existence of corruption in judiciary as well. It may no longer surprise anyone if widespread corruption is found prevalent in the 4th pillar (Media) and the so called 5th pillar (civil society) of the democracy. “Corruption at high level will damage the economy and the country in the long run. Corruption at the ground level has made the life of people miserable already....”¹ David H Bayley had said, “Corruption is a general term covering misuse of authority as a result of considerations of personal gain, which need not be monetary.”²

1.2 India stands at 85th position in the corruption index in 2014 which is a minor improvement compared to its 94th position in 2013. Corruption has many adverse consequences for the society, economy, people and for the entire edifice of its system and processes of governance. Corruption eats away the vitals of the economy, adversely impacts project implementation, lowers the quality of works, goods and services, creates public dissatisfaction and unrest, weakens the systems and processes of governance, drives away the honest people and raises question marks on the very basics of our constitutional, political and democratic values. Once it is admitted that corruption exists in India and exists rampantly, the need for improving upon the existing laws and institutions, and finding more effective instruments backed with appropriate legal framework to tackle and combat corruption stands established

1.3 A World Development Report issued by the World Bank in 1997, on the basis of econometric analysis of 69 countries included in the survey, had identified some causes of corruption and it’s remedies:-

- The greater the policy distortion through controls, greater the corruption
- The more predictable the judiciary, the less the corruption
- The more the merit based recruitment of the public servants, less the corruption
- The better the civil servants are paid, the less the corruption, and
- $C = (M+D) - A$ (Corruption equals to monopoly plus discretion in decision making minus accountability)

The suggested lines of actions were-

1. Policies should increase competition and eliminate monopolistic enclaves
2. Strengthen institutions to enable them to combat corruption
3. Give ordinary people a greater voice

1.4 India has also ratified the United Nations Convention against Corruption. This is also a reason, in addition to the basic and more pressing reasons to strengthen its legal and institutional framework to combat corruption in public life without which the its vision of growth and development, establishment of a progressive society and providing for a ideal model of good governance with citizen friendly administration can turn out to be a day dream.

2 Existing Legal and Institutional framework to tackle Corruption

2.1 At the time independence in 1947 India already had a criminal justice administration system in place along with criminal laws such as the Indian Penal Code, 1860, the Criminal Procedure Code, Delhi Special Police Establishment act, 1946 along with the stake holding agencies responsible for investigation, prosecution and trial. Some sections of the Indian

New Delhi

Penal Code especially those concerned with the involvement of public servants in corruption can be said to be corruption related provisions. The followings are two examples of IPC provisions which relate to public servants and are in the nature of anti corruption.

- Section 169 pertains to a public servant unlawfully buying or bidding for property. The public servant shall be punished with imprisonment of upto two years or with fine or both. If the property is unlawfully purchased, it shall be confiscated.

- Section 409 pertains to criminal breach of trust by a public servant. The public servant shall be punished with life imprisonment or with imprisonment of upto 10 years and fine.

The Criminal Procedure Code (Cr P C) is the procedural law which will be applicable whenever proceedings/ trial are conducted for any offence of criminal nature and if a public servant is being tried, CrPC will obviously apply. The Indian Penal Code when it was originally enacted also defined and provided for punishment for the offence of bribery and corruption amongst public servants. After the world war two, it was felt that these provisions are not adequate to meet the exigencies of time and a special legislation named Prevention of Corruption Act, 1947 was enacted to eradicate the evil of bribery and corruption. This Act was also amended in 1952 and later on it was further amended in 1952 after the receipt of Santhanam Committee report. In 1988, a new and more comprehensive law, The Prevention of Corruption, Act, 1988 replaced the 1947 Act.

2.2 The Prevention of Corruption Act, 1988 – The salient provisions

2.2.1 Public Servant defined - The Prevention of Corruption Act, 1988 provides a comprehensive definition of the term “public Servant” including in its ambit any person in the service of or pay of Government/ local authority, a corporation, Government company established by or under any Act of any government- central, state or provincial, any authority or body owned or controlled or aided by Government or a Government company, any Judge including any person or body of persons empowered by law to perform adjudicatory functions, persons authorised by courts to perform any duty in connection with the administration of justice, including a liquidator, receiver, or commissioner appointed by courts, any arbitrator or any other person to whom a matter has been referred for decision or report by a court or by a competent public authority; any person holding office to perform election related functions; any person holding office to perform public duty; any office bearer of registered co- operative society engaged in agriculture, trade, or banking receiving or having received any financial aid from central/ state government or from any corporation or authority or body owned by any Government or by a Government Company; any person who is chairman, member or employee of any Service Commission or Board for conduct of any examination or for making selection on behalf of such Commission or Board; any person who is a Vice- Chancellor or member of any governing body, a professor, reader, lecturer, teacher or employee of any university or any person whose services have been availed of by a university or any other public authority in connection with holding or conducting examinations; any person who is an office bearer or an employee of an educational, scientific, social, cultural or other institution, in whatever manner established, receiving or having received any financial assistance from the Central Government or any State Government, or local or other public authority.

It can be seen from the above definition of “Public Servant” that it is all- encompassing and any person whosoever is in a position to having received public money or performs any public function is covered under the Prevention of corruption, Act. To avoid situations where people may try to wriggle out on any technical grounds, two explanations are added to the section, which are as follows-

Explanation 1- Persons falling under any of the above sub-clauses are public servants, whether appointed by the Government or not.

Explanation 2-Wherever the words “ public servant” occur, they shall be understood of every person who is in actual possession of the situation of a public servant, whatever legal defect there may be in his right to hold that situation.

2.2.2 Special Judge/ Court, Offences and Penalties- The cases under this Act are to be tried only by the Special Courts- Section 3 of the Act empowers the Central Government and the State Governments to appoint the Special Judge who should be or should have been a Session Judge or an Additional Session judge or a Assistant Session judge. Only the Special Judge can try the offences under this Act and he alone can take cognizance. Therefore, a complaint filed in the court of a Magistrate is not maintainable. In fact, the Special Judge is deemed to be a Magistrate for this purpose. The Special Courts/ Judges are not appointed for specific cases. The appointment can be for a particular area. The punishment provide for under the Act are as follows:-

(i) For taking gratification other than legal remuneration in respect of official act--imprisonment which shall be not less than three years but which may extend to seven years and shall also be liable to fine. (Section 7)

(ii) For taking gratification, in order, by corrupt or illegal means, to influence public servant (Sec. 8) - The punishment is same as under Section 7 above.

(iii)For taking gratification for exercise of personal influence with public servant (Sec 9) – imprisonment of not less than three years which may extend to seven years and shall also be liable to fine.

(iv) For abatement by public servant of offences defined in Sections 8 and 9 above--imprisonment for a term which shall not be less than six months but which may extend to five years and shall also be liable to fine (Section 10)

(v) public servant obtaining valuable thing, without consideration from person concerned in proceeding or business transacted by such public servant- Punishment is same as in (iv) above. (Section 11)

(vi) Abatement of offences defined under Sections 7 or Section 11- The punishment is same as Under (i) above (Section 12)

(vii) Criminal misconduct by a public servant- Imprisonment for a term which shall not be less than four years and which may extend to ten years and shall also be liable to fine (Section 13)

This section includes a wide range of misconducts including habitual acceptance or agreement to accept or attempts to obtain any gratifications, dishonest or fraudulent misappropriations, possession of pecuniary resources or property disproportionate to his known sources of income. For the purpose of this section , the term “known sources of income’ means income received from any lawful source and such receipt has been intimated in accordance with the provisions of any law ,rules or orders for the time being applicable to a public servant.

(viii) Habitual committing of offences under sections 8, 9 and 12- imprisonment for a term which shall not be less than five years but may extend to ten years and shall also be liable to fine (Sec. 14)

(ix) for attempt to commit an offence referred to in clause (c) or clause (d) of Section 13 (1) or section 14 – imprisonment for a term which shall not be less than two years but which may extend to five years and with fine (Section 15)

2.2.3 Sanction for prosecution- The previous sanction is required to be obtained before prosecution as per the provisions of section 19 of the Act.

3. The Benami Transactions (Prohibition) Act, 1988

A benami property is the one which is bought by any person out of money paid for or provided by another person. The public servants have to declare their properties as required under the related conduct Rules Corruption leads to accumulation of unearned

income or income acquired by corrupt means. The public servants have also to disclose of the sources of funds used for the acquisition of property including immovable property. If the sources of funds to be used for acquisition of property are illegal, it becomes difficult for the public servant to buy properties in their names or in the name of their family members. This provides temptation to the public servants to acquire the property in the name of other persons. This is a benami transaction. After the enactment of Benami Transaction (Prohibition) Act, the corrupt public servants will not have any right on the benami property so acquired. This is expected to have some positive impact, as the temptation to accumulate illegal properties is diminished.

4 .The Central Vigilance Commission Act, 2003

4.1 Among the institutions created for maintaining the integrity of public services and to act as flag bearers on anti-corruption front on regular and continuous basis for more than 50 years, the name of one organisation which immediately comes to mind is the Central Vigilance Commission (CVC). The CVC has its long history which to recapitulate very briefly is like this-

- i) The CVC was first set-up in 1963 through a Government of India Resolution No. 24/7/64-AVD dated 11th February, 1964 in pursuance to the recommendations of the Committee on Prevention of Corruption headed by Shri K. Santhanam.
- ii) The Resolution had provided that though the CVC would be attached to the Ministry of Home Affairs, it would not be subordinate to any Ministry in exercising its powers and functions and would enjoy the same independence and autonomy as the Union Public Service Commission (UPSC), a constitutional Authority
- iii) The Central Vigilance Commissioner was to be appointed by the President by warrant under his hand and seal.
- iv) The independence of the CVC was also ensured by the Resolution by providing that the CVC will not be removed or suspended from office except in the manner provided for the removal or suspension of the Chairman or a Member of the UPSC.
- v) However, the Resolution was amended in November, 1995 deleting the provision relating to the appointment of the CVC by the President by warrant under his hand and seal.
- vi) An Independent Review Committee (IRC) consisting of S/Shri B.G Desmukh, S V Giri and N N Vohra was constituted by the Government in 1997 to suggest measures for strengthening, among other things, anti-corruption activities as a part of its efforts against corruption.
- vii) The IRC recommended, inter-alia, conferring statutory status to the CVC and restoration of appointment of CVC by the President by warrant under his hand and seal.
- viii) The Supreme Court in its order of 18th December, 1997 (In criminal WP Nos.340-343/93- Vineet Narain & others VS UOI &others- generally known as Jain Hawala Case) also directed that statutory status should be conferred upon the CVC.
- ix) Thereafter, as the Parliament session was still ahead, an ordinance was promulgated on 25th August, 1998 giving statutory status to the CVC. However, another Ordinance had to be promulgated on 27th November, 1998 to rectify certain provisions of first Ordinance for which objections were raised in the Supreme Court. Thereafter, A bill was introduced and passed by the Lok Sabha but it lapsed due to the dissolution of the then Lok Sabha, before the bill could be considered by the Rajya Sabha. As the ordinance also expired on 5th April, 1999, a

fresh Resolution had to be issued in 1999 to continue the CVC as a non-statutory body.

- x) Finally, the Central Vigilance Commission bill was passed by both the houses and assented to by the President on 11th September, 2003

4.2 The composition of the CVC

The CVC consists of a Central Vigilance Commissioner (CVC) who is the Chairperson of the Commission and not more than two Vigilance Commissioners (VCs) who are the Members of the Commission.

The CVC and the VCs are to be appointed from amongst persons-

(a) who have been or are in all India service or in any civil service of the union or in a civil post under the union having knowledge and experience in matters relating to vigilance, policy making and administration including police administration, or

(b) who have held office or are holding office in a corporation established by or under any Central Act or a Government Company owned or controlled by the central Government and persons who have expertise and experience in finance including insurance and banking, law, vigilance and investigations.

However, in the CVC as CVC and VCs not more than two persons should belong to category (a) Or (b) above

The CVC or VCs are appointed by the President by warrant under his hand and seal on the recommendations of a committee consisting of the Prime Minister as chairman and Home Minister and leader of opposition in the House of People as Members. The term of office for CVC or VCs is 4 years or till the age of 65 years whichever is earlier. The CVC or the VCs are ineligible for appointment in the CVC after ceasing to hold office, but a VC is eligible to be appointed as CVC subject to the condition that his total duration of appointment in CVC should not be more than four years. The salary and allowances payable to the CVC and the VCs are same as payable to the Chairperson and Members of the UPSC respectively. After ceasing to hold office, they are ineligible for any diplomatic assignment or appointment as Administrator of UTs or any office of profit in the Government of India or any state or any office to which appointment is made by the President by warrant under his hand and seal.

4.3 Removal of CVC or VCs-

The CVC or any of the VCs can be removed from office only by an order of the President on the ground of proved misbehaviour or incapacity after the Supreme Court, on a reference made to it by the President, has, on inquiry, reported that the CVC or any of the VCs, as the case may be, ought on such ground be removed.

4.4 Main functions and Powers of the CVC

1. To exercise superintendence over the functioning of the Delhi Special Police Establishment (DPSE) in respect of offences alleged to have been committed under the Prevention of corruption, Act or where the public servant is to be charged under CrPC at the same trial.

2. To give directions to the DPSE for the purpose of discharging the responsibility entrusted to it under the DPSE Act. However, CVC cannot direct CBI (SPE) to investigate or dispose of any case in a particular manner.

3. To inquire or cause an inquiry or investigation to be conducted on a reference made by the Central government wherein it is alleged that a public servant (being an employee of the Central Government or a corporation established by or under any central Act, Government Company, society and any local authority owned or controlled by that government) has committed an offence under the Prevention of Corruption Act, 1988 or

an offence with which a public servant may, under the CrPC, 1973 be charged at the same trial

4. To review the progress of investigations conducted by the SPE into offences alleged to have been committed under the PCA /CrPC

5. To review the progress of applications pending with the competent authorities for sanction of prosecution under the PCA.

6. To tender advice to the central Government or to the corporations.

5. Right to Information Act, 2005

Openness and accessibility of people to information about the functioning of government is a vital component of democracy. Right to Know empowers the citizens with information which promotes citizens participation in the process of the governance and makes the decision making more democratic and transparent. An informed citizenry is also better equipped to keep necessary vigil on the instrumentalities of governance and make the public authorities more accountable to the governed. The landmark Right to Information Act was passed by the Parliament and assented to by the President in 2005. Transparency and Right to Information has a cleansing effect on the functioning of the public authorities. It also helps in keeping check on corruption. The Right to Information Act is fast emerging as an effective anti-corruption tool. Right to Information law grants citizens the legal right to access information held by the public authorities, bringing much-needed transparency in the otherwise opaque functioning of the governments and its instrumentalities at all levels. Lack of transparency has been and is one of the main causes of widespread corruption and right to information has greatly contributed to openness, accountability and integrity. Over the last 10 years, the RTI has been used extensively by ordinary Indian citizens to demand a vast range of information. In India the law has a broad base of users. RTI is being used to redress individual grievances, access entitlements such as ration cards and pensions, investigate government policies and decisions, and expose corruption and misuse of government resources. The law is increasingly being used to expose huge scams. Adarsh Society Scam, Commonwealth Games Scam, Public Distribution Scam in Assam, Vyapam Scam, 2G Scam to name a few have been unearthed using RTI.

6. Whistleblower Protection Act, 2011 and Whistleblower Protection (Amendment) Bill, 2015

6.1 *The Law Commission of India in its 179th* Report had recommended formulation of a specific legislation titled "The Public Interest Disclosure (Protection of Informers) Bill, 2002 to encourage disclosure of information regarding corruption or maladministration by public servants and to provide protection to such complainants. The Second ARC in its fourth report on "Ethics in Governance" also recommended a legislation to provide protection to whistleblowers. The Government of India issued a Resolution Number 89 on 21st April, 2004 whereby the CVC was declared as the designated agency to receive written complaints from whistleblowers. The Resolution also provided for the protection of the whistleblowers from harassment and for keeping their identity as concealed. As a step forward, the Whistleblowers Protection Act, 2011 was brought on the statute book on 9th May, 2014. Whistleblower protection Act aims at protecting anyone who exposes corruption or wilful misuse of power or wilful misuse of discretion by a public servant. One of the impediments in eliminating corruption in public sector has been lack of adequate protection to the complainants reporting corruption. The Whistle blower Protection Act sets up a mechanism to receive complaints of corruption or wilful misuse of power by a public servant. It also provides safeguards against victimisation of the person making the complaint.

6.2 Salient provisions of the Act

1. Any public servant or any other person including any non-government organisation, may make a public interest disclosure before the competent authority. Every disclosure shall be made in good faith and the person making such disclosure shall make a personal declaration stating that he reasonably believes that the information disclosed by him and allegation made is substantially true. Every such disclosure shall be made in writing or by electronic mail or electronic mail message and should contain full particulars and be accompanied by supporting documents, or other materials, if any (Section 4 of Chapter II)

2. The Central Government shall ensure that no one who has made a disclosure under this act is victimised by initiation of any proceedings merely on the ground that he has made a disclosure or rendered assistance in inquiry under this Act. In case the whistle blower is being victimised or likely to be victimised, he may file an application before the competent authority seeking redress in the matter. And such authority shall take action or give directions, to protect the person from being victimised or avoid his victimisation. (Section 11 of Chapter V)

3. Any person, who negligently or mala fide reveals the identity of a complainant shall be punishable with imprisonment for a term which may extend upto 3 years and also to fine which may extend upto fifty thousand rupees. (Section 16 of Chapter VI)

6.3 Loopholes

(a) There is a penalty of upto 2 years imprisonment and a fine of upto Rs30, 000/- for individuals that bring false and frivolous complaints. This might act as a deterrent.

(b) There is a seven year time limit to bring complaints, dating from the time alleged corrupt practices occurred.

(c) The Act provides no definition of 'victimization'. The law whose main purpose is to prevent victimization of whistleblowers does not have a comprehensive definition of the term. Victimization has also not been made a criminal offence with substantial penalty and sentence.

(d) The law has a relatively narrow definition for 'disclosure'.

On the whole, the new law is a significant step forward for providing protection to the whistle blowers and may, to a certain extent, contribute to the exposure of corruption and misuse of authority. But the real test on ground will be whether the law will be enforced effectively and whether it will be able to foster confidence of the people.

The Act is not yet operational. The Centre has still not implemented it citing the need for its amendment. The Whistleblower Protection (Amendment) Bill, 2015 was introduced in Lok Sabha on May 11, 2015. The bill has been introduced to keep issue of national security out of its purview.

7. The Lokpal and Lokayukta Act, 2013

The Lokpal and Lokayukta Act, 2013 is an anti-corruption law which seeks to provide for the establishment of the institutions of Lokpal for the Union and Lokayukta for states.

Salient features of the Act are as follows:

1. The Lokpal shall consist of a Chairperson, and not more than eight members fifty percent of whom shall be judicial members. The Chairman shall be a person who is or has been a Chief Justice of India or is or has been a judge of the Supreme Court or an eminent person of impeccable integrity and outstanding ability having special knowledge and expertise of not less than 25 years in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law and management. Judicial member can be a sitting or former judge of Supreme Court or a sitting or former Chief Justice of a

High Court. A non-judicial member is required to have 25 years of experience in anti-corruption policy, public administration, vigilance, finance and law. (Section 3)

2. The Chairman and members shall be appointed by the President on the recommendation of a Selection Committee consisting of the Prime Minister (as Chairperson) and the Speaker of the Lok Sabha, the leader of Opposition in Lok Sabha, Chief Justice of India or a Judge of Supreme Court nominated by him and one eminent jurist nominated by the President (on recommendation of Chairman and members) as members. (Section 4)

3. The Selection Committee shall for the purpose of selecting the Chairman and the members of the Lokpal and for preparing a panel of persons to be considered for appointment as such, constitute a Search Committee consisting of at least seven persons of standing and having special knowledge and expertise in matters relating to anti-corruption policy, public administration, vigilance, policy making, finance including insurance and banking, law and management or in any other matter which, in the opinion of the Selection Committee may be useful in making the selection of the Chairperson and members of the Lokpal. Fifty percent of the members of the Search Committee shall be from amongst the persons belonging to Scheduled Castes, the Scheduled Tribes, Other Backward Classes, minorities and women. However the Selection Committee may also consider any person other than the persons recommended by the Search Committee.

4. Jurisdiction of Lokpal extends to include Prime Minister, Ministers, Members of Parliament, Group A, Group B, Group C and Group D officers and officials of Central government. (Section 14). Lokpal may refer complaints against specified categories of public servants to Central Vigilance Commission and that Commission shall send its report of preliminary enquiry in respect of Group A and B Officers back to Lokpal for further decision and with respect to Group C and D employees, Commission shall take action in exercise of its own powers under the Central Vigilance Commission Act, 2003, subject to reporting mechanism by Lokpal over the Central Vigilance Commission.

5. The Act provides for superintendence of Lokpal over the Delhi Special Police Establishment in respect of the cases referred to them by Lokpal.

6. Entities/institutions receiving donations from foreign source in terms of and in context of the foreign Contribution Regulation Act, 2010 in excess of Rs. 10 lakhs per year have been brought under the jurisdiction of Lokpal and Lokayuktas

7. The Lokpal and Lokayuktas shall have an Inquiry Wing for conducting the preliminary inquiry and an independent Prosecution Wing. (Section 20)

8. The Act provides that no prior sanction shall be required for launching prosecution in cases enquired by Lokpal and Lokayuktas or initiated on the direction and with the approval of Lokpal and Lokayuktas and, similarly, no prior approval is required for conducting investigation by the Delhi Special Police Establishment in respect of cases entrusted by Lokpal. (Section 23)

9. Prime Minister has been brought under the purview of Lokpal with the exclusion of some subjects viz. International relations, external and internal security, public order, atomic energy and space. Specific process has been prescribed to initiate preliminary inquiry or investigation against the prime Minister in that such decision shall be taken only by the full bench and with the three/ fourth majority and such proceeding shall be held in camera (Section 14 of Chapter VI)

10. Every State shall establish a Lokayukta to deal with complaints relating to corruption against certain public functionaries, within a period of one year from the commencement of this Act.

Loophole- The Act envisages that the Lokpal “shall not inquire or investigate into any complaint, if the complaint is made after the expiry of a period of seven years from the date on which the offence mentioned in such complaint is alleged to have been committed.” This

seems to be an unnecessary restriction. Scams being unearthed after a long period of time after change in government. If a complaint is accompanied with credible proof, there is no reason why it should not be examined only on the ground of being old.

8. Lokayukta in states

Even before the Lokpal and Lokayukta Act, 2013 Act, some States in India already had their own State Lokayukta Act in place. Maharashtra was the first State to introduce the institution of Lokayukta in 1971. At present only 19 Indian states have Lokayuktas. There are no Lokayuktas in Arunachal Pradesh, Jammu and Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tamil Nadu, Tripura and West Bengal. The process to set up Lokayukta in Goa is in progress. Karnataka's Lokayukta is considered to be one of the strongest.

Despite the fact that many states have laws relating to Lokayukta, the office of the Lokayukta is still vacant in some states. Most of the offices of Lokayukta in states lack basic infrastructure, adequate manpower and funds. They lack independent agency to enquire into the complaints. The investigation is mostly done by a government agency. The complaints filed with them are not cleared expeditiously. As a result, the number of pending cases is growing in them. Many states have kept the ex-ministers and ex-officials out of the purview of the Lokayukta.

Odisha with the passing of The Lokayukta Act in February 2014 became the first state to do so after Centre's Lokpal Act. In 1984, well before the Prevention of Corruption Act came into existence, Karnataka's Chief Minister Ramkrishna Hegde, a man who valued probity in public life so much that he quit, twice, after charges of corruption and impropriety were levelled against him, helped create a revolutionary law for greater accountability in public life. The Karnataka Lokayukta Act, 1984, brought even the chief Minister within its ambit. Since coming into force on January 15, 1986, the Karnataka Lokayukta Act has helped countless ordinary people, brought errant public servants to book and ensured a general improvement in administration. In 2010, the Lokayukta, under Justice Hegde, moved from tackling misgovernance and corruption at the bottom of the government pyramid to start acting against MLA's and ministers. The arrest of several top leaders on charges of corruption, and the public protests for a strong Lokpal bill made politicians in Karnataka increasingly uncomfortable with the Lokpal Act, 1984. Since coming to power in 2013, the state government has made attempts to amend the Act to make the Lokayukta more amenable to influence. In February 2014, the government proposed a new law modelled on UPA-2's Central Lokpal and Lokayukta Act of 2013 to replace the 1984 Act, in which the Lokpal would be a panel including nominees from the government, rather than a retired judge. The government backed off after incumbent Lokayukta Justice Y Bhaskar Rao, Justice Hegde, and others protested. The alleged extortion racket in the Lokayukta involving Justice Rao's son Ashwin Rao, and Justice Rao's refusal to step down, however, opened a fresh window for the government to tinker with the 1984 Act.

Early drafts of the new law proposed doing away completely with the grievance redressal powers of the Lokayukta, and the amendment Bill, when introduced in July 30, allowed the removal of the Lokayukta by a simple majority in the state legislature. Though neither of these provisions ultimately made it to the Bill that was passed in the house on July 31, the new law has diluted the 1984 Act significantly, and is likely to achieve the objective of forcing Lokayukta justice Rao to step down.

The process to remove the Lokayukta can now be initiated by 1/3 of members of either house, fewer than 2/3 rd required earlier, even though the final removal will continue to need the support of 2/3 of members in both houses. Also, under the amended law, the Lokayukta will be "precluded from discharge of his duties during the pendency of motion for his removal. But Karnataka Law Minister T B Jaychandran, who is of the view that the Lokayukta Act 1984 is not relevant any longer, has expressed his intention to make another attempt soon at

bringing a law based on the Lokpal Act of 2013. Among the nineteen states that have Lokayukta Laws in place, Karnataka Act of 1984 is considered the strongest. It now seems it is only a matter of time before this popular law is rolled up and replaced.

9. Other Initiatives and Lapsed Bills

During the period of the 15th Lok Sabha there were certain other citizen-friendly legislative initiatives introduced in the form of bills which lapsed with the dissolution of the that Lok Sabha. Some of the important bills which lapsed were as follows:-

(1) Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011. The bill required every public authority to address three areas namely (i) publication of , within six months , Citizens Charter specifying the category of goods supplied and services rendered by it; (ii) the specified time period for delivery of the promised services and (iii) putting in place an institutional structure and mechanism for redressal of the grievances of the citizens in case the public organisations fail to provide the promised services within the specified time-frames. The bill had provisions for creation of grievance redressal officers at the base and first appeal level, Grievance Redressal Commissions at the second appeal stage (on the pattern of Information Commissions both at the central and state levels created as per the Right to Information, Act.). This legislation is expected to be much more effective than even the Right to Information Act, as it is expected to improve the quality and timely delivery of public services to the hassled citizens. The bill also had provisions for penalties and compensations. It also had provision for third appeal before the Lok Pal in cases which are punishable under the Prevention of Corruption Act, 1988.

(2) Public Procurement Bill -Till now there is no separate law in India to exclusively deal with Public Procurement. Despite the fact that it is different from personal procurement in many respects. At present the guidelines on Public Procurement are available in the form of manuals, rules and executive instructions, in addition to the applicability of certain provisions of laws such as the Indian Contract Act 1860, Sale of Goods Act 1930 etc. The bill which was introduced as certain provisions relating to grievance redressal, integrity clause etc. which are in a way connected with addressing the grievances and maintaining the integrity of parties involved in public procurement. The bill also had certain provisions for penalties and fines including imprisonment upto five years. In that sense the law if enacted can help in tackling corruption in the field of public procurement which is a corruption-prone area.

(3) The Electronic Delivery of Services Bill, 2011:

- The Bill requires public authorities to deliver all public services electronically within a maximum period of eight years.
- There are two exceptions to this requirement: (a) services that cannot be delivered electronically; and (b) services that public authorities, in consultation with the Commissions, decide not to deliver electronically.
- The Bill establishes Central and State Electronic Service Delivery Commissions to monitor compliance of government departments, and hear representations.
- Public authorities have to establish a mechanism to redress complaints. Complaints may be for: (a) non-delivery of services in an electronic form; or (b) deficiency in the electronic service provided. In the first case, a representation may be made against the mechanism's orders before the Commission.

- A maximum penalty of Rs 5,000 may be imposed on a defaulting officer by the Central and State Commissions.

(4) The Judicial Standards and Accountability Bill, 2010

- The Judicial Standards and Accountability Bill, 2010 lays down judicial standards, for judges.(Section 3 of chapter II) and establishes processes for removal of judges of the Supreme Court and High Courts.
- Judges will be required to declare their assets and liabilities, and also that of their spouse and children.(Section 4 of chapter III)
- The Bill establishes the National Judicial Oversight Committee, the Complaints Scrutiny Panel and an investigation committee. Any person can make a complaint against a judge to the Oversight Committee on grounds of 'misbehaviour'.(Section 17 of Chapter VI)
- A motion for removal of a judge on grounds of misbehaviour can also be moved in Parliament. Such a motion will be referred for further inquiry to the Oversight Committee.

(5)The Prevention of Bribery of Foreign Public Officials and Officials of Public International Organisations Bill, 2011. This bill criminalised acceptance or solicitation of bribes by FPO and OPIO for acts or omissions in their official capacity.

10. Central Bureau of Investigation and other Govt. organs

The Central Bureau of Investigation (CBI) was set up in 1963 by a resolution of the Ministry of Home Affairs. The Special Police Establishment (SPE) (which looked into vigilance cases) set up in 1941 was also merged with the CBI.As per DSPE Act as amended by Lokpal Act , the CBI chief has to be appointed by the Central government on the basis of recommendation of the selection committee headed by the Prime Minister, comprising the Leader of Opposition and the Chief Justice of India or a Supreme Court judge nominated by him as members.The CBI is the main investigating agency of the Central government. It plays an important role in preventing corruption and maintaining integrity in administration. It also provides assistance to CVC. There are Vigilance units in every ministry/department of the government, their attached offices, as also in public sector undertakings, public sector banks etc. The CVC, CBI/SPE and the Chief Vigilance Officers /Vigilance Officers of individual organisations also have regular coordination and consultation in matters relating to anti-corruption. The CVC Manual , the Statutory Rules on conduct and discipline provide directions and guidelines.

11. The laws and institutions at the level of States, Union Territories and Local and other bodies

The laws and the institutions discussed herein before mostly relate to public authorities at the Central level. There are similar laws and institutions at State and Local levels. The basic tenets are more or less similar if not the same. However, variations exist as we find in case of Lokayuktas in different states. Limitations of words imposed prohibit discussion on all state laws and institutions, but fundamentally they are similar in nature and content .For example, there are separate Rules on Conduct, Discipline and Appeals even for All India Services and

Central Civil Services, but these Rules and also Service Rule of the States are similar in nature and content.

Challenges

Both the legal framework i.e. the laws and other instruments and the institutions for enforcement of the laws are essential for combating corruption. The laws ensure enforceability and the institutions and the people who run the institutions facilitate implementation. The common man is generally concerned with the delivery of the public services. It is for these reasons the laws/bills concerned with transparency, service delivery etc. should be considered equally important for tackling the issues of corruption. The main challenges before us are as follows-

1. The political will and determination to make effective laws, as resistance from both political executive and bureaucracy is often visible . We have seen resistance to strong Lokayuktas Acts in the states.
2. Commitment to implement the laws already enacted and to make the enforcement of laws successful. Despite the Lokpal Act in place for more than one year, nothing is visible to put the institution in place.
3. To ensure the law making in respect of the matters for which the previously introduced bills have lapsed and to enact the laws in respect of the bills pending with the Union or State legislatures as early as feasible.
4. The success of any law depends on the attitude of the people who man the institutions created for tackling corruption. The change of mindset and how to ensure this is a prerequisite for achieving the end results.
5. To create awareness among the people so that they come forward and assert themselves to claim what is due to them.

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Perceptions Towards Corruption : A Study of Stakeholders of Higher Education Institutions

5

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Abstract

This study examined the perception of selected university students towards corruption among a total of 250 respondents using stratified random sampling. But out of 250 randomly selected respondents, only 236 questionnaires were taken back giving a response rate of 94.4% in which 174(73.72%) males and 62(26.27%) females. The finding of this study revealed that there were variations in understanding of corruption. The analysis further revealed that respondents were less concerned in reporting corruption. Moreover, the students' mind setup seems to be pre-occupied with tendency toward corruption. Chi-square and correlation analysis indicated that there was no statistically significant relationship between demographic variables and perceptions. Likewise, the independent t-test and ANOVA displayed that there was no statistically significant differences among demographic variables in perceptions of corruption.

Keywords: *Corruption, Higher Education, perception.*

1. Introduction

With a booming economy throughout the 2000s, India was touted as one of the most promising major emerging markets. But that breakneck growth sputtered to a decade low in 2012, with many observers pointing to the corrosive effect of endemic corruption—including a spate of scandals under the government at that time. Perhaps more than India's weak currency and rising inflation, the graft problem has undermined institutions and thwarted efforts to reduce poverty and catalyse sustainable growth in the world's largest democracy. Public revelations of corruption, including major scandals in the telecommunications and coal industry, have galvanized a rising middle class with increased demands for better governance. The tide has spurred new political movements, and forced the government to address transparency and marshal reforms thereby leading to improvement in India's rankings 85th as against 94th in Global corruption Index from 2013 to 2014.

Researchers (Hallak & Poisson, 2007, Heyneman, 2007) suggested that, though corruption affects public sector, its presence in higher institutions has become a growing concern for the industry as it influences its effectiveness and efficiency. As a result, it may produce graduates whose skills and professional levels could be a danger to the public sectors and industries. On the other hand, as the purpose of education is to provide a way for society to model good behaviour for children or young adults, allowing an education system to be corrupt may be more costly than allowing corruption in other sectors; because it contains both immoral and illegal elements. Furthermore, it undermines that would motivate young people to work hard and damages the ability of education to serve a public good, most notably the selection of future leaders on fair and impartial bases (Rumayntseva, 2005). In this sense, it contradicts one of the major aims of education, which is to transmit civic culture together with values of integrity, equity, fairness and social justice.

Waite and Allen, 2003 found that although corruption is widespread, the issue has not gained substantial attention by scholars in the field of higher institutions. In the same way, Engudai (2011) has also disclosed in her findings about unethical behaviour and improprieties reflected by higher education institutions students. This will have tremendous effects, as they

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are potential entrant of various sectors and industries, where people at large demands fair services based on transparency and accountability. Therefore, identifying students' outlook towards corruption before entering different sectors and industries has substantial advantages for combating corruption in public sectors. Thus, this and the existing views concerning the perceptions and attitudes of university students towards corruption has initiated the researcher to examine the perceptions and attitudes of selected Northern Indian Universities prospective graduates towards corruption. So it is very instrumental to check whether the corrupt act or behaviour comes from potential iterant to the sectors or not. In addition, to the best knowledge of the researcher, no studies seem to have been conducted on the mind set up of university students. Moreover, the perceptions and attitudes of prospective graduates towards corruption has not yet been identified and examined.

Therefore, the main purpose of this study was to examine the perceptions of university students towards corruption with reference to selected North Indian universities graduates through investigation of their perceptions and attitudes. It is with this background of the problem statement that, specifically, this study was entirely focused on answering the following research questions;

1. How do prospective graduates perceive corruption?
2. What is the relationship between prospective graduates' perceptions of corruption and demographic variables?
3. Do demographic variables of prospective graduates' differ in perceptions of corruption?

2. Review of Literature

Etymologically the word corruption comes from the Latin verb 'corruptus- to break which literally mean to destroy'. This implies that a law or legal rule, a duty, and/or a moral norm are broken. Conceptually, corruption is a form of behaviour, which departs from ethics, morality, tradition, law and civic virtue (UNDC, 2005). Furthermore, corruption refers, for example, to the abuse of public resources for private gain, through a hidden transaction that involves the violation of some standards of behaviour (Porta & Vannucci, 1999); illicit gain of money or employment (wraith & Simpkins, 1963); an extra- legal institution used by individuals or groups to gain influence over the actions of bureaucracy (Leff, 1999, cited in Faniel, 2009). ICAC (1993) found that the majority of respondents believe that behaviour can be corrupt even if, it is not specifically prohibited by law, the ends justify the means and everybody does it. As a result, a belief that such justification is not acceptable, as indicated by disagreeing with these attitude statements, assists in minimizing corruption. In addition, (OEACC, 2013) stated that "what is wrong is wrong, even if everyone is doing it. Right is still right, even if no one else is doing it". Therefore, there is no right way to do the wrong thing. Since it is difficult to control others unethical decisions, all individuals should focus on that which they can control, their own ethical behaviour. Even though, people all over the world believe corruption is morally wrong, some types of corruption are still perceived as more acceptable than others. The forms of corruption, which are perceived as more acceptable or less acceptable, can vary among different contexts and potentially also among different policy areas (Kaufmann, 2002).

Swamy et al., (2001) found that women perceive less corruption. Similarly, Sung and Chu (2003) support the argument, but in another analysis Sung (2003) found that, gender does not play a role when contextual factors are considered. Donche & Ujhelyi (2008) claim for their survey that age has a non- linear effect on corruption perception with positive influence for young people declining with increasing age and becoming negative at the age of 50. Cabelkova & Hanousek (2004) the comparison between large towns and villages was not significant. The Van Der Merwe (2006) reported that, there was no significant gender differences' concerning respondents' perception of corruption. In this regard Bonvin (2008) finding indicated that younger respondents perceiving less corruption than the old ones.

In line with this, there are several opposing views, some claiming that men perceive more corruption (Olken, 2006), whereas Smith (2008) found that women perceive more corruption than men. On the other hand, Jackson and Smith (1993) found that the youngest group and their oldest group were more likely to perceive corruption than those of middle age. In contrast, Grabasky et al., (1987) found that older respondents perceived fraud offences as more serious than did younger respondents.

3. Objectives of the Study

The general objective of the study was to examine the perceptions and attitudes of selected North Indian universities' students towards corruption. In addition the specific objectives of the research were:

1. To assess prospective graduates' perceptions of corruption.
2. To assess prospective graduates' attitudes towards corruption.
3. To identify the relationship between prospective graduates' perceptions of corruption and demographic variables.
4. To assess differences among demographic variables of prospective graduates' in perceptions of corruption.

4. Research Methodology

(i) Research Design: For the purpose of this study, a descriptive survey method was employed. Even though the selection of research design depends on the nature of the study, the research problems being addressed and the resources available for the study, there is an increasing attention of using both quantitative and qualitative methods as a research strategy. Both quantitative and qualitative techniques were employed to meet the stated objectives of this study.

(ii) Target Population: The target population of this study were the five North Indian Universities named as HNB Garhwal University, Jammu university, H.P University Shimla, Punjab University and Uttarakhand Technical University.

(iii) Samples and Sampling Techniques: Determining an appropriate sample size to a certain population under study is a very vital issue in research because large sample sizes may waste more resources, time and money and small sample sizes may lead to inaccurate results. So, determining appropriate sample size depends on the purpose of the study, homogeneity or heterogeneity of the population, resources in terms of time and money, level of precision (sampling error), level of confidence (risk level) and degree of variability (Israel,1992). Therefore, the stratified random sampling was used and the sample size was found to be 250 in which 50 students were taken from each of the university.

(iv) Data Collection Instruments

In the study to investigate the perceptions and attitudes of prospective graduates towards corruption, two instruments were used to gather pertinent information. These were self-administered closed ended questionnaire that reflect the objectives of the study. The questionnaire was adapted from ICAC (1994) by the researcher. The questionnaire has two sections. The first section is comprised objectives of the research and background of the respondents. The second part consists of items that can measure the variables (perceptions and attitudes towards corruption) in the study. This part of the questionnaire included brief descriptions of the seven perceptions of corruption scenarios depicting different types of conduct which could potentially occur in any organization of recruitment, use of office working hours, taking public resources, misallocating fund, receiving extra incentives, reducing taxes and provision of information. Each scenarios contained one or more potentially undesirable elements.

4. Analysis and Results

The results of the study are presented in the following order. The first part deals with the demographic variables. The second is about perceptions of prospective graduates of corruption.

Demographic Characteristics

Table.1: Demographic Characteristics of Respondents

No.	Variable	Subgroup	Frequency	Percentage (%)
1.	<i>Locations</i>	Srinagar Garhwal	50	21.18%
		Jammu	47	19.92%
		Himachal Pradesh	48	20.34%
		Chandigarh	43	18.23%
		Dehradun	48	20.33%
		Total	236	100%
2.	<i>Sex</i>	Male	174	73.73%
		Female	62	26.27%
		Total	236	100%
3.	<i>Age</i>	≤23	141	59.75%
		≥24	95	40.25%
		Total	236	100%
4.	<i>Residence</i>	Rural	89	37.71%
		Urban	147	62.29%
		Total	236	100%
5.	<i>Parent's Occupation</i>	Government	92	38.98%
		Service	74	31.35%
		Private	55	23.30%
		Owned Business	15	6.35%
		Others	10	4.24%
	Total	236	100%	

Source: Primary Survey

Table 1 reveals that the respondents were selected from five higher education institutions. Out of 236 respondents, 73.73 % of students were male, whereas, 26.27 % were females. Regarding respondents locations of institutions, 50(21.18%) were selected from Srinagar Garhwal, 47(19.92%) were from Jammu, 48(20.34%) were Himachal Pradesh, 43(18.23%) were Chandigarh, and 48(20.33%) were selected from Dehradun. With respect to age, from all respondents, 141(59.75%) were less than or equal to 23 years old, whereas 95(40.25%) were greater than or equal to 24 years old. Therefore, the majority of respondents' age was less than 23 years old. In addition, 89 (37.71%) of respondents parents' resides in rural, whereas 147(62.29%) were in urban. Concerning occupational back ground of respondents' parent, 92(38.98%) were government employee, 74 (31.35%) were employees to private organisations, 55 (23.30%) has owned business and 15 (6.35%) were employee of other than discussed above.

Table 2: Pearson Correlation Coefficients Among Perception of Corruption and Demographic Variables

Variables	1	2	3	4	5	6	7	8	9	10	11
Gender of respondents (1)	1	-.200**	-.190**	.136*	.045	.004	-.034	.078	-.030	-.107	-.070
Age of respondents (2)		1	.183**	-.147**	-.109*	-.097	-.038	-.032	-.072	.100	.084
Residence of respondents (3)			1	-.723**	-.031	.015	-.016	.024	.108	.085	.100
Occupational back Ground of parents (4)				1	.034	-.008	.018	.032	-.067	-.042	-.081
Arranging a job					1						

for relatives (5)	1	.137*	.116*	.114*	.033	.024	.101
Running business through illegal means (6)	1	.294**	.296**	.137*	.095	.112*	
Taking undue favour (7)	1	.257**	.135*	.166**	.118*		
Misallocating public Funds (8)	1	.170**	.200**	.341**			
Exposing confidential information (9)	1	.229**	.139*				
Receiving extra incentives (10)	1	.253**					
Hiding taxable income (11)	1						

*P ≤ 0.01 for value with ** which is significant* *P ≤ 0.05 for value with * which is significant*

The results in Table 2 depicts that, regarding the relationship among perceptions of corruption and demographic variables of gender, there were no statistically significant relationship in arranging a job for relatives, running business through illegal means and misallocating public funds. On the other hand, there were negative correlation between gender and taking undue favour, exposing confidential information, receiving extra incentives and reducing public taxes. Similarly, with respect to the relationship between age and perceptions of corruption, there were statistically negative relationships between age and arranging a job for relatives, running business through illegal means, taking undue favour, misallocating public funds and exposing confidential information, while there was no statistically significant relationship in reducing public taxes. On the other hand, there was positive relationship between age and receiving extra incentives.

With regard to the relationship between residence of respondents' parents and perceptions of corruption, there were statistically negative relationships in arranging a job for relatives and running business through illegal means. Nonetheless, there were no statistically significant relationship between residences of respondents and taking undue favours, misallocating public funds and receiving extra- incentives. Contrary, there were positive relationships in exposing confidential information and reducing public taxes.

As presented in the same table, concerning the relationship between perceptions of corruption and occupational backgrounds of parents, there were no statistically significant relationship in arranging a job for relatives, taking undue favour and misallocating public funds. There were statistically negative relationships in running business through illegal means, exposing confidential information, receiving extra- incentives and reducing public taxes.

Differences among Demographic Variables in Perceptions of Corruption

In the following table, the summarized results of the respondents' perceptions of corruption on their differences in demographic variables are shown in terms of independent t-test and analyses of variance (ANOVA).

Table 3: Means, Standard Deviations and t- test values for the comparison of Gender

$P \leq 0.05$ for t-test value which shows that is significant

As observed from Table 3, arranging a job for relatives the mean scores of the male and female respondents were not significantly different. For male (Male=2.1538, SD=1.05059) and for females, (M=2.2899, SD=.99284; $t = (330) = -.821$, $p = .412 > 0.05$ (two-tailed). Therefore, the t test shows that there was no a statistically significant difference between male and female students in perceiving arranging a job for relatives. Similarly, regarding illegal business, the mean scores of male is (M=2.0233, SD=1.03630 and females, M=2.0362, SD=1.00916; $t (330) = -.079$, $p = .937 > 0.05$ (two-tailed). The table t-test indicates that there was no significant difference between male and female students in perceiving in running business activities which are illegal. Regarding taking undue favour, the mean scores of male (M=2.0548, SD= .98156; and females, M= 1.9565, SD= 1.03901; $t = (330) = .625$, $p = .532 > 0.05$ (two- tailed). Therefore, from t-test, there was no a statistically significant difference in mean between male and female students about taking sanitary materials. With respect to misallocating public funds, the mean scores of male (M= 1.4033, SD=.77872, and females=1.5797, SD=.80257, $t = (330) = -1.420$, $p = .156 > 0.05$ (two-tailed). Therefore, there was no a statistically significant difference between male and female respondents in perceiving misallocating public funds. Similarly, regarding exposing confidential information the mean scores for male (M=2.5233, SD=1.11206, and females, M=2.4275, SD=.97287; $t (330) = 0.551$, $p = .582 > 0.05$ (two-tailed).

Therefore, t-test result shows that, there was no significant difference between male and female students in exposing confidential information. Concerning receiving extra incentives the mean score of male (M= 2.6061, SD=1.05086; and females, M=2.2826, SD=1.01097; $t = (330) = 1.947$, $p = .052 > 0.05$ (two-tailed). Therefore, there were no statistically significant differences between male and female students perception regarding in receiving extra-incentives. Finally, regarding hiding public taxes the mean scores of male (M=1.7727, SD=0.89313; and females, M=1.5942, SD=0.75658; $t = (330) = 1.283$, $p = .200 > 0.05$ (two-

Variables	Male(n=174)		Female(n=62)		t	Sig(2-tailed)
	Mean	Std. D	Mean	Std. D		
Arranging a job for relatives	2.1538	1.05059	2.2899	.99284	-821	.412
Running Business through illegal Means	2.0233	1.03630	2.0362	1.00916	-.079	.937
Taking undue favour	2.0548	.98156	1.9565	1.03901	.625	.532
Misallocating public funds	1.4033	.77872	1.5797	.80257	-1.420	.156
Exposing confidential information	2.5233	1.11206	2.4275	.97287	.551	.582
Receiving extra incentives	2.6061	1.05086	2.2826	1.01097	1.947	.052
Hiding taxable income	1.7727	.89313	1.5942	.75658	1.283	.200

tailed).

Table 4: Mean, Standard Deviations and t- test values for the comparison of age Groups

$P \leq 0.05$ for t-test value which shows that is significant

As indicated in Table 4, in relation to perception of respondents' in arranging a job for a relative, there was statistical significant difference between age under 23 ($M=2.2454$, $SD=1.0426$; age above 24 ($M=1.9966$, $SD=1.02571$; $t(300) = 1.987$, $p = .048 < 0.05$ (two tailed). Therefore, there was a statistically significant difference between two age groups. On the other hand, with regard to running illegal business activities, perception of students was not a statically significant difference between age under 23 ($M=2.0894$, $SD=1.03181$; age above 24 ($M=1.8694$, $SD=1.01785$; $t(330) = 1.773$, $p = .077 > 0.05$ (two tailed). Therefore, there was no a statically significant difference between two age groups.

Regarding taking undue favour, there was no a statically significant difference between age under 23 ($M=2.0652$, $SD=.98782$; age above 24 ($M=1.9828$, $.99346$; $t(330) = .690$, $p = .490 > 0.05$ (two tailed).

Therefore, there was no significant difference between two age groups. With respect to misallocating public funds, the respondents perceptions was not statistically significant difference between age under 23 ($M=1.4440$, $SD=.78571$; age above 24 ($M=1.3883$, $SD=.77978$; $t(330) = .588$, $p = .588 > 0.05$ (two tailed). Therefore, there was no a statically significant difference between two age groups in perceiving misallocating public funds. As the Table 4 depicts, regarding exposing confidential information, according to respondents opinion, there was no a statistically significant difference between age under 23 years ($M=2.5603$, $SD=1.06553$; age above 24 ($M=2.3883$, $SD=1.15338$; $t(330) = 1.305$, $p = .193 > 0.05$ (two tailed). Therefore, there was no significant difference between two age groups in perceiving exposing confidential information.

According to the information in Table 4, the perception of respondents concerning receiving extra incentives, there was statistically significant difference between age below 23 ($M=2.4936$, $SD=1.02594$; age above 24 ($M=2.7251$, $SD=1.09398$; $t(330) = -1.833$, $p = .068 > 0.05$ (two tailed). Therefore, there was no statically significant difference between two age groups in perceiving extra incentives. Concerning hiding taxable income, there was no significant difference between age under 23 ($M=1.7007$, $SD=.84044$; age above 24 ($M=1.8625$, $SD=.95349$; $t(330) = -1.533$, $p = .126 > 0.05$ (two tailed). Therefore there was no a statically significant difference between two age groups in hiding reducing taxable income.

Table 5: Means, Standard Deviations and t- test Values for the Comparison of Residence of Respondents' Parents*P ≤ 0.05 for t-test value which shows that is significant*

Variables	Urban(n=147)			Rural(n=89)		
	Mean	Std. D	t	Mean	Std. D	t
Arranging a job for relatives	2.2110	1.07388	2.1451	1.02103	.568	.570
Running Business through illegal Means	2.0072	1.04909	2.0380	1.02048	-.268	.789
Taking undue favour	2.0600	.98724	2.0276	.99206	.293	.769
Misallocating public funds	1.4053	.74941	1.4439	.80822	-.442	.658
Exposing confidential information	2.3717	1.06706	2.6097	1.10328	-1.966	.050
Receiving extra incentives	2.4556	1.04654	2.6373	1.04845	-1.559	.120
Hiding taxable income	1.6451	.79269	.927358	.927358	-1.86	.063

information related to the background of respondents. Regarding arranging a job for relatives the mean scores of urban (M=2.2110, SD= 1.07388 and rural, M=2.1451, SD = 1.02103; t= (330) =.568, p=.570>0.05(two-tailed).Therefore, there was no statistically significant difference between urban and rural respondents in which their residence of parents are urban and rural. Similarly, regarding running illegal business activities, the t-test mean scores of urban (M=2.0072, SD=1.04909) and rural, M=2.0380, SD=1.02048; t= (330) =-.268, p=.789>0.05(two-tailed). Therefore, there was no statistically significant difference in mean between students in perception which their parents residences are urban and rural, regarding running own business activities.

In relation to perception of respondents in taking undue favour the t-test value reported that, the mean scores of urban (M=2.0600, SD=.98724; and rural M=2.0276, SD=.99206; t= (330) =.293, p=.769>0.05(two-tailed). Therefore, as there was no statistically significant different between students in perception which their parents residences are urban and rural. In so far as understanding of misallocating public funds the mean scores of urban (M=1.4053, SD=.74941; and rural M=1.4439, SD=.80822; t= (330) =-.442, p=.658>0.05(two tailed).Therefore, the t-test shows that there was no statistically significant difference between

urban and rural respondents in perceiving the misallocating public funds. Regarding the exposing confidential information to the friends which run his private business, the t-test revealed that the mean scores of urban ($M=2.3717$, $SD= 1.06706$; and rural $M=2.6097$, $SD=1.10328$; $t= (330) = -1.966$, $p=.050=0.05$ (two-tailed). Therefore, there was statistically significant difference between urban and rural respondents in perceiving exposing confidential information. In the same Table 5, regarding receiving extra- incentives of public servants the t-test shows that the mean scores of urban ($M=2.4556$, $SD= 1.04654$; and rural, $M=2.6373$, $SD=1.04845$; $t= (330) = -1.559$, $p=0.120>0.05$ (two tailed). Therefore, there was no statistically significant difference between are urban and rural in receiving extra-incentives. With respect to the perception of respondents in perceiving hiding taxable income, the t-test reported that the mean scores of urban ($M=1.6451$, $SD= .79269$; and rural ($M=1.8221$, $SD=.92735$; $t= (320) = -1.868$, $p=.063>0.05$ (two-tailed). Therefore, there was

Categories	Mean	SS	df	MS	f	P
Arranging a job for relatives	Between Groups	13.993	7	1.999	1.362	.221
	Within Groups	475.416	324	1.467		
	Total	489.410	331			
Running Business through illegal Means	Between Groups	8.880	8	1.110	.746	.651
	Within Groups	480.530	323	1.488		
	Total	489.410	331			
Taking undue favour	Between Groups	5.704	8	.713	.476	.873
	Within Groups	483.706	323	1.498		
	Total	489.410	331			
Misallocating public funds	Between Groups	10.908	8	1.364	.920	.500
	Within Groups	478.502	323	1.481		
	Total	489.410	331			
Exposing confidential information	Between Groups	7.080	8	.885	.593	.784
	Within Groups	482.329	323	1.493		
	Total	489.410	331			
Receiving extra incentives	Between Groups	11.206	9	1.245	.838	.581
	Within Groups	478.203	322	1.485		
	Total	489.410	331			
Hiding taxable income	Between Groups	9.492	8	1.186	.799	.604
	Within Groups	479.918	323	1.486		
	Total	489.410	331			

not statistically significant difference between urban and rural respondents background.

Table 6: ANOVA Summary for Occupational Background of Parents

$P \leq 0.05$ for ANOVA test value which shows that is significant $SS=$ Sum of the Square, $MS=$ Mean Square

As can be seen in Table 6, there was no significant difference concerning arranging a job for relatives [$F(7, 324) = 1.362$, $P > 0.22$]; running business through illegal means [$F(8, 323) = 0.746$, $p > 0.65$]; taking undue favour [$F(8, 323) = 0.476$, $P > 0.873$]; in misallocating public funds [$F(8, 323) = 0.920$, $P > 0.500$]; exposing confidential information [$F(8, 323) = 0.593$, $P > 0.784$]; receiving extra incentives [$F(9, 322) = 0.838$, $P > 0.581$] and hiding taxable income [$F(8, 323) = 0.799$, $P > 0.604$] respectively. Therefore, this implies that there was no significant difference between any pair of occupational background sub groups of farmers, merchants, government employee, employee of NGO and employee of private organization with regard to the given scenarios.

5. Conclusion

From chi-square and Pearson correlation results, it can be concluded that there was no statistically significant relationship between demographic variables and perceptions of corruption. Therefore, students' demographic variables have no significant relationship with perceptions of corruption. From independent t-tests and ANOVA results, it can be concluded that there were no statistically significant differences among demographic variables in perceptions of corruption. The possible reason could be due to wide spread of contemporary globalizations of information. In the modern world, the menace like corruption could be curbed through the moulding the thinking of the young minds in the positive direction. In order to make the every possible policy regarding the future of the country, it is very much desirable to understand the perception of young guns about how they perceive the corruption done through different means.

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Corruption and Development

6

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Abstract

Corruption is widespread in India. India is ranked 85 out of 179 countries in Transparency International's Corruption Perceptions index, although its score has improved consistently from 2.7 in 2002 to 3.4 in 2008. Corruption has taken the role of a pervasive aspect of Indian politics and bureaucracy. The economy of India was under socialist inspired policies for an entire generation from the 1950s until the 1980s. The economy was shackled by extensive regulation, protectionism and public ownership, leading to pervasive corruption and slow growth.

It may not be possible to root out corruption completely at all levels but it is possible to contain it within tolerable limits. Honest and dedicated persons in public life, control over electoral expenses, could be some of the important prescriptions to combat corruption. Corruption has a corrosive important on our economy and leads to loss of overseas opportunities. Corruption is a global problem that all countries of the world have to confront: solutions, however, can only be home-grown.

Key-Words – *Corruption, Bureaucracy, Socialist, Economy, Opportunities, Global.*

Introduction

Corruption and hypocrisy ought not to be inevitable products of democracy as they undoubtedly are today” Mahatma Gandhi

India has witness to major paradigm shifts that paved way for tremendous economic growth ever since attained independence and economic liberalization. According to figure baked by the IMF published in a 2011 report, the Indian economy is the eleventh largest in the world by nominal GDP and is raked the third largest by purchasing power parity. (A theoretical concept used to value currencies.)

Corruption is an ancient problem. In a treatise on public administration dating back to the fourth century B.C. in India, Kautiliya writes in his Arthashastra:

Just as ms it is impossible not to taste the honey (or the poison) that finds itself at the tip of the tongue, so it is impossible for a government servant not to eat up at least, a bit of the king's revenue. Just as fish moving under water cannot possibly be found out either as drinking or not drinking water, so government servants employed in the government work cannot the found out (while) taking money (for themselves). (R.P. Kangel 1972. P. 91)

Corruption is widespread in India. India is ranked 85 out of 179 countries in Transparency International's Corruption Perceptions index, although its score has improved consistently from 2.7 in 2002 to 3.4 in 2008. Corruption has taken the role of a pervasive aspect of Indian politics and bureaucracy. The economy of India was under socialist inspired policies for an entire generation from the 1950s until the 1980s. The economy was shackled by extensive regulation, protectionism and public ownership, leading to pervasive corruption and slow growth.

Now the question is how the dark hands of corruption attack the growth and development of India. In a developing country like India, corruption has prevailed from time damage to immemorial is one form or the other. It began with opportunistic leaders who had

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done greater our country and its economy. People who show punctuality and responsibility to their work are unnoticed and unrecognized. Modern society considers these people as fools. Corruption had reached a stage where, citizens have to bribe public servants, even for satisfying their legitimate rights. This has become all-pervasive that Indians accept it as inevitable fact of life.

In India, corruption is a result of relation between bureaucrats, politicians, and criminals. In earlier times, bribes were paid to get wrong things done. But nowadays it is done for getting right things done at right time. Tracing the social roots of corruption, we could find a strong rationale for dishonesty in the organization of Indian society along caste and kinship lines. The dowry system, donations for school admissions, spreading cult of consumerism are some other evils that encourage corruption. At the systematic level, Indian democracy itself is “based on corruption because all political parties have to collect funds in cash, which is black money. Corruption thus is now a low-risk, high-profit business.

Effects of Corruption on Growth

The world would be a better place without corruption and it does impose a cost on the economy. But the contention, that it is our biggest problem and we need to eliminate it before meaningful change can occur, is not supported by evidence. We need to look beyond the simple answer to figure out what else is holding back economic growth in our country. Just as there are people who believe that overpopulation is our biggest problem, there are others who attribute most of our difficulties to corruption.

There is no doubt that corruption is a pervasive and aggravating phenomenon but even a cursory comparative analysis should make one skeptical of the assertion that it is a major cause of our underdevelopment.

Closer to home, the Indian economy has picked up steam and the country has begun to be mentioned in the same league as China. And no one has attributed the acceleration of the rate of growth to a sudden decrease in corruption in India. It would be hard to argue that the level of corruption in India is significantly different from that in Pakistan. And if someone does argue the case, it would be of considerable interest to go into the reasons for the difference. A discussion of the causes of corruption could yield some valuable pointers regarding the measures that could contribute to reducing its prevalence. A focused discussion of corruption would benefit from defining it narrowly as the abuse of public office for private gain. This would distinguish it from other criminal acts like fraud, embezzlement, extortion and blackmail, all of which can be committed by private individuals not holding public office. It would also help to consider separately the phenomena of low and high level corruption, respectively. Low-level corruption (best characterized as “chai-paani corruption) is what the common citizen encounters every day and what colors his perception of its importance. The social frustrations caused by having to run around and pay extra money for virtually everything can understandably make it seem the cause of all our problems.

Further corruption has become something that is respectable, because of involvement of respectable people in it. In today’s situation, if a person needs a government job, there is no value for his eligibility. Only if he can pay lakhs of rupees to higher officials, he will get a job. In this case, poor people won’t get a job even if they are qualified and are eligible for the job. By adulteration and duplicating the weighing of products in food and civil suppliers department, the workers cheat the consumers by playing with their health and lives. In assessment of property tax, the officers charge money even if house is built properly according to the rules and regulations of government. In government hospitals, Doctors ask for bribes to conduct operations and other proper treatments. Many cases of corruption in hospitals have been reported. Thus corruption has become a common practice in every levels of bureaucracy.

From economic point of view, there seem to be no clear cut correlation between corruption and the economic growth on the country. We can find several countries having corrupt regime but yielding excellent economic result and other countries with clean regime showing very poor result in terms of economic prosperity and growth. The most important factor for the growth of the country seems to be the quality of its institutions. If the institutions work moderately well, progress is possible even if money is skimmed off at the top. But if institutions are incapable of enforcing any right, corruption will hasten economic collapse.

Conclusion

There is a much better grasp today of the extent to which corruption is a symptom of fundamental institutional weaknesses. Instead of tackling such a symptom with narrow intervention designed to “eliminate” it, it is increasingly understood that the approach ought to address a broad set of fundamental institutional determinants. However, the challenge of integrating this under-standing with participatory process has barely begun. The implementation of institutional reforms can benefit significantly from the participatory process that is being developed for anti-corruption activities. Equally important, any participatory process, however sophisticated, ought to lead to concrete results beyond enhanced participation and heightened awareness. Thus, identifying key institutional reforms in India, and mobilizing support for such reforms, needs to be fully integrated into the participator process from very early on. Such early convergence is likely to promote a better balance between prevention and enforcement measures in addressing corruption. Until recently, the pendulum was firmly in the “enforcement** corner. The gradual swing towards the middle ground has taken place due to recognition of the limitations to expose legalistic enforcement measures, since the law institutions themselves are currently part of the corruption problem in India.

Therefore, corruption is an intractable problem; it is like diabetes, which can only be controlled, but not totally eliminated. It may not be possible to root out corruption completely at all levels but it is possible to contain it within tolerable limits. Honest and dedicated persons in public life, control over electoral expenses, could be some of the important prescriptions to combat corruption. Corruption has a corrosive important on our economy and leads to loss of overseas opportunities. Corruption is a global problem that all countries of the world have to confront: solutions, however, can only be home-grown.

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Impact of Corruption on Human life in India

7

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Abstract

Corruption is widespread in Indian Civilization and it has caused maximum suffering to the human kind. It decreases the efficiency of public spending, decreases the budget revenues, raises the budget deficit, reduces the effective use of aid and hinders the democratic development. This paper demonstrates that high scale corruption has very harmful effects on human life in Indian perspective. The paper discusses issues related to the causes, effects, impacts and consequences of corruption. It emphasizes that lack of transparency, morality, accountability and consistency as well as institutional weakness provided fertile ground for the growth of corruption in India. Which kind negative effects are shown in Indian human life? The paper also touches the remedial measures which are necessary to fight against corruption in India.

Introduction

According to **Ban Ki-moon** United Nations Secretary-General “Corruption undermines democracy and the rule of law. It leads to violations of human rights. It erodes public trust in government. It can even kill -- for example, when corrupt officials allow medicines to be tampered with, or when they accept bribes that enable terrorist acts to take place.”

According to **Navi Pillay** United Nations High Commissioner for Human Rights “Let us be clear Corruption kills. The money stolen through corruption every year is enough to feed the world’s hungry 80 times over. Nearly 870 million people go to bed hungry every night, many of them children; corruption denies them their right to food, and, in some cases, their right to life. A human rights-based approach to anti-corruption responds to the people’s resounding call for a social, political and economic order that delivers on the promises of freedom from fear and want.”

Corruption is widespread in India. India is ranked 85 out of 176 countries in transparency international’s Corruption Perceptions Index. While in 2013 it was ranked 94th out of 175 countries. Although its score has improved consistently from 28 in 2002 to 38 in 2014. As per the statistics of world bank on the “ease of doing business” India has a ranking of 142 among the group of 189 countries. A 2005 study done by transparency international in India found that more than 50% of the people had first-hand experience of paying bribe or peddling influence to get a job done in a public office. Taxes and bribes are common between state borders. Transparency International estimates that truckers pay annually \$5 billion in bribes. In Bihar alone, more than 80% of the subsidised food aid to poor is stolen.

Corruption adversely affects economic performance, undermines employment opportunities, and clouds prospects for poverty reduction. When corruption is prevalent, those in public positions, fail to take decisions with the best interests of society in mind. Petty corruption raises the cost of engaging in productive activities. Its burden falls disproportionately on poor people. Corruption affects the lives of poor people through many other channels as well. It diverts public resources away from socially valuable goods, such as education and infrastructure investments that could benefit poor people like health clinics, roads, etc. Corruption can also affect the enjoyment of civil and political rights in all states.

Defining the term corruption is not easy as one recognises its occurrence. It varies from region to region and remains largely contextual. It can be said that corruption is a universal

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problem without universal definition. For instance, one man's bribe may be another man's gift. We can say that corruption is defined as a misuse of entrusted power for private gain against the right of others and giving officials undeserved benefit.

According to Lord Acton (1834-1902) "Power tends to corrupt and absolute corrupts absolutely. There is no worse heresy than the office sanctifies the holder of it".

According to the United States Agency for International Development (USAID) Handbook for Fighting Corruption (1999), corruption can assume various forms: "It encompasses unilateral abuses by government officials such as embezzlement and nepotism, as well as abuses linking public and private actors such as bribery, extortion, influence peddling and fraud. Corruption arises in both political and bureaucratic offices and can be petty or grand, organized or disorganized."

Review of Literature:

Corruption happens and it happens in all countries. Although corruption is more common in

Poor countries like India where it exists everywhere. It is now widely accepted that corruption is not restricted to specific regions or levels of economic development (**Abed and Gupta, 2002**) and that the most pressing questions are which mechanisms corruption uses and how severe it actually is as a constraint on economic and political activities (**Basu, 2006; Pande, 2008**).

One of the defining debates in the literature on the consequences of corruption has been whether it *greases* or *sands* the wheels of economic growth and development. Those in favour of the greasing hypothesis argue that corruption facilitates trade that would not have happened otherwise and promotes efficiency by allowing private sector agents to circumvent cumbersome regulations (**Leff, 1964; Huntington, 1968**). Numerous examples support this view, showing that in highly restrictive regulatory environments, corruption can enhance economic growth by stimulating entrepreneurship and efficiency (**De Soto, 1990; Egger and Winner, 2005; Levy, 2007**).

Another strand of thought predicts that corruption may have no efficiency effects, only redistributive ones: for example, if the most efficient firm is the one that can pay the highest bribes to officials in order to obtain contracts or licenses from the government, then there is no efficiency consequence, just a transfer from the government to the corrupt official (**Lui 1985**). Opponents of this view have constructed a solid theoretical rebuttal to these arguments by arguing that the *greasing* effect of corruption is only possible as a second best option in a malfunctioning institutional setting. Thus, in order to properly evaluate the effects of corruption one has to recognize its endogeneity with respect to institutions (**Aidt, 2009**).

Theoretical analyses and empirical evidence supporting this view abound, showing that corruption *sands* the wheels of growth. Rock and Bonnett (2004) argue that corruption reduces investment in most developing countries and particularly in small open economies. **Reinikka and Svensson (2004; 2005)** find that it has detrimental effects on human capital accumulation. Concerning its magnitude, **Fisman and Svensson (2001)** estimate that a one per cent increase in corruption leads to a three per cent reduction in firm growth. This body of evidence informs the position of key international policy actors like the IMF, World Bank and the OECD and the ever increasing number of anti-corruption agencies and campaigns at both national and international form (**Méon and Weill, 2010**).

Das-Gupta (2007), Basu (2011), Bardhan (1997, 2005), together bring a succinct and almost comprehensive survey of corruption in India, a subject on which there is a very limited academic literature. Das-Gupta (2007) makes a distinction between coercive bribes and voluntary bribes. Coercive bribes are what Basu (2011) calls "harassment bribes", bribes to be paid for what is an entitlement or what an official is bound to do as part of their duties

anyway. Voluntary bribes refer to bribes for favours, such as the award of a licence or a contract. Coercive bribes include bribes for refraining from using power to cause harm, for example, bribes to the police or to tax officials to get a refund. Coercive bribes benefit bribe-takers only, while voluntary bribes make the bribe-taker and bribe-giver partners in crime at the expense of the exchequer and the general public, as well as those deprived of equal opportunity to compete for contracts and licences.

Das-Gupta (2007) cites a Transparency International survey of 2002 which ranks the following seven government agencies in decreasing order of corruption: police, judicial services, land administration, education, tax, and health services. Bribes to the police are paid to avoid harassment. A significant finding is that bureaucratic corruption payments were paid directly to officials and not to middlemen, and mostly to officer-level staff and not to subordinate staff. Related to the ubiquity of bureaucratic corruption, there is also large-scale corruption in government recruitment, and postings, and transfers to 'lucrative' positions, those in which coercive bribes can be extracted. The rate of bribes ranges from 10—20 per cent of the legal sums involved for various services.

While the existing literature has established some theories of corruption, these have produced markedly divergent predictions about both the causes and consequences of corruption. In particular, existing theory is ambiguous about whether corruption is bad for the economy.

A preliminary analysis of the literature shows that corruption in India and elsewhere is recognized as a complex phenomenon, as the consequence of more deep seated problems of policy distortion, institutional incentives and governance. It thus cannot be addressed by simple legal acts proscribing corruption. The reason is that, particularly in India, the judiciary, legal enforcement institutions, police and such other legal bodies cannot be relied upon, as the rule of law is often fragile, and thus can be turned in their favour by corrupt interests.

Objective of the Study:

The objective of the research paper is to reveal what are the causes of corruption? What are the effects and impacts of corruption on public life in India? Measures which are useful in fighting against corruption?

Methodology

The research methods used for the completion of the paper were the content analysis and comparative analysis. These methods will include through investigation of the experience in this field through the suggested materials and through the materials from the internet.

Corruption in India

Corruption in India is a topic that seems to never fall out of fashion. From as far back as Kautilya's *Arthashastra* in the 4th century B.C. to the 2G telecommunications spectrum scam in the contemporary period, corruption is widely perceived to be an endemic phenomenon in the Indian subcontinent.

The great Indian philosopher **Kautilya** says "Just as it is impossible not to taste the honey or the poison that finds itself at the tip of the tongue, so it is impossible for a government servant not to eat up, at least a bit of the King's revenue. Just as fish under water cannot possibly be found out either as drinking or not drinking water, so government servants employed in the government work cannot be found out taking money."

India liberalised its economy in 1991, drastically reducing tax rates, tariffs, and detailed micro-control of economic activity. This opened up sectors hitherto reserved for the public sector, including to foreign companies. These changes were expected to bring an end to the corruption that plagued India, particularly since the 1970s. Yet, in 2011, two decades after

liberalisation, an economically resurgent India faced a crisis of governance. Scams and scandals dominated the headlines.

In recent years so many major scandals involving high level public officials have shaken the India. All those scandals suggest corruption has become a pervasive aspect of Indian political and bureaucratic system. Some of them major scams are following –

- ❖ Coal Allotment Scam (Cost – 186000 Crores)
- ❖ 2 G Spectrum Scam (Cost – 176000 Crores)
- ❖ Commonwealth Games (CWG) Scam (Cost – 70000 Crores)
- ❖ Mega black money laundering Scam (Cost – 70000 Crores)
- ❖ Adarsh Housing Scam (Cost – 18978 Crores)
- ❖ Stamp Paper Scam (Cost – 20000 Crores)
- ❖ Boforce Scam (Cost – 400 Million)
- ❖ Fodder Scam (Cost – 950 Crores)
- ❖ Hawala Scam (Cost – 8000 Crores)
- ❖ Satyam Scam (Cost – 14000 Crores)
- ❖ Stock Market Scam (Cost – 3500 Crores)
- ❖ Madhu Koda Scam (Cost – 4000 Crores)

Causes of Corruption

Available research reveals that the causes of corruption are diverse and depend on the different contextual environment of country. Main causes of corruption are:

- ❖ Corruption is caused as well as increased because of the change in the value system and ethical qualities of men who administer. The old ideas of morality, services and honesty are regarded as an ending position.
- ❖ As human nature is imperfect, corruption will exist in all human endeavours. Selfishness and greed are the elements of human nature, which lead to corruption.
- ❖ Illiteracy and the poor economic infrastructure lead to corruption in public life.
- ❖ Increase of wants and inability to maintain one's family life forces officials to compromise public trust and honesty for some fringe benefits.
- ❖ In a high inflationary economy, low salaries of human being compel than to resort to corruption.
- ❖ Lack of effective and efficient enforcement of the law, existence of a weak civil society.
- ❖ Tolerance of people towards corruption and absence of a strong public forum to oppose corruption allow the rulers to rule over people.
- ❖ Lack of transparency and accountability in the public integrity system are contributing factors for corruption.
- ❖ Complex law and procedure are the hindrance seeking help from the government for common people.
- ❖ Artificial scarcity created by people weakens the fabric of the economy.
- ❖ At the time of election, big industrialists fund politicians to meet high cost of election and ultimately to seek personal favour. Bribery to politicians buys influence, and bribery by politicians buys votes.

Impact of Corruption:

Corruption deepens poverty, it debases human rights; it degrades the environment; it derails development, including private sector development; it can drive conflict in and between nations; it destroys confidence in democracy and the legitimacy of governments. It debases human dignity and is universally condemned by the world's major faiths.

According to the **Durban Commitment to Effective Action against Corruption, 1999** Corruption affects economic growth, discourages foreign investment, diverts health and other public services, education and anti-poverty programme.

The main impacts and effects of corruption on human life in India are as follows:

Impact on society: Corruption is as much moral as a development issue. It can distort decision making process on investment project and other commercial transaction, and the very social and political fabric of society. In India corruption is like a cancer for society. It is destroying India's economic democratic and political system. Corruption reduces public revenue and increases public spending. While corruption violates the rights of all those affected by it, it has a disproportionate impact on people that belongs to a group that are exposed to particular risks. It also disproportionately affects women, children, and people living in poverty.

Disregard for officials: People start disregarding the official involved in corruption by talking negatively about him. But when they have work with him or her, they again approach them by a thought that the work is done if some monetary or other benefits are provided. Disregard of officials will also build distrust.

Lack of respect for rulers: Rulers of the nation like president or prime ministers lose respect among the public. Respect is main criteria in social life. People go for voting during election not only with the desire to improve their living standards by the election winner but also with respect for the leader. If the politicians involve in corruption, people knowing this will lose respect for them and will not like to cast their vote for such politicians.

Lack of quality in services: There is no quality of services in corruption. This is seen in many areas like municipality, electricity, distribution of relief funds etc. Due to corruption (like teaching line) candidate can't provide quality education service after completion his course. Further candidate who don't have the ability can also get into same seat by purchasing it. He becomes a teacher, as he may not be competent enough.

Corruption and public services: Corruption can result in the loss of trust in public services; corrupt education system may prompt to withdraw their children from school. Corruption also reduces the quality of services procured. It negatively affects the volume and the quantity of public service delivery. Distortion of resources allocation and reduction in revenue has a disproportionate impact on poor and other categories society.

Difficulty in getting a proper job: Finding job in a government office, even with the right qualification is very difficult due to rampant corruption. If you don't having money to paid a bribe, or if you don't know someone influential and powerful to recommend you. The worst condition further, those involved in corruption are getting better promotions and opportunities.

Corruption and environment: Environmental impact includes effect on stocks and flow of resources. Corruption can increased polluting emissions, increase depletion of natural resources. It can harm environmental governance also. Corruption distorts market and the allocation of resources because it reduces the ability of government to impose necessary regulatory controls and inspection to correct for market failures.

Effect on daily life: Corruption not only affects the budget investments but also reduces the budget revenue, which is very crucial for further development. It reduces the standard of living, check the economic growth and it may tend to destroy some of potential assets, the enthusiasm, idealism and sympathy of its youth. In that event the idealism and enthusiasm of the younger generation turns to cynicism.

Corruption and inequality: Corruption can affect the nature of a state's economic development. It is likely to raise income inequality and affect the poor disproportionately

because it allows well positioned individuals to take advantage of government activities at the cost of the rest of population. Infect corruption is significantly associated with income inequality and poverty. Lower income household and business pay a higher proportion of their income in bribes. On a given level of government budget and national income high corruption countries achieve lower literacy rates, have higher mortality rates and overall achieve worse human development outcomes.

Impact on women: In some countries girls are not allowed to be born. Female infanticide is still rampant in India and its neighbouring Asian regions. There are many countries where women are not allowed a right to education and freedom to choose the man they want to marry. One of the greatest human right violations is the crime against women. Women, girls are raped and sexually tortured all around the world.

Impact on children: Corruption may also have disproportionate impact on children. Child abuse is form of human right violation, where children are forced and violated physically, mentally as well as sexually. Child labour is a human right violation that takes away the freedom of being a child from a child. Right to education taking away from a child, harsh working conditions and unfair remuneration is also very sinful work. So corrupt practice harms right that are particularly relevant to children: as right to education, right to protection from trafficking and sexual exploitation.

Corruption and human welfare: Corruption possesses serious challenges for governance, as state can't achieve the goals of development without ensuring corruption free governance. Corruption affects the integrity of the political system and neither allows for the protection of human rights and the promotion of human freedom nor the development of democracy, it implies discrimination, injustice and disrespect for human dignity.

Low economic performance and low public welfare: Corruption adversely affects economic performance, undermines employment opportunities and clouds prospects for poverty reduction, petty corruption raises the costs of engaging in productive activities. Its burden falls disproportionately on poor people. Corruption affects the lives of poor people through many other channels as well. It diverts public resources away from socially valuable goods, such as education and infrastructure investment that could benefit poor people like health clinic, roads etc. Corruption also undermines public service delivery. Where corruption involves the transfer of funds outside the countries, it seriously undermines economic development. The way funds are allocated gets distorted, foreign aid gets reduced and productive capacity get further weakened.

Lack of development: Corruption can effect on human capital formation, which is the most important input in the process of production. Corruption weakens tax administration. Higher level of corruption means, lower the revenue and less resources available for funding public provision for services. At the macro level the corruption's result is unbalanced economic growth, skewed distribution of wealth and inefficient utilisation of resources. According to World Bank estimate, 0.5% of India's GDP is lost due to corruption every year

Measures to Combat Corruption:

Corruption is a cancer, which every Indian must strive to cure. Many [new leaders declare their determination to eradicate corruption but soon they](#) themselves become corrupt and start amassing huge wealth. If weak human rights protection may create opportunities for corruption, polices that promote human rights may prevent corruption. The world would be a better place without corruption and it does impose a cost on the economy. But the contention, that it is our bigger problem.

More and more courts should be opened for speedy and inexpensive justice so that cases don't linger in courts for years and justice can be delivered on time.

Where governments permit information to flow freely, it should become easier to check corruption. Governments should also guarantee conditions for a diversity of independent media and protect the political independence of public media.

Transparency in government is possible if there is freedom of information and the citizens have access to information. Recently several States have adopted the 'Right to Information Act' which empowers any person.

With the advancement of and use of information technology in day-to-day life and even in governmental operations, speedy processing of information not only reduces the scope of corruption but also improves the quality of service to the citizens

Independent Local bodies of the government, like Lok-pals, Lok-adalats and vigilance commissions should be formed to provide speedy justice. Human rights organizations may play a role in helping to expand state interpretations of the right to access information.

Cooperation of the people has to be obtained for successfully containing corruption. People should have a right to recall the elected representatives.

Funding of elections is at the core of political corruption. Electoral reforms are crucial in this regard. Several reforms like state funding of election expenses for candidates, making political parties get their accounts audited regularly and filing income-tax returns, denying persons with criminal records a chance to contest elections, should be brought in.

Public awareness is a must to combat corruption in India, for this it should be a must to improve our education system because education is the best mean to understand fundamental rights.

Cooperation of the people has to be obtained for successfully containing corruption. People should have a right to recall the elected representatives if they see them becoming indifferent to the electorate.

Responsiveness, accountability and transparency are a must for a clean system. Bureaucracy, the backbone of good governance, should be made more citizen-friendly, accountable, ethical and transparent. Accountability is necessary for good governance. This is possible through transparency in operations. Hence transparency in public life demands greater access to information, rules and regulations. Corruption can be reduced through increased communication between civil servants and general public.

Corruption can be removed if people can start to believe the value of ethics and morality in their life. If they start to believe in God, in oneness of God and if they really start to live life on the way which God has chosen for mankind.

With the help of the Right to Information Act, citizens should be empowered to ask for information related to public services, etc. and this information should be made available to general public as and when required.

The Budget Reform is the other factor combating corruption. Government should undertake only what it can do well within its resource constraints. Projects to be implemented efficiently and effectively can prevent and expose corruption.

Human Rights Organizations may also help to promote active participation of people at every level of society and enable them to monitor how well government officials and other actors carry out their responsibilities.

Fool proof laws should be made so that there is no room for discretion for politicians. The decision of the commission or authority should be challenged only in the courts.

Conclusion:

Whether people live in advanced democracies or state-controlled polities, they share a hope and—increasingly an expectation—to lead lives freed from official corruption. This freedom is threatened by the endemic nature of corruption in certain societies and global conditions that enable it to cross borders. Our collective challenge is to consider whether and how human rights law should take the fight against transnational corruption on the offensive and act as a more effective normative guide of conduct.

There is urgent need to protect human being from corruption. Our aim has been to provide some tools that will enable them to begin to exchange expertise and may help each to deal with the human suffering caused by corruption more effectively. This said, those who work to end corruption have created their own institutions, practices and laws – their own tradition – as human rights organisations have. Efforts to apply human rights will not be effective in practice unless they take account of this context.

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Analysis of the Relationship between Corruption and Technology

8

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Abstract:

Corruption in India is a major issue that adversely affects its economy study conducted by Transparency International in year 2005 found that more than 62% of Indians had first hand experience of paying bribes or influence peddling to get jobs done in public offices successfully. In its study conducted in year 2008, Transparency International reports about 40% of Indians had firsthand experience of paying bribes or using a contact to get a job done in public office.

In 2014 India ranked 85th out of 175 countries in Transparency International's Corruption Perceptions Index, compared to its neighbors Bhutan (30th), Bangladesh (145th), Myanmar (156th), China (100th), Nepal (126th), Pakistan (126th) and Sri Lanka (85th). In 2013, India was ranked 94th out of 175 countries.

Most of the largest sources of corruption in India are entitlement programmers and social spending schemes enacted by the Indian government. Examples include Mahatma Gandhi National Rural Employment Guarantee Act and National Rural Health Mission. Other daily sources of corruption include India's trucking industry which is forced to pay billions in bribes annually to numerous regulatory and police stops on its interstate highways.

There are a slew of newly organized and emergent efforts to tackle various forms of corruption, particularly by using new technology, from the global — such as the Open Government Partnership, the Extractive Industries Transparency Initiative and Transparency International — to the very local — such as ipaidabribe and its various clones. These efforts have also benefited from a number of traditional players, like state and independent regulators, apparently becoming more aggressive in enforcing laws.

Corruption has been cited as one of the most prevalent and persistent challenges in enhancing economic growth and improving the quality of life of citizens across the globe. The World Bank's 2011 guide identifies corruption as “one of the single greatest obstacles to economic development and social development”. It goes on to state that “through bribery, fraud and the misappropriation of economic privileges, corruption diverts resources away from those who need them most”. Focusing on East Asia in particular, two World Bank publications have offered frameworks, strategies, and tools to challenge corruption in both the private (Arvis and Berenbeim, 2004) and the public sectors (Bhargava and Bolongaita, 2004). In countries large or small, market driven or otherwise, governments have fallen and prominent politicians like presidents and prime ministers have been removed after being accused of corruption (Backus, 2001). Current research documenting how corruption hinders economic development provides a compelling argument that efforts to challenge corruption are especially important in the developing world (Ahmad and Brookins, 2007; Mistry, 2012)

In this paper, we focus specifically on the potential role of technology in mitigating corruption. We test the relation between ICT driven e-government and corruption by developing and testing empirical models that examine how

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Changes in the use of technology in various countries are linked to changes in their levels of corruption. Next, we examine whether developed or developing countries benefit most from greater use of ICT or e-government... The rest of the paper is organized as follows. The first section defines corruption and its role as a barrier to economic development. In the second section, we discuss the role of technology in dismantling corruption and argue that technology can be utilized by both developed and developing countries to target corruption. The third section presents the data and methodology utilized to conduct our empirical analyses. The paper also points out the pros and cons of technology regarding corruption control.

I what is Corruption and Why to Fight It?

What is corruption? The term *corruption* is used to describe a variety of activities. The students of corruption concentrate on various issues such as bribery, kickbacks, ethics violations, illegal asset accumulation, violations of procurement regulations, political nepotism, cronyism, campaign and party finance violations, money laundering, illegal transactions, freedom of information, public governance, financial accountability and many other issues (see, for example, World Bank 1998; 2000a: 103-109; Transparency International 2001). Although numerous definitions of corruption might be found in the literature, depending on the focus of a particular study, there is convergence on a basic definition that understands corruption as the abuse of public power for private benefit (World Bank 1997; McMoy and Heckel 2001). According to the World Bank (WB), **corruption** is “*the abuse of public office for private gain*. Public office is abused for private gain when an official accepts, solicits, or extorts a bribe. It is also abused when private agents actively offer bribes to circumvent public policies and processes for competitive advantage and profit. Public office can also be abused for personal benefit even if no bribery occurs, through patronage and nepotism, the theft of state assets, or the diversion of state revenues.” (World Bank 1997: 8-9) This definition is broad enough to encompass all types of corruption one encounters in reality. It also places the public sector at the center of the phenomena of corruption. This report uses this definition of corruption.

What basic types of corruption do we distinguish? According to Rose-Ackerman corruption occurs when private agents try to obtain favorable treatment from public officials with the help of illicit payment: “payments are corrupt if they are illegally made to public agents with the goal of obtaining a benefit or avoiding a cost.” (Rose-Ackerman 1999: 9) If corruption becomes widespread, it “is a symptom that something has gone wrong in the management of the state. Institutions designed to govern the interrelationship between the citizen and the state are used instead for personal enrichment and the provision of benefits to the corrupt.” (ibid.) Hence, corruption undermines the effectiveness of public administration and substantially decreases the quality of public governance. If corruption affects the structure of state bureaucracy it wipes out impartial officials and replaces stable and predictable rules applicable to all citizens with a system that provides benefits on the basis of the ‘purchasing power’ of individual clients. This type of corruption takes place at the office level and is called **petty “bureaucratic corruption”**.

Petty bureaucratic corruption is often related to **grand “political corruption”** that affects politicians in the highest echelons of power. In other words, symbiosis is often established between corrupt bureaucrats and corrupt politicians. According to Donatella della Porta and Alberto Vannucci, the public official is “a necessary ally for the corrupt politician because his help is often necessary for the *implementation* of the political decisions that have been paid through bribes” (della Porta and Vannucci 1999: 138). Although it is analytically useful to keep the distinction between the two forms of corruption, one also needs to keep in mind what both of them have in common. Both types of corruption bring substantial **economic, social and moral costs** to the society affected by it.

II Impact of Technology on corruption:

Technology in governance result to e-Government that refers to government's use of ICTs to work more effectively, share information and deliver better services to the public. E - Government is essentially more about the process of government reform and resulting benefits than about the application of specific technological solutions or services. A well-planned e-government strategy can make leaps into building a more efficient, accountable and transparent government. If planned with representation from key stakeholders, e-government applications can rebuild citizen trust in government, promote economic growth by improving interface with business, and empower citizens to participate in advancing good governance. While e-government is not a panacea for the complex and deep-rooted problems of corruption, it cannot be ignored that ICTs possess the ability to contribute effectively towards any anti-corruption efforts. This APDIP e-Note looks at how e-government can help fight corruption; gives two well-known examples from the Republic of Korea and India where e-government has Successfully helped to fight corruption; and discusses the challenges in designing and implementing similar programmes. When e-government applications are used to fight corruption, it is critical that four key anti-corruption strategies – prevention; enforcement; access to information and empowerment; and capacity building are integrated in the design and implementation process. A few case studies of e-government applications from the Asia-Pacific region report some impact on reducing corruption in several ways:

Prevention: Introducing e-government applications provide an opportunity to simplify rules and procedures, and re-engineer processes and systems. The use of computers and online transactions eliminate gate keepers, depersonalize and standardize the delivery of services and thus, reduce abuse of discretion and other opportunities for corruption.

Enforcement: Computerized procedures make it possible to track decisions and actions and thus, serve as an additional deterrent to corruption. Where data are centralized, unbiased sampling procedures can be applied for audit purposes.

Access to Information and Empowerment: Publishing of government information online builds accountability by providing documentation to citizens to substantiate their complaints against corrupt practices.

Capacity Building: Introducing e-government applications requires that telecommunication infrastructure is strengthened, human resources are developed in ICT literacy, and the culture of good governance promoted

III Government Case Studies from India that Targeted Corruption

These cases from India represent both success and failure in tackling corruption through e-government. These cases highlight the potential and pitfalls in designing e-government applications that focus on the twin objectives of transparency and combating corruption.

(A)Bhoomi-Computerization of land records, Karnataka, India

The Bhoomi project of on-line delivery of land records in Karnataka demonstrates the benefits of making government records more open so that citizens are empowered to challenge arbitrary action. It also illustrates how automation can be used to take discretion away from

civil servants at operating level Nearly 20 million records of land ownership of 6.7 million farmers in the state have been computerized. Previously, farmers had to seek out the Village Accountant to get a copy of the Record of Rights, Tenancy and Crops (RTC) -- a document needed for many tasks such as obtaining bank loans. Village Accountant was not easily accessible, as his duties entailed travelling. The time taken by Village Accountants to provide RTCs ranged from 3 to 30 days depending upon the importance of the record for the farmer and the size of the bribe. A typical bribe for a certificate could range from Rs.100 (\$1= Rs 50) to Rs.2000. If some details were to be deliberately written in an ambiguous fashion, the bribe could go up to Rs.10,000. Land records in the custody of Village Accountant were not open for public scrutiny.

In the manual system, land records were maintained by 9,000 Village Accountants, each serving a cluster of 3-4 villages. The village accountants also survey the crops grown on each farm three times a year. This data is printed at the back of the RTC. Mutation requests to alter land records (upon sale or inheritance of a land parcel) had to be filed with the Village Accountant. The Village Accountant is required to issue notices to the interested parties and also paste the notice at the village office. Often neither of these actions was carried out, and no record of the notices was maintained. If no objections were received within a required 30-day period, an update to the land records was to be carried out by a Revenue Inspector. In practice, however, it could take 1-2 years for the records to be updated.

In the Bhoomi project, a printed copy of the RTC can be obtained online by providing the name of the owner or plot number at computerized land record kiosks in 180 taluk offices for a fee of Rs.15. A second computer screen faces the clients to enable them to see the transaction being performed. A farmer can check the status of a mutation application on a Touch Screen provided on a pilot basis in three of the computerized kiosks. Operators of the computerized system are made accountable for their decisions and actions by using a bi-ologin system that authenticates every log-in through a thumb print A log is maintained of all transactions in a session.

In the next phase, all the taluk databases are to be uploaded to a web-enabled central database. RTCs would then be available online at Internet kiosks, which are likely to be set up in rural areas

A recent evaluation by an independent agency indicates that in the perceptions of the farmers Bhoomi has improved service and lowered corruption. During a 12 month period nearly 5.5 million farmers have paid Rs 15 and collected their RTCs from the Bhoomi kiosks. Bhoomi has reduced the discretion of public officials by introducing provisions for recording a mutation request online. Farmers can now access the database and are empowered to follow up. However, as there is no change in the role of Revenue Inspector in passing the mutation order, corruption in the mutation process may not necessarily reduce. Reports on overdue mutations can point to such errant behavior which supervisors must examine and take appropriate action. Clearly there is no substitute to good management.

Many efforts at computerization of land records in India have failed in the past. Bhoomi succeeded because there was a champion in the departmental head who worked a 15-hour day for over 12 months, devoting 80% of his time to the project. Minimizing resistance from staff by harnessing political support was an important contributory factor. Extensive training coupled with a participatory style also helped to diminish resistance.

(B) Interstate Computerized Check posts in Gujarat

Ten check posts on interstate highways entering the state of Gujarat in India were computerized with the objective of tightening the inspection of incoming trucks for overloading and validity of document. The project was implemented in 9 months at a total cost of \$14 million, of which construction of roads leading up to the check posts accounted for 70% of the expenditure. The essential components of computerization were: a video camera to capture registration numbers of incoming vehicles; electronic weigh bridge for weighing truck to determine overload; creation of a data base of trucks to retrieve unladen weight of the truck; and installation of a wide circuit video camera based monitoring system. The central office in the capital state of Ahmedabad was to receive images from the check posts to monitor the activities.

As compared to the manual system where only 2% of the incoming trucks were flagged off the road for overloading, the current system enables a 100% check. The system was expected to reduce corruption by automating the fine levying process on overloaded trucks. There was a substantial increase in the fine collection over 3 years from \$19 million to \$ 50 million.

Judged on the basis of the revenue increase, the application was perceived to be very successful. However, after the transport commissioner, who implemented the project was transferred out (one year), many components of the application have been disabled. The private operators, who were manning the kiosks have left, as their contract was not renewed because of a dispute on the quotation. A recent evaluation study indicated that revenue collection continues to be at \$50 million inspite of the system not working. However, corruption continues unabated. A bribe of one dollar is being charged from every driver and a third of the overloaded trucks are allowed to go without fines. Bribes are collected from such trucks averaging three dollars, which is only 10% of the fine that should have been collected. The poor impact on transparency and corruption is because of the following flaws in the design and implementation of the project:

1. The expectation of a short tenure led the transport commissioner (project champion) to force the pace of implementation and complete the whole task in 9 months. Even though the equipment to automate the entire process was installed, many software and procedural elements could not be put in place in the short period. For example, the software to extract the registration number from the video image of the plate could not be debugged and fine tuned. The maintenance contract for the private operator beyond the one year warranty period was not finalized. A data base of trucks was not created because of other components not working completely.
2. The corruption at check posts is not purely administrative and one-sided. There is a clear case of collusion where overloaded trucks like to avoid a fine through payment of bribes. Such a situations requires a complete and fool proof automation, where there is no gate keeping role or manual discretion. Such systems also require a great deal of effort in changing attitudes of affected employees through change management. Intensive physical supervision for the first few years is necessary to institutionalize the change.

IV OPEN System developed for the city administration: of Seoul offers an example of the successful use of ICTs in the anticorruption struggle. Due to the OPEN System the status of every application submitted to the city administration of Seoul can be checked via the Internet. In this respect, citizens can acquire real time information on their applications and can find out who is currently reviewing them, their status, estimated date of approval, or reasons for which applications were returned. However, as the case of the anticorruption strategy used in Seoul also well illustrates, the application of ICTs is not a universal panacea for the problem of corruption. The OPEN system was introduced as one of the elements of a **complex anticorruption strategy** based on preventive and punitive measures, transparency of administration and public private partnership introduced prior to computerization

V use of mobile in reducing corruption: the availability of mobile phones has exploded with more than half the households in India owning a mobile phone - even in India's poorest states. As the census commission soberly put, more families have mobile phones than toilets in India today. The project seeks to make use of these parallel developments to assist credible activist organizations to collect and disseminate information through the exploding network of mobile phones.

The recipients will be able to provide feedback and submit official complaints through a simple interface on their mobile phones, and the feedback can be used by activist networks for advocacy and collective action. Relevant and timely information is already an important part of the activist toolkit, and the project is based on the premise that this power can be significantly expanded through the use of technology.

To take an example, India has a public distribution system with over 600,000 shops that distribute subsidized food grains and other essential materials in villages every month. In the state of West Bengal, the entitlements to the beneficiaries can change every month, and can be different in each district. Due to this variation, beneficiaries often do not know how much rice, wheat or kerosene they are entitled to making it easy for them to be cheated by the dealers. This information can be easily accessed through a photocopy from the state government, and the team has helped its partner organization disseminate it in rural areas through mobile phones.

VI Challenges in e-governance

There are large numbers of potential barriers in the implementation of e-Governance. Some hindrance in the path of implementation, like security, unequal access to the computer technology by the citizen, high initial cost for setting up the e government solutions and resistance to change. Challenges identified as trust, resistance to change, digital divide, cost and privacy and security concerns.

i. Trust

Trust can be defined along two dimensions: as an assessment of a current situation, or as an innate personality trait or predisposition. The implementation of public administration functions via e-government requires the presence of two levels of trust. The first is that the user must be confident, comfortable and trusting of the tool or technology with which they will interact. The second dimension of trust pertains to trust of the government

There has to be a balance between ensuring that a system prevents fraudulent transactions and the burden that extensive checks can take place on people who are honest.

Recently, confidential information on military veterans was compromised when a computer containing their personal information was lost. This type of incident can erode trust and user confidence in government systems. Trust, along with financial security, are two critical factors limiting the adoption of e-government services

ii. Resistance to change

The innovation diffusion theory states that over time an innovation will diffuse through a population, and the rate of adoption will vary between those who adopt early—referred to as —early adopters— and to those who adopt the innovation much later, referred to as —laggards. The resistant to change phenomenon can explain much of the hesitation that occurs on the part of constituents in moving from a paper based to a Web-based system for interacting with government. Citizens, employees and businesses can all have their biases with

Respect to how transactions should be processed. However, government entities and public policy administrators cannot ignore the changes that occur as a result of the implementation of information and communication technology (ICT). In the early 1990s identified the important role that ICT would have in shaping public policy, and cautioned both rich and poor governments about neglecting its significance. Education about the value of the new systems is one step toward reducing some of the existing resistance. It can also be particularly useful for a leader or manager, to buy into the new system at an early stage in the adoption process

iii. Digital Divide

The digital divide refers to the separation that exists between individuals, communities, and businesses that have access to information technology and those that do not have such access. Social, economic, infrastructural and ethno-linguistic indicators provide explanations for the presence of the digital divide. Economic poverty is closely related to limited information technology resources. An individual living below poverty line does not afford a computer for himself to harness the benefits of e-government and other online services. As the digital divide narrows, broader adoption of e-government in the public domain becomes possible.

Economic poverty is not the only cause of digital divide. It can also be caused by the lack of awareness among the people. Even some of the economic stable people don't know about the scope of e-governance. Awareness can only help to bring users to that service delivery channel once. It cannot guarantee sustained use of the system unless the system is also designed in such a way as to deliver satisfactory outcome. Procedures need to be simplified to deliver concrete benefits and clear guidelines provided to encourage their use by the actual end users and reduce users' dependence on middlemen/intermediaries

iv. Cost

Cost is one of the most important prohibiting factor that comes in the path of e-governance implementation particularly in the developing countries like India where most of the people living below the poverty line. Elected officers and politician don't seem to be interested in implementing e-governance. Its return is not visible in the near future. In 2004, the United Kingdom and Singapore respectively spent 1 percent and 0.8 percent of their gross domestic product (GDP) on e-government. India is spending 3 percent of GDP.

v. Privacy and Security

There will be three basic levels of access exists for e-government stakeholders: no access to a Web service; limited access to a Web-service or full-access to a Web service, however when personal sensitive data exists the formation of the security access policy is a much more complex process with legal consideration [16]. With the implementation of e-government projects, effective measures must be taken to protect sensitive personal information. A lack of clear security standards and protocols can limit the development of projects that contain sensitive information such as income, medical history.

VII ICTs for reporting

Technology provides effective new channels to report administrative abuses and corruption, and facilitate the lodging of complaints. Reporting can be done via websites, hotlines or phone applications that solicit and aggregate citizens' experience of corruption.

➤ Reporting bribery and petty corruption

Perhaps the most renowned corruption reporting website is Janaagraha Centre for Citizenship's ipaidabribe.com. Through this website, citizens can report on the nature, number, pattern, types, location, frequency and values of actual corrupt acts that they experienced. [Ipaidabribe.com](http://ipaidabribe.com) received almost 22,500

Reports between 2010 and 2012, some of which were picked up by the media and resulted in arrests and convictions (IACC, 2012). On the same website, citizens can also report on

positive experiences they had with honest officers. The initiative started in India but has now been duplicated in Greece, Kenya, Zimbabwe, and Pakistan. New versions of ipaidabribe.com will soon be launched in Azerbaijan, South Africa, Ukraine and Tunisia. Transparency International has opened over 50 Advocacy and Legal Advice Centres (ALACs) since 2000 to receive citizens' complaints about corruption and engage in strategic advocacy on people's behalf. TI Macedonia has launched an online reporting platform called Draw a Red Line which allows individuals that have experienced or witnessed corruption to report their cases via ONE (Mobile Operator) by sending SMS from their mobile phones, sending an email, using a web form, on twitter by using the hash tag #korupcijaMK or by reporting over the phone. The reports are then verified by TI Macedonia staff and forwarded to the appropriate public institution to solicit follow-up. In 2012, Draw a Red Line received about 200 reports, 60 of which were verified.

VIII ICTs for monitoring

ICTs are increasingly used to monitor budgets, projects and government activities, as well as to request official information.

➤ *Access to information*

Alaveteli is a free social email software that is used by citizens to request information from their government. Alaveteli facilitates the correspondence with the relevant authorities and keeps track of all requests and their responses. Alaveteli was funded by the Open Society Institute and the Hivos Foundation and has supported the launch of many FOI websites, such as the EU's Ask The Eu, Brazil's Queremos Saber and Kosovo's Information Zyrtare.

➤ *Budget monitoring*

Openspending.org is an Open Knowledge Foundation initiative promoting open knowledge and data,

particularly regarding government budgets through a mapping of money flows. The aim of Openspending.org is to help track every government and corporate financial transaction across the world and present it in user-friendly and engaging forms. The project is participative and has been taken up in several countries: Transparency International Slovakia launched Slovakia Open spending in early 2013,

presenting budget and expenditure information from more than 20 cities across Slovakia; the World Bank

launched Cameroon Budget Inquirer, in collaboration with Openspending.org, to visualize the national

investment budget, to provide a sub-national budget transparency index and to allow people to easily

explore the country's financial data.

➤ *Monitoring of political life*

ICTs can also serve to monitor a country's political life, from political party financing to Parliament activities. Argentina's PoderCiudadano launched the website Dinero y Politica to present data on political party finances. This website has become a point of reference for information regarding political and campaign financing and offers data from national elections dating back to 2007. In France, a group of citizens formed Regards Citoyens to provide official information about the country's political life (votes and debates at the National Assembly and at the Senate, database of lobbying activities etc.) in a simplified manner. The

Czech and Slovak website KohoVolit keeps records of the proposals and positions of electoral candidates before elections and monitors whether candidates

➤ *Monitoring of social services*

In recent years, many social accountability projects have started using ICTs to monitor the delivery of different social services. Transparency International Germany recently launched an online platform to monitor the connections between the business community and German Universities. Hochschulwatch maps the money received by German higher education institution through corporate agreements. A good example of the use of new technologies is the Philippines' Check My School project. Check My School is a participatory monitoring tool combining ICTs and community monitoring to look into use of public funds by schools. The objective of the project is to help the Department of Education identify resource gaps. ICTs have also been utilized in the health sector. TI Uganda has recently launched a project on "Promoting social accountability in the health sector in northern Uganda". This project empowers health users to monitor local health centres through the use of the radio, call centre operations, mobile phones and web applications.

➤ *Monitoring of the judiciary*

ICTs can also help monitor the work of the judiciary. Guatemala is a country where impunity is a serious Problem, partly due to the politicization of the appointment of judges. Guatemala Visible is an online Platform, set up and maintained by civil society organisations, that monitors the selection of the Auditor General, the General Prosecutor, the Public Defender, the Ombudsman and other key judiciary officials. Guatemala Visible has so far succeeded in publicizing information about candidates to senior judicial Positions, compelling the nomination committees to conduct rigorous background checks and scrutinize unqualified candidates (TAI, 2010)

➤ *Monitoring of illegal logging*

The use of satellite images/cameras to monitor illegal logging is currently being explored within the context of the initiative for Reducing Emissions from Deforestation and Forest Degradation (REDD). There are major corruptions risks associated with carbon emissions reduction schemes such as REDD. First, REDD takes place in a corruption-prone sector, where corruption is widespread in the form of state looting, elite capture, theft and fraud. In addition, there are specific governance challenges associated with emerging forest development practices and carbon trading schemes, such as inappropriate validation and verification, misappropriation of carbon rights, double counting and fraudulent trade of carbon credits. Satellite ImagingTechnology (Remote Sensing) can be used as a tool for monitoring, assessing, reporting and verifying carbon credit and co-benefits. Such technologies are currently widely tested and suggested as a tool for REDD monitoring, assessment and verification (UN-REDD Programmers, 2008).

IX Conclusion:

The lack of information transparency contributes to international corruption. The technology is a powerful tool that promotes transparency—it publicizes information about corrupt activities, reduces the need for corrupt bureaucrats to serve as middlemen, and

increases the risk for bribe-taking and bribe-paying. The swift distribution of information technologies worldwide is critical to reduce corruption because of the mutually dependent relationship of technology, transparency, and democracy. In this study the effects of technology penetration on corruption reduction was analyzed utilizing cross-sectional time series data consisting of 176 countries. This paper present the different way how technology helps in eradication of corruption

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Impact of Corruption on Indian Economy

9

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Abstract

High scale corruption has harmful effects on economic and political development. 'Corruption is the abuse of power by a public official for private gain.'¹ It is one of the oldest phenomena in human society. According to Oxford Advanced Learner's dictionary, corruption means dishonest or illegal behaviour, especially of people in authority.

Corruption may decrease the efficiency of public spending, decrease the budget revenues, raise the budget deficit and also hinder Foreign Direct Investment. Corruption not only affects economic development in terms of economic efficiency and growth, but it also affects equitable distribution of resources across the population, increasing income inequalities, undermining the effectiveness of social welfare programmes and ultimately resulting in lower levels of human development. The rapid development of rules of corporate governance around the world is also prompting companies to focus on anti-corruption measures as part of their mechanisms to protect their reputations and the interests of their shareholders.²

The present paper intends to study various concepts and meanings of corruption and its types. The paper will also attempt to study the impact of corruption in the Indian economy and will try to examine the ways and policies for reducing it.

1. Introduction

1.1 Meaning of Corruption

Corruption is widespread in India. India is ranked 85 out of 179 countries in Transparency International's Corruption Perceptions Index, although its score has improved consistently from 2.7 in 2002 to 3.4 in 2008. Corruption has taken the role of a pervasive aspect of Indian politics and bureaucracy.³ There are a bunch of scams often in the Indian administration i.e. Bofors scam, Hawala Case, Fodder Scam, Taj Corridor scam, Satyam Scam, Commonwealth games scandal etc.

Corruption is an age old phenomenon and can be seen everywhere now a days. The word corruption means destruction, ruining or spoiling a society or nation. Corruption comes under many different guises like bribery, extortion, fraud, embezzlement, misappropriations of public goods, nepotism (favouring family members for jobs and contracts) cronyism and influence peddling. Corruption has been defined in many different ways, each lacking in some aspect.

According to Oxford Advanced Learner's dictionary, corruption means dishonest or illegal behaviour, especially of people in authority.⁴ The Webster's Dictionary defines corruption as "inducement to wrong by improper or unlawful means as bribery."⁵

The term corruption covers a broad range of human actions. To understand its effect on an

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¹For one of the most influential statements of the abuse of public office for private gain definitions see Nye (1967: 417-27)

²"The Effects Of Corruption On Economic Development "by Mahmoud Moustafa -
- See more at: <http://www.tamimi.com/en/magazine/law-update/section-5/march-4/the-effects-of-corruption-on-economic-development.html#sthash.w90b9jsD.dpuf>

³ A. Abdulraheem, "Corruption in India: An Overview (Causes, Consequences and Remedial Measures)", <http://www.isidelhi.org.in/saissues/articles/artoct09.pdf>

⁴ <http://www.oxfordlearnersdictionaries.com/definition/english/corruption>

⁵ <http://www.merriam-webster.com/dictionary/corruption>

economy or a political system, it helps to unbundle the term by identifying specific types of activities or transactions that might fall within it. In considering its strategy the World Bank sought a usable definition of corruption and then developed taxonomy of the different forms corruption could take consistent with that definition. They defined corruption as *the abuse of public office for private gain*.⁶ This definition is both simple and sufficiently broad to cover most of the corruption that the Bank encounters, and it is widely used in the literature.

1.2 Types of Corruption

Economic corruption:

Economic corruption can be defined as the sacrifice of the principal's interest for the agent's interest. Economic corruption results in making profits. Economic corruption has implications of determining the loss of income, how and how much for the principal, the agent, the state, the consumer, the economy, etc.⁷

Petty Corruption:

Petty corruption is practiced on a smaller scale. It can be defined as the use of public office for private benefit in the course of delivering a public service.

Small scale, bureaucratic or petty corruption is the everyday corruption that takes place at the implementation end of politics, where the public officials meet the public. Petty corruption is bribery in connection with the implementation of existing laws, rules and regulations, and thus different from “grand” or political corruption.⁸ Petty corruption refers to the modest sums of money usually involved, and has also been called “low level” and “street level” to name the kind of corruption that people can experience more or less daily, in their encounter with public administration and services like hospitals, schools, local licensing authorities, police, taxing authorities and so on.⁹

Grand Corruption:

Grand corruption is considered as the most dangerous and covert type of corruption. It usually takes place at the policy formulation end of politics. The involvement of money is not so much or it is not revealed as this corruption is a kind of hidden corruption which takes place behind the walls. As the name suggest, it is mainly found in those places where officers of higher rank are involved.¹⁰

Business Corruption:

Business Corruption is not often regarded as a crime, rather it is considered as a means to accelerate business processes. Proponents of business corruption claim that the end result is not affected by this type of corruption; the mechanisms used to achieve the result are simply accelerated. In essence, bureaucracy is bypassed and time is utilised. It mainly includes bribery, insider trading, money laundering, embezzlement, tax evasion and accounting irregularities, etc. moreover among all the type of business corruption Bribery, corruption and facilitation payments were the most commonly reported issues recorded by the Institute of Business Ethics' media monitoring during 2013.¹¹

⁶Helping Countries Combat Corruption: The Role of the World Bank, <http://www1.worldbank.org/publicsector/anticorrupt/corruptn/cor02.htm>

⁷José G. Vargas-Hernández, The Multiple Faces Of Corruption: Typology, Forms And Levels, University Centre for economic and Managerial Sciences, University of Guadalajara, available at, <http://www.ameppa.org/upload/Typology.pdf>

⁸Anju Beniwal, Corruption: A Social Disease, The Indian Journal of Political Science, Vol. LXXIII, No. 1, Jan-March, 2012, pp. 85-96

⁹Elaine Byrne, 2007. The Moral and Legal Development of Corruption: Nineteenth Century Corruption in Ireland. PhD Thesis, University of Limerick.

¹⁰Anju Beniwal, Corruption: A Social Disease, The Indian Journal of Political Science, Vol. LXXIII, No. 1, Jan-March, 2012, pp. 85-96

¹¹Harriet Kemp, The cost of corruption is a serious challenge for companies, The Guardian, Thursday 30 January 2014 07.00 GMT

Besides the above kinds of corruption following are some of the corruption which also hampers the economy of a nation.

Nepotism:

Nepotism is another common form of corruption that occurs when officials favour relatives or close friends for positions in which they hold some decision-making authority. This type of favouritism is the natural human proclivity to give preferential treatment to friends and families, and occurs in both the public and private sectors. For example, imagine that 'A' has a student is the headmaster's nephew and his teachers report low marks for his classes. If the headmaster changes the low marks to high marks, he has fallen victim to the temptations of nepotism. Or conceptualize an elected official who comes to office and fills the posts in the executive branch with his under-qualified friends and family rather than qualified people who apply for the posts. The official is also guilty of nepotism. In the case of the young student, he will likely not learn well the content of the lesson put to him by his teacher, will lose a level of academic self-esteem, and learns that you need not work hard to get ahead, but to have connections to people of power. In the case of the political positions granted to under-qualified friends, the fate of the nation is hampered since unqualified people will be guiding policy and national decision-making process.

Furthermore, there is less likely to be a balance of power since the political staff may follow the ideas of the person who gave them the position. As a result, the quality of services provided to the people will be diminished.

Clientelism:

Clientelism is at the heart of how corruption is spread through the government. It is characterized by "patron-client" relationships in which relatively powerful and rich "patrons", in the case of parliamentarians, political candidates, promise to provide relatively powerless and poor "clients" with benefits, such as jobs, protection or infrastructure, in exchange for votes. These relations are corrupt because they exploit the poor or disenfranchised to become indebted to the elected, for work that is a part of his job responsibilities. Thus, the democratic principles that define the political process are reduced. Therefore, creating a problem of unemployment is not at all good for a developing economy.

1.3 Cause of Corruption

“Corruption is a global phenomenon and it is omnipotent. It has progressively increased and is now rampant in our society. Corruption in India has wings, not wheels. As the nation grows, the corrupt also grow to invent new methods of cheating the government and public. The causes of corruption are many and complex.

The following are some other causes of corruption: -

- Emergence of political elite which believes in interest oriented rather than nation oriented programmes and policies.
- Artificial scarcity created by people with malevolent intention wrecks the fabrics of theeconomy.
- Corruption is caused as well as increased because of the change in the value system and ethicalqualities of men who administer. The old ideals of morality, services and honesty are regarded as anachronistic.
- Tolerance of people towards corruption, complete lack of intense public outcry againstcorruption and the absence of a strong public forum to oppose corruption are also some of the major causes for corruption.
- Vast size of population coupled with widespread illiteracy and the poor economic infrastructurelead to endemic corruption in public life.

- In a highly inflationary economy, low salaries of government officials compel them to resort to corruption. Graduates from Indian institutes of management with no experience draw a far handsome salary than what government secretaries draw.
- Complex laws and procedures deter common people from seeking help from the government.
- Elution time is a time when corruption is at its peak. Big industrialists fund politicians to meet high cost of election and ultimately to seek personal favour. Bribery to politicians buys influences and bribery by politicians buys votes. In order to get elected, politicians bribe poor, illiterate people.”¹²

1. Impact of Corruption in Indian Economy

The debate on the effects of corruption on economic activity is unsettled. Some have argued that corruption hurts economic development because it redirects resources in unproductive direction and instils distortions in the economy (Scheifer and Vishny, 1993). For example, Tanzi and Davoodi (1997) identify four channels through which corruption may have an adverse effect on economic growth: higher public investment, lower government revenues, lower expenditures on business operations and maintenance, and lower quality of public infrastructure.

The economically expansive view of corruption cannot be ruled out, and under some conditions can be compelling. Corruption could lubricate the flow of commerce when few legal (non corrupt) options are viable for economic actors. Corruption would have value when it permits productive investments and trades that otherwise would not occur.

Since 1991, economic liberalization in India has reduced red tape and bureaucracy, supported the transition towards a market economy and transformed the economy, with high growth rate. However, although the Indian economy has become the 4th largest in the world, the growth has been uneven across social and economic groups, and poverty is still an issue. Endemic and deep rooted corruption is a major factor for most social and political ills. It is a serious threat not just for sustainable economic growth, but also to the socio-political fabric of the country.¹³

Recent major scandals, such as the 2G spectrum scam, Commonwealth Games misappropriations, Adarsh housing scandal, and the cash for vote scam – have badly dented the credibility of the political class. Public dissatisfaction with the current inefficient and arbitrary decision making system of the nation appears to be at all time high after independence. This is symbolized by the massive public support Anna Hazare, a noted Gandhian social worker received in his recent campaign against corruption. Never before, in the history of independent India, the anti-corruption sentiment has been so high. Anna's crusade appears to have emboldened even the weakest and the most voiceless groups of the society. His appeal to raise voice against the petty corruption of the lower bureaucracy has particularly gone well with the ordinary people.¹⁴

For the first time after independence, the RTI act of 2005 gave some teeth to anti-corruption activists and empowered the public to probe the activities of government officials and expose corruption. But it does not address the root causes of widespread corruption in the country and a major overhaul of the legislative system is required. It implies change in the system of governance of the nation so that the ruling class is made more accountable to the people electing them.¹⁵

¹²Jeevan Singh Rajak, “Corruption in India: Nature, Causes, Consequences and Cure” <http://iosrjournals.org/iosr-jhss/papers/Vol18-issue5/C01852024.pdf?id=8650>

¹³ Understanding Corruption in India: Promoting Transparency, https://socialissuesindia.files.wordpress.com/2011/09/corruption_article.pdf

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The current system of governance is so rotten that honest people appear to have no place in it. It was prominently highlighted in the media few years ago in 2003 when Satyendra Dubey was murdered for exposing the National Highway Authority corruption scandal. A prominent RTI activist, Shehla Masood, in Bhopal was murdered on 16 August, the day when Anna Hazare was to start his second round of “hunger strike”. Harassment and killing of people raising their voice against corruption has been going on for a long time. Unfortunately, the political class has lost will power to address this serious issue at the root level.

2. Conclusion and Suggestions

Every Indian must strive to cure Corruption which is one of the burning problems in any country. Many new leaders before coming to the position declare their determination to eradicate corruption but soon they themselves falls a prey to corruption and start gathering huge wealth. Nowadays many people have become materialistic and money oriented therefore the importance of ethics and morals in business dealing have faded to a large extent. This is because these kinds of people have no moral accountability to anybody or about society or nation. One of the most important means to combat corruption is Public awareness, and for this it is must to improve our education system. Corruption can be removed if people can understand and start to believe the value of ethics and morality in their life. The role of the politician should be minimized. Application of the evolved policies should be left in the hands of an independent commission or authority in each area of public interest. The decision of the commission or authority should be challenged only in the courts. Cooperation of the people has to be obtained for successfully containing corruption. People should have a right to recall the elected representatives if they see them becoming indifferent to the electorate. Funding of elections is at the core of political corruption. Electoral reforms are crucial in this regard. Several reforms like state funding of election expenses for candidates, strict enforcement of statutory requirements like holding in-party elections, making political parties get their accounts audited regularly and filing income-tax returns, denying persons with criminal records a chance to contest elections, should be brought in.¹⁶ Receptiveness, liability and clearness are a must for a clean system. Bureaucracy which is the backbone of good governance should be made more citizen-friendly, accountable, ethical and transparent. More and more courts should be opened for speedy and inexpensive justice so that cases don't linger in courts for years and justice is delivered on time. Local bodies, independent of the government, like Lok-pals, Lok Adalats and Vigilance Commissions should be formed to provide speedy justice with low expenses. With the help of the Right to Information Act, citizens should be empowered to ask for information related to public services, etc. and this information should be made available to general public as and when required. Such stringent actions against corrupt officials will certainly have a deterrent impact.¹⁷

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Crime and Punishment, the Trap to Catch the Corrupt

10

R.Ajitha

Introduction : TRAP the Corrupt

It is a process to catch the offender who has committed the offence red-handed, while in the act of receiving corrupt money. It is no doubt a powerful weapon and approved for use in detection of criminals. Careful planning and preparation is called for and the veracity of the complaint maker is to be thoroughly checked and satisfied because like any other powerful tool this also can be misused. When a complainant comes and complains proper investigation and thorough checking should be done to avoid the misuse of the same. There are two important requirements in this situation, one is the public servant should have demanded for the bribe and the other is the victim should give complain to the CBI or Police authorities of the same. Then only a trap can be laid down.

Illegitimate TRAP

In a legitimate trap, there is demand for bribery by the public servant from a member of the public for discharging a bonafide service for which the member of public is legally entitled. The public servant in this case should have insisted that he won't discharge the said duty for which the public is entitled to without bribe. In this case it is justified for the aggrieved member of the public to approach the Police Investigator and lodge a complaint to arrange for trap of the bribe-demanding public servant.

In an illegitimate trap there is no demand by the public servant, but the offer or inducement is made by the member of the public at his own, or as per advice of the investigating officer by way of temptation and where the public servant agrees and receives the gratification, he is caught in the act. This is not only illegal, but also all unprofessional and unethical¹⁸.

The three elements of successful traps are¹⁹:

- There should have been an earlier demand for illegal gratification by the Public servant from the complainant. It should not be an offer for providing gratification by the complainant. As part of his public office, the public servant must have the power to provide the service/benefit to the complainant. The complainant must be in a position to pay the amount of illegal gratification. This amount should not be contributed by the investigating agency.
- During the trap the demand should be reiterated by the public servant and on the complainant offering the amount, the public servant must accept it.
- When the trap party appears rushing to the scene immediately, they must be in a position to recover the amount from the corrupt public servant. While such recovery should be made before witnesses, it is necessary to prove in the court the identity of the money and the fact that it was handled by the corrupt officer. The serial numbers of the currency note tendered are to be noted down before the trap and the witnesses

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¹⁸ R.Kannan, *Usage of chemicals in trapping the corrupt*, <<http://cvc.nic.in>>, (28.8.2014)

¹⁹ R.Kannan, *Usage of chemicals in trapping the corrupt*, <<http://kannanpersonal.com/projects/cbi/cbi-trap.html>>, (28.8.2014).

- should be able to identify these notes. Additionally the currency notes would be treated with chemical substances like Anthracene or Phenolphthalein.

The procedure which the investigation team should follow is that exact details of time, place and date when the corrupt person meet the public servant, the details of background transactions, and the amount of illegal gratification demanded by the public servant should be clearly specified in the FIR. Officers competent to conduct investigation as per Prevention of Corruption Act, 1988 should conduct the trap. Otherwise prior permission should be obtained from the competent Magistrate, if officer junior in rank conduct the trap.

Independent witness should be secured to evidence and depose the facts of the trap. The bribe-giver is in law an accomplice and his evidence itself may not be sufficient, though by tendering evidence, he secures immunity from prosecution. (Prevention of Corruption Act, 1988, Section-24: Statement by bribe giver not to subject him to prosecution). The witness selected should be independent, respectable and intelligent enough to observe events taking place and depose in a court at a later date. He should be thoroughly briefed beforehand the procedure to be followed in the trap²⁰. The witness should not handle the witness after these are treated by chemicals. But should be handled only by the complainant. Before proceeding on the trap all these details will be recorded. The complainant will be searched and he must possess only the chemically treated money and nothing else. When the complainant comes and complains he should be sent with one witness to the public servant who asked for bribe²¹. The investigation officer with some constables and other witness should wait at a place close by. After the corrupt person demands and accepts the bribe money from the complainant, a pre-arranged signal will be made by the complainant. After this the investigating officer, his party and the 2nd witness would rush to the meeting place. When the investigating officer enters the place, he shows his identity and ask the corrupt person to produce the amount of illegal gratification produced by him. If the public servant didn't cooperate then he will be subjected to a search including his premises. Here chemical test for palm, fingers, shirt pockets, etc will be searched. It should be conducted to establish handling of the money by the corrupt official and serial numbers of the currency seized should be tallied with what had been noted down earlier to prove their identify. The entire proceedings should be recorded and signed by the two witnesses. If information is obtained that the public servant is a habitual bribe collector, then immediately his house can also be searched.

Purpose of Using the Chemicals²²

Anthracene is a chemical powder. It emits a light blue fluorescent light under influence of ultra violet rays. The effects stick to cloths after once contacting this powder and remain for a long time even after repeated washes. When the money treated with Anthracene is recovered from the corrupt person, his hands, or cloths coming into contact with the money, if exposed will emit blue fluorescent light.

Phenolphthalein is available in the form of fine powder. It is a coal tar product. It reacts to Sodium Carbonate to produce a pink solution. Notes treated with this powder, when handled by the corrupt persons, tiny particles stick to his hand or to his clothes. A solution of Sodium

²⁰ Supra note 2

²¹ V.R.Dhole and B.M.Shinde, 'Forensic examination of Phenolphthalein Traces in Anticorruption / Trap Cases by TLC and Derivative spectrophotometry', Indian Journal of Criminology & Criminalistics, (Vol 19).

Carbonate, which is colourless, when applied to his hands or to the clothes will turn to pink colour.

In trap cases, it is necessary that some responsible and impartial person or persons should have witnessed the transaction and/or overheard the conversation of the suspect public servant. All public servants, particularly gazette officers, should assist and witness a trap, whenever they are approached by the S.P.E. to do so. The Head of Department/ Office will, when requested by the Special Police Establishment, detail suitable person or persons to be present at the scene of trap. Refusal to assist or witness a trap may be regarded as a breach of duty and disciplinary action may be taken against the officer concerned. Unless of course, the officer concerned represents that he is personally known to the person to be trapped or that he has already appeared as a Trap Witness in earlier Trap cases.

What all steps the CBI or the Police officer can take are the CBI and the Police will complete the documentation after the traps within a period of two months. They will make available legible, authorized photocopies of all the documents to the disciplinary authority within two months from the date of trap for action at their end. Once the photocopies of the documents are received, the disciplinary authority should initiate action to launch departmental inquiry. There will be no danger of double jeopardy because the prosecution which will be launched by the CBI or the Police based on the trap documents would relate to the criminal aspect of the case and the disciplinary proceedings will relate to the misconduct under the Conduct, Discipline and Appeal Rules. Retired, honest people may be appointed as special inquiry officers so that within a period of two months, the inquiry against the corrupt public servants involved in traps can be completed. On completion of the departmental process, appropriate punishment must be awarded to the trapped charged officer or public servant, if the charge is held as proved. If and when the court judgment comes in the prosecution case, action to implement the court decision may be taken appropriately²².

Phenolphthalein powder, a smooth white powder is generally applied in small quantity on the currency notes and other objects are likely to come in contact with hands, pockets etc. of the culprit resulting in its transfer (Locard's Principle of Exchange: Wherever he steps, whatever he touches, whatever he leaves, even unconsciously, will serve as a silent witness against him. Not only his fingerprints or his footprints, but his hair, the fibers from his clothes, the glass he breaks, the tool mark he leaves, the paint he scratches, the blood or semen he deposits or collects. All of these and more, bear mute witness against him. This is evidence that does not forget. It is not confused by the excitement of the moment. It is not absent because human witnesses are. It is factual evidence. Physical evidence cannot be wrong, it cannot perjure itself, it cannot be wholly absent. Only human failure to find it, study and understand it, can diminish its value)²³. The objects (hand, bag, pocket etc.) are washed with a colorless solution of sodium carbonate (or sometimes with lime water), which becomes immediately pink confirming the touching of currency notes/ transferred of phenolphthalein to the object. Hence even if he public servant is acquitted in the Court with the principle that the bribe giver has

²²Teotia, *Forensic analysis of phenolphthalein-A Review*, Internet Scientific publication 2009, (29.8.2014).

²³Raghu Kimani, *Examination of Chemicals in Trap Cases (Phenolphthalein)*, <http://khimanisagar.weebly.com/uploads/1/5/8/3/15832018/examination_of_chemicals_in_trap_cases.pdf>, (25.8.2014).

got loan from me, which he repaid now, he will be liable for violating conduct rules in the official time. Art. 20 (Double jeopardy) doesn't protect from departmental proceedings, even if a person is acquitted in court proceedings²⁴.

Phenolphthalein has a specific character that it fades after few days, so when the trial happens it might get faded because of two reasons, one being that the pH of the solution should have been changed or as the phenolphthalein would have broken down into two different acids. When this physical evidence is finally produced in the court, often several months to year or more after the initial trap, the alkali solution may appear to be colourless or almost colorless. As the courts place reliance on the visual appearance of red colour of the alkali solution of phenolphthalein as a proof of transfer of phenolphthalein. The absence or doubtful presence of phenolphthalein complicates matters. Defense often tries to take advantage of this situation. Although this problem has been solved by adding small quantity of hydroquinone (an antioxidant), but still more work has to be done in this area. This problem can be solved by adding hydroquinone power to it so that it doesn't fade²⁵.

The intention of the above instruction is to ensure that there is a sharp focus on meting out effective punishment to the corrupt in every organisation. Once these instructions are implemented, the atmosphere in organisations is bound to improve because the corrupt will get the signal that they could not survive as in the past on the delays taking place both in the departmental inquiry process as well as in the prosecution process.

The Supreme Court has done its work to the fullest in the sense that it has held upheld the conviction against the official even when the complainant and witnesses turned hostile during court proceedings, upheld conviction against official even when he used a middlemen to get the bribes and did not touch the notes by himself, and also observed that circumstantial evidences can also be used for corroboration in bribe cases, if witnesses turn hostile. Direct evidences to link corrupt official with currency notes (phenolphthalein) not always necessary to convict the accused.

Conclusion

Corruption is very prevalent in our society. Even though when there are many ways to find the corrupt person few often used ways are the usage of phenolphthalein power or noting down the number of the money note when the complainant comes and complains to the investigation officer are two best tracking methods which are used. For the same purpose there should be a close check on the complainant because of the fact that the power of using this should not be misused and more over the corrupt person should be restrained from further activities like this. The coloured alkaline phenolphthalein solution unfortunately has a tendency to fade away with passage of time due to chemical changes. Consequently when this physical evidence is finally produced in the court, often several months to year or more after

²⁴Raghu Kimani, *Examination of Chemicals in Trap Cases (Phenolphthalein)*, <http://khimanisagar.weebly.com/uploads/1/5/8/3/15832018/examination_of_chemicals_in_trap_cases.pdf>, (25.8.2014).

²⁵Dr. Srikandan, *[Ethics] Traps in Bribery case: features, safeguards, Phenolphthalein Test & case studies*, <<http://mrunal.org/2013/11/ethics-traps-in-bribery-case-features-safeguards-phenolphthalein-test-case-studies.html>>, (28.8.2014)

the initial trap, the alkali solution may appear to be colourless or almost colourless. As the courts place reliance on the visual appearance of red color of the alkali solution of phenolphthalein as a proof of transfer of phenolphthalein. The absence or doubtful presence of phenolphthalein complicates matters. Defense often tries to take advantage of this situation. Although this problem has been solved by adding small quantity of hydroquinone (an antioxidant). From these aspects it is very clear that the solution is used as an evidence for corruption cases in the courts. If this method is used effectively without any misuse then there can be changes in the judiciary system and as well reduce the corruption cases and make the job of the court easier by proving physical evidence. Supreme court has tried its maximum to give away justice in these issues. They have gone to the extent that even when the witnesses turn hostile, the bribe takers were held liable with circumstantial evidence and etc. bribe takers tend to take bribe only when bribe givers encourage it, so according to law even the bribe givers are held liable to destroy this concept of bribe and corruption. The honest officers can immediately inform the police or the CBI about the same immediately or with the help of witness can prove the way bribe giver bribes the public servants.

The whole concept of corruption should be eradicated from Indian society and it should be a white society without any black money.

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Value Based Higher Education as a Tool to Arrest Corruption

11

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Abstract

If a society is to be free of corruption, it has to be made up of evolved individuals who have a fairly strong sense of what is right and what is wrong. This is the most basic and important solution to the problem of corruption. Spirituality helps to keep emotions under control and brings peace of mind. An education system that includes spiritual values in instruction will help teachers and students imbibe eternal values and truths that enable them to not only develop their intellectual capacity but also to fulfill their role as responsible human beings in society.

Human values and ethics serve as a basis for all aspects of education. It is the development of the society which is largely depended upon how the education is imparted to the learners and trainers as well, in which higher and technical education serves a crucial role in today's world. We should have ethical regards and clarity of human values, rural technologies, sustainable and environmental concerns embedded in the curricula, emphasize on our indigenous values and lead by way of ethical and social bias. The society could be changed and prosperity would naturally follow if the basis of education is knowledge compounded by regard and value for sustainable development. Such values have been inherited from the rich traditions of our spiritual knowledge that forms the backbone of entire human civilization.

Corruption has penetrated into the Indian education system and one has to examine what are the most important means through corruption is clutching the education system and their impacts on society. Today, modern educational institutions have their primary emphasis on moneymaking and materialism instead on the concept of complete human development. The present higher or the technical education system has, however not been able to pay adequate attention to the requirements of this nature.

This paper attempts an analysis of such factors and suggests suitable corrective measures.

Introduction

In ancient times, the education was considered as sacred as God in India and the *gurukuls* were the best Institutes to achieve the education with sacredness. In ancient India, the *gurukuls* were dedicated to achieve the highest ideals of complete human development that included physical, mental, spiritual development as well as leading to God-realization.

On the other hand, modern educational institutions have their primary emphasis on moneymaking and materialism instead of concept of complete human development. There was a time when corruption was only in Government offices, private institutions, police stations etc. But, now, corruption has spread its roots in educational system also. Now schools are not a temple of education but they have become the shops of poor quality education. Higher institutions like engineering colleges are no exception. Corruption in the education sector can be defined as “the systematic use of public office for private benefit, whose impact is significant on the availability and quality of educational goods and services as a consequence on access, quality or equity in education”

Education System in India currently represents a vast contradiction. There are many institutes
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like General Colleges, IITs, NITs, IIMs, AIIMS, BITS, CSIR, Space Research and

Atomic Energy Commission that rank among the best institutes in the world and on the contrary, most of the institutes in the country do not even have the minimum basic infrastructure or honest and unbiased teachers. Teaching has become more focused on self gain or promotions, etc;

In the recent times, many Indian educational institutes are under the clutches of corruption cases. AICTE, UGC etc which are regulatory or monitoring bodies of Indian educational system are also involved in corruption cases. Declining ethical values, Course Curricula, Privatization, Teacher appointments, posting, transfer and stay at choice place, teacher's absenteeism from classes and, private tutoring, construction of building of hall or classrooms, admission process, examination process, unfair means, etc; add to the total lack of values and are contrary to our Indian ethics. Affiliation of institute, State and local politics, fake and money maker institutes, harassment of research scholars, Purchasing and maintenances of institutes, etc are many important means through which corruption has been clutching the Indian education system.

Basic Modes of Corruption

Privatization of Education

Privatization of education has emerged in several forms in the recent decade in India. Government has allowed to open self-financing private institutions with recognition, many of which may be termed as commercial private education institutions. Many private institutions have started courses on many discipline without basic infrastructure and qualified teaching faculties. Similarly mushrooming and practices have been noted in engineering, medical, nursing, pharmacy and management discipline and faculties in many private institutions are compelled to sign on affidavit that they are being paid as per UGC scale, although they are not even paid half of what is recommended by the government.

Teacher Appointments and Posting

There was a time when an entire generation of dedicated teachers was present in India, which was motivated by ideals and principles that were embedded in the social value system. The number of such teachers has substantially declined due to the corruption and political interference involved in teacher's recruitment and transfer. The policy relating to recruitment, promotion and transfer of teachers in the education system are yet not formed in many states and thus the human resource management in education is not well organized in India. Teachers are always afraid regarding their appointment and transfers. Sometimes teachers pay bribe for their posting and transfers. Mostly Political leaders, high-level bureaucrats and members of the teacher unions also attempt to influence decision-making regarding the recruitment and transfer of teachers.

Affiliation of institutes

All the educational institutes are governed by regulatory bodies like UGC, AICTE, etc. These governing bodies form rules, regulations and guideline from time to time to regulate the functioning of educational institutes. Presently many education institutions do not fulfill eligibility criteria of affiliation to these regulatory bodies because they do not have minimum teaching and non-teaching staff, laboratory, and equipments as prescribed by the regulatory body, even they do not fulfill minimum demands of basic facilities for essentials like water, electricity, ventilation, toilets, sewerage etc. however many corrupt private institutes have been affiliated without following rules, regulations and guidelines of the statutory regulatory bodies by means of bribery, nepotism or favoritism. In a recent case of corruption in technical education institutes, the All India Council for Technical Education (AICTE) has cancelled recognition of five engineering colleges affiliated to various universities.

In case of the TEQIP being sponsored by the World Bank and an authority of USA, it appears we lost our dignity. I don't think the Chinese or Japanese are also following the same path. They don't even use English in their publications! India must prove itself strong enough by our own resources.

Lack of Comprehensive Teacher's Training in Technical Institutions

Teachers lead a nation. Hence, its teachers must be leaders. Unlike school teachers, we do not have a teacher's training system and as a result, hardly any teacher has any exposure to ethical values, hands-on social work, field projects, student's psychology and effective expression. These must be made mandatory to enter into teaching, rather than a Ph D degree.

Though our Government and governing bodies sometimes talk of "society oriented work", in practice no serious step is taken in this direction. Self reliance can never be achieved if we are only after the "glittering" world of high technologies, paper publications and neglect low (appropriate) technologies & unorganized sector people. NSS must be made compulsory for both students & teachers at all levels (NSS Manual, 1986).

Similarly, a course on Moral Values or Ethics must be made compulsory for an entry into teacher ship, administrative posts and Directorship. Psychology Tests must be conducted by an impartial body just as in the Defence forces.

Over Emphasis on Higher Qualifications and Ph Ds or Above

Today Ph D has been made compulsory to be a teacher in higher education by authorities comprising some bureaucrats. Hence, everybody has to run after it by hook or crook to just earn his bread. It is none of the candidate's fault. The importance conceived of as well as the lust for promotion has further complicated the matter. Promotions must be time bound and automatic based on experience and clean records only, as in industries. Rather, industrial training should be made compulsory (and social service, as already mentioned) for at least a month preferably in India after every 5 years of service.

Once a doctorate or post-doctorate, one normally develops terrible psyche towards specialization and many tend to forget their basic work or motto of teaching and welfare of the students. As a result, the synchronization of love and affection towards students go on getting thinned out. Too much of specialization had spoiled the sport in the erstwhile unbroken Russia, where bachelor's degrees on even "Aluminum Extraction", "Machine Design" etc, were given. As a result, the man could not think anything beyond that. He used to be like a robot.

Lack of Environmental and Ethical Education

It is believed that the immediate cause of environmental degradation is the corrupt practices adopted by the defaulting industries, other municipal bodies, general community, increased population, urbanization combined with, as yet, little ethical regard for our resources, and inadequate institutions to cope up with environmental stress. These problems are not unique to any particular political or social system in our country. Therefore, it has been felt that there is an urgent need of environmental education in all areas of society; emphasized by the Tiwary Committee report (1980) as pointed earlier. It should be made mandatory for not only students, but also for all teachers, administrators and leaders.

Basics of Our Values and Heritage

India is the land of a proud past and rich heritage based on ethical values. It has been so since thousands of years and derived its own concept of "*vasudevam kutumbakam*" meaning essentially thereby the top most regards to the nature's creation as a whole and attaching supreme values to its togetherness and oneness. Our values have regarded the environment placing it at the top of preferences of attachment to self, caste, race, countries,

boundaries, animal world, flora and fauna to the total environment in that increasing order of regard. It has been known since ages that India has acted as a confluence of *saarva dharma* (all religions) and a melting pot of ethno-cultural patterns and numerous linguistics. However, from the basic principles of texts pertaining to *Karma, Dharma and Moksh* it has been understood that if one does good work or welfare for the living beings and natural resources, he serves religion and ultimately gets *moksh* or salvation.

Brahma or a primeval man and *Atma* or soul were conceptualized and occupational hierarchy of human race were believed to have been the result of getting birth from the mouth, hands, thighs and feet of *Brhama*. But from other religions of India like the Jainism or Protestant Ehtics, work and time were considered as the most important service of a man following the pious ways.

From a study of the above, it can be inferred that in the rich Indian values, lot of importance has been attached to regard and welfare not only of human beings but of the whole universal system comprising the environment that we are part of.

To eradicate corruption we require individuals who are incorruptible and, undoubtedly, what produces such individuals is spirituality. There is a saying that violence begins in the mind. This is true also of corruption: corruption begins in the mind. If we can alter our thinking, we can safely say that we shall have eradicated corruption by at least 50 per cent.

How to inculcate spirituality among people? Basically, it is a part of education, both formal and informal. Education means mind training, with special emphasis on inculcating high values. To spread spiritual values in society, we need value-based education, especially during schooling, which is a preparatory period for life, and if we want to build a spiritual society, we must adopt a value-based education.

Environmental Education and Sustainability

Values in the Context of Modern Higher Education

It is by far the most important of all issues & comes only second to ethics & is intimately related to each other. The zero- waste concept basically defines a society which is a two way society; meaning thereby which re-circulates material and energy and recycles the wastes. In other words, nothing is a waste in the society. The waste in one industry is or may be a wealth in some other area. Developed nations like Japan are practising this Indian philosophy in an extensive way. However, this has been basically derived from our rich tradition and beliefs of offering *bhog* or food to the Gods, having the *Prasad* ourselves and sometimes offering the remaining to the animals. After this, the extract may be used as manure in the field. It also proves that animals as part of our environment are given importance. Further proof of the regard to animals is conceiving them as *Vaahans* or carriers of Gods.

Our scriptures and religious rituals very vividly illustrate the concept of carrying capacity and sustainable development. In their hymn to earth, the sages of *Atharva Veda* chanted: "What of thee I dig out, let thy quickly grow over, let me not hit thy vital organs or thy heart".

Now it is the time when all our efforts have to be put into re-establish the linkage of our technical education with nature. Harnessing the renewable resources of solar and wind energy as also the application of bio gas for rural electrification can be well practised by the rural youth with gainful employment. Local SISI units, ISTE Chapters, Rotarians and other NGOs along with the organized sector could join up for such activities.

Role of NSS and Youth

No education whether general or technical, can be complete without a social commitment and a sense of belonging to the society and its concern. The NSS or National Service Scheme of the MHRD runs on these principles with the motto; “not me, but you”. A membership in NSS means responsibility as it is a directly or indirectly government work. As illiteracy is a major impediment in social development, especially because major part of our population lives in villages. Hence adult education is of prime importance in rural development in which NSS is playing a very active role. The methodology involves using local language and interaction with the local people for socio-economic surveys, health education, literacy drive using formal methods as well as posters, audio-visuals, exhibitions and skits. Rural and non-students youth and the tribals or forest dwellers can be made a partner in eco-development camps for hands on environmental awareness and vocational programmes. Government and NGOs help in these efforts are quite encouraging which the NSS volunteers may make use of in their camps and follow-ups. Energy management in the form of bio-gas and its application could be well practiced by the rural youth for even gainful employment.

An important role can be played by activating the voluntary student’s services like the NSS, youth wings like the Nehru Yuva Kendras and other NGOs in undertaking the task of establishing the linkage between the resource institutions and the unorganized sectors. This will be in addition to the role played by higher technical education and formal bodies.

Educating Technical Trainers for Ethics Against Corruption

The sustainable technologies and education have to play an ever increasing role in the developmental programmes and there would be greater need for trained manpower at various levels in India. Hence there is an urgent need for training the teachers in the implementation of integrated ethical and environmental education for the ultimate stability and eradication of corruption in the deprived society. The first task would be to develop courses that could be imparted through short term summer or winter schools. These components should be incorporated in the training courses for new teachers. Such training in turn would have a multiplier effect for reaching larger number of teachers.

Conclusions

If societal prosperity has to be achieved through economic reliance and the basic principles of our values and sustainable development, corruption in education must be on agenda and the future education and training of manpower in all important sectors, must be based on our Indian values and rich heritage. Spiritual and ethical education should be a mandatory part of our syllabi in technical education and for all teachers and administrators to give it a more comprehensive shape.

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Food Adulteration and Consumer Awareness

12

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Food is one of the basic necessities for sustenance of life. Pure, fresh and healthy diet is essential for the health of the people. It is no wonder to say that community health is national wealth.

In India and also in many other developing countries, food accounts for a large part of the family budget. Every consumer wants to get the maximum quantity of a commodity for as lowest price possible. This attitude of the consumers being coupled with the intention of the traders, as well as the manufacturers, to increase the margin of the profit to as high as the variable market demand permits generates a vicious circle. Where the quantity of the commodity gets reduced through addition of non-permitted foreign matter and/or removal of the vital elements. Food safety, an important global public health issue, is to ensure sound health, refers to addressing “all those hazards, whether chronic or acute, that may make food injurious to the health of the consumer”¹. Important food hazards include microbial hazards, pesticide residues, misuse of additives, chemical contaminants, including biological toxins and adulteration. Although microbiological contamination and chemical hazards have received most attention, it is recognized that food adulteration and food fraud should not be neglected considering their role in public health².

Food adulteration includes various forms of practices, such as mixing, substituting, concealing the quality of food by mislabelling, marketing decomposed or expired food, and adding toxic substances. The consequences of food adulteration are two-fold for the consumers: the economic loss by paying more for lower-quality food items and the health hazards. The health hazards can result from either addition of deleterious substances or removal of a vital component³. Some adulterants may even lead to death⁴.

Food adulteration is the addition or removal of any substance to or from food, so that the natural composition and quality is affected. Adulterated food is impure, unsafe and not wholesome. Food can be adulterated intentionally and accidentally. There are many types of food adulteration-

1. Unintentional adulteration is a result of ignorance or the lack of facilities to maintain food quality. This may be caused by spilling and as a side-effect of pesticides and fertilizers. Inappropriate food handling and packaging method can also result in adulteration.
1. Intentional food adulteration is usually done for financial gain. The most common form of intentional adulteration is colour adulteration. Some examples of intentional adulteration are addition of water to liquid milk, extraneous matter to ground spices, or the removal or substitution of milk solids from the natural product.
2. Natural adulteration occurs due to the presence of certain chemicals, organic compounds or radicals naturally occurring in foods which are injurious to health and not added to the foods intentionally or unintentionally. Some of the examples are toxic varieties of pulses, mushrooms, green and other vegetables, fish and seafood.

About 5000 species of marine fish are known to be poisonous and many of these are among edible varieties⁵.

To check this kind of an anti-social evil a concerted and determined onslaught was launched by the Government by introduction of the Prevention of Food Adulteration Bill in

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the Parliament to herald an era of much needed hope and relief for the consumers at large⁶.

Laws existed in a number of States in India for the prevention of adulteration of food-material but they lacked uniformity having been passed at different times without mutual consultation between States. The need for Central legislation for the whole country in this matter has been felt since 1937 when a Committee appointed by the Central Advisory Board of Health recommended this step. 'Adulteration of food-stuffs and other goods' is now included in the Concurrent List (III) in the Constitution of India. It has, therefore, become possible for the Central Government to enact an all India legislation on this subject. The Bill replaces all local food adulteration laws where they exist and also applies to those States where there are no local laws on the subject. Among others, it provides for —

-)i) a Central Food Laboratory to which food samples can be referred to for final opinion in disputed cases (clause 4),
-)ii) a Central Committee for Food Standards consisting of representatives of Central and State Governments to advise on matters arising from the administration of the Act (clause 3),
-)iii) the vesting in the Central Government of the rule-making power regarding standards of quality for the articles of food and certain other matters (clause 22).

ACT 37 OF 1954

The Prevention of Food Adulteration Bill was passed by both the house of Parliament and received the assent of the President on 29th September, 1954. It came into force on 1st June, 1955 as THE PREVENTION OF FOOD ADULTERATION ACT, 1954 (37 of 1954)⁷.

FPO stand for Food Products Order. This order sets standards for protection of the quality of products made from fruits and vegetables. Any manufacturer who wants to produce and sell processed fruits and vegetable. Any manufacturer who wants to produce and sell processed fruits and vegetable also requires license from government of India .

Vegetarian and Non-vegetarian mark- These marks are used to indicate the presence of vegetarian and non-vegetarian ingredients in processed food items. You must have noticed a mark of small green or red circle inside a square on the package of some products like bread, milk powder, honey, spices, panmasala etc. The red circle indicates that the food item contains non-vegetarian ingredients and the green circle indicates vegetarian ingredients. This helps the consumer to identify the food of their choice. The Government of India has made it mandatory for all packages of processed food items to bear the vegetarian or non-vegetarian mark. This is an identification mark adopted by Government of India from Codex Alimentarius, which is an international organization that prescribes food safety norms⁸.

Food is adulterated to increase the quantity and make more profit. Examples include - milk is mixed with water and vanaspati is used as an adulterant for ghee. Some of the common adulteration practices are - ergot is mixed in cereals, chalk powder in flour, chicory and tamarind seed powder is mixed in coffee powder, papaya seeds in pepper, brick-powder is added to chili powder, metanil yellow is added in turmeric for bright color and wood powder to dhaniya powder, the list is endless. Adverse health effects of adulterants range from acute symptoms such as vomiting, abdominal pain, allergy, asthma, and headache and to even

mental retardation, cardiac arrest and cancer. The new adulterants include the legumes such as imported toxic lentils marketed as local lentils, veterinary drug residues in milk, flours made from mouldy wheat, animal fat in bakery products and industrial contamination in vanaspathi. Ginger is used widely in culinary practice in India in the fresh or dry form. Dry ginger is often coated with blue colored dye ultramarine blue to prevent insect infestation⁹.

Clinically, chemical dyes such as Auramine are known to cause dysfunction of the liver and the kidney, while another dye, Rhodamine B, leads to growth retardation apart from degeneration of the two organs. Malachite Green causes a decrease in appetite, growth and fertility. Yellow G provokes asthma and Allura Red can lead to stomach cancer. Doctors and nutritionists are of the firm opinion that the common side effects of prolonged consumption of these colours are acidity, thyroid tumours, asthma, abdominal pain, eczema, liver and kidney damage. In urban areas, there has been a phenomenal increase in acidity amongst most people and the reasons are attributed to the intake of contaminated food.

The worst sufferers are children. Some pediatricians have contended that many children are also allergic to artificial colours. Heavy metals like lead, mercury and arsenic, which are found in sweets and snacks coloured with non-food grade dyes are worse as they are not excreted¹⁰.

Shockingly, there is no strict, even proper enforcement of the Prevention of Food Adulteration Act and most State Governments do not have the machinery to conduct checks from time to time. In recent times, consumer rights have become quite active but not much headway has been made in most parts of the country. While voluntary organizations are quite vociferous about land rights, water, sanitation and the likes, contamination of food has not been given requisite attention.

Another major problem is the lack of awareness amongst most consumers. While buying packaged food, it is of utmost importance that they find out whether the colours are at the permissible level. However, this trend, unlike the West is not prevalent in our part of the world. This apart there is a lack of information about some basic dos and don'ts. For example not many are aware that keeping fruits and vegetables in water for about an hour (if not more) would help allow many of the contaminants to be absorbed in the water itself. Likewise, fish, rice and pulses too should be washed repeatedly to help remove the urea used to whiten these¹¹.

Prevention

National Action Plan for Consumer Awareness and Redressal and Enforcement of Consumer Protection Act, 1986

Educating more than 100 crore of people of various categories on various subject matters of consumer interest which are being dealt with by different Ministries/Departments is a gigantic task and the same cannot be undertaken as a sustained national programme unless the Planning Commission approves a substantial budget. Therefore, Department of Consumer Affairs has proposed an allocation of Rs.200 crores during the 10th Plan period for generating and strengthening consumer awareness in the country. A media Plan has also been prepared in consultation with DAVP during this Plan period for Rs. 200 crores .

With the existing annual allocation of Rs. 3.10 crores for Consumer Protection Department is having, a regular 15 minutes weekly radio programme on AIR, a recently started video programme of 30 minutes on Doordarshan. In addition an educational video programme for

school children on CD has been prepared and print publicity is undertaken occasionally¹².

The best way to avoid these health problems is prevention. There are many steps consumer can take to ensure this. Consumer can begin by taking interest in the place from where consumer buy our food ingredients, for example, is it from a reputed shop or retailer, consumer needs to check out. Consumer also needs to check if these outlets are regularly inspected by food inspectors and if the premises are kept clean with no infestations. Consumer need to check if the packaging is intact, as also the expiry date and the source of the product. It is also necessary to talk regularly to the local community to check if people are falling sick after eating in a particular restaurant or food ingredients bought from a particular retailer. Consumer should also create awareness in the local community on the ill effects of food adulteration so that when it happens the public knows when to seek help.

Consumer need to remember that contamination could happen in very small amounts over a period of time and it might be impossible to detect or too late to intervene. So it is prudent that every one of us takes special interest in this subject and educates our families, friends and colleagues about this menace¹³.

The advertisements exaggerate the quality of products. Hence, the consumers should not rely on the advertisement and carefully check the product or ask the users before making a purchase. In case there are discrepancies, the same should be brought to the notice of the sponsors and the appropriate authority, if needed. The consumer should inspect a variety of goods before buying the goods and service. For this purpose he/she should compare their quality, price, durability, after sales service etc. This would enable the consumers to make the best choice within the limit of their own resources. The consumer should insist on a valid documentary evidence (cash memo/invoice) relating to purchase of goods or available of any services and preserve it carefully. Such proof of purchase is required for filing a complaint. In case of durable goods the manufactures generally provide the warrantee/guarantee card along with product. It is the duty of consumers to obtain these documents and ensure that these are duly signed, stamped and dated.

The consumers must preserve them till the warrantee/guarantee period is over. The consumer must be aware of their rights as stated above and exercise them while buying goods and services. For example, it is the responsibility of a consumer to insist on getting all information about the quality of the product and ensure himself/herself that it is free from any kind of defects¹⁴.

At the State level too, awareness campaigns must be organized with the help of the NGOs and the Government departments should publish related literature. If awareness is built up effectively and the food inspectors carry out their duties sincerely, food adulteration is bound to come down drastically. However, for all this to happen, there is a dire need for alertness among the monitoring agencies and a proper understanding of the adverse consequences of adulterated and/or contaminated food on human health by the authorities¹⁵.

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Prevention of Corruption Via CSR: An Ethical Issue

13

Dr.Jyoti Khare

Abstract

From the Year 2010, this perception was established that India is fully hampered with corruption. It has become so big that now it seems difficult to eradicate it from the nation. It affects our economy adversely in various forms like inflation, loss of tax payment, lack of proper allocation of investment and many more. Many kinds of corruption are seen but root of all these is ethical behaviour whether it is related to individual, bureaucrats, or corporate officials. Corporate sector plays a very important role to maintain our economy. Corruption introduces inefficiencies that reduce competitiveness. The heart of Corporate Social Responsibility (CSR) is the moral and legal status of the modern corporations. For scrutinizing this, I have divided my study into three parts. In I part; it has covered the area of ethics and responsibility of corporate sector in the connection of reducing corruption. (In part II) My aim is to focus on involvement of corporate officials in those activities cling with corruption. Corrupt officials may take wrong decision or make wrong investment that results loss for corporation as well as our nation. So it is a moral responsibility of corporation to avoid unscrupulous behaviour because it can erode public confidence and affect the performance of companies. At last, through this paper, I have thrown light on those ways that can be the remedies of all the above problems. For the eradication of corruption, it is necessary for the individual sector to take action, which includes public, government, politicians and corporate officials. Collective action must combine with ethical commitment to produce widespread changes. Over 2/3 survey respondents perceive that India can touch 9% GDP growth if corruption is controlled and India would become the most attractive destination for investment.

Prevention of Corruption via CSR: An Ethical Issue

With globalization and the expansion of markets beyond national borders, acts of corruption in a particular country can affect the legitimacy of governments as well as our economy. Corruption poses a risk for the financial systems. In the early 1980s investment risk management firms introduced a “corruption” category. According to International Chamber of Commerce (ICC), **“Corruption” or “Corrupt Practice(s)” as used in their Rules shall include Bribery, Extortion or Solicitation, Trading in Influence and laundering the proceeds of these practices.** Transparency International (TI) defines corruption as **“the abuse of entrusted power for private gain.”** TI draws a distinction between corruption “according to rule” and corruption “against the rule.” Corruption Rank in India is reported by the Transparency International.. Corruption Perceptions Index, TI reported Corruption Rank in India averaged 75.10 from 1995 until 2014, reaching an all time high of 95 in 2011 and a record low of 35 in 1995. And now India is the 85th least corrupt-nation out of 175 countries in December, 2014. Over 2/3 survey respondents perceive that India can touch 9% GDP growth if corruption is controlled. It means if corruption level in India were reduced to a level in developed economies, India’s GDP growth rate could increase at a higher rate annually. Corruption risk may arise in all types of commercial relationships, those between state and private organizations, state-to-state, private-to-private. It is estimated that wrong investment, low-growth and the lost opportunities are caused by corruption. With this in mind, study throws light on the ways those create corruption. Corruption includes bribery, transnational bribery, facilitation and job payment, payment of gifts, hospitality and travel in non-compliance with the applicable laws, off-bank account (unauthorized accounting), tax evasion, money

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laundering, indirect support and sponsorship policies etc. There are sub-categories to corruption too. These draw a distinction between minor corruption and major corruption. This table shows the corruption as bribery cases in Indian economy:-

Table: 1
Bribery in the Economy of India

22.7	Bribery incidence(% of firms experiences at least one bribe payment request)
19.6	Bribery depth(% of public transaction where a gift of informal payment was requested)
15.3	%of firms expected to give gift in meetings with tax officials
39.8	%of firms expected to give gifts to secure Govt. contract.
0.2	Value of gift expected to secure a Govt. contract (% of contract value)
25.8	%of firms expected to give gifts to get an operating license.

Source: www. Enterprisesurvey.org. The world bank

Note: This indicator is computed using data from manufacturing firms only.

This table indicates only one form i.e. bribery, computed from manufacturing units only, how much it would be increased if all forms of corruption are calculated together. The legal competitive, economic and ethical hurdles are imposed by corruption on the segment across the world. Combating corruption is a subject of self- regulation i.e. ethics of human behavior. Ethics and values have guided the Indian economy. Ethics has been defined in a variety of ways, interlaid as “study of morality, the code of moral principles and values that governs the behavior of a person or group with respect to what is right or wrong. The highest degree of social responsibility that a firm can exhibit in the social contribution approach where more and more people all over the world consider themselves stakeholders in decision made by business. **Each and every stakeholder is a part of the society.** Society’s perception is that CSR issues can change in response to globalization. Edmans (2011) tells that a firm’s concern for other stakeholders, such as employees, may ultimately benefit shareholders. Albuquerque et al. (2013) shows that CSR reduces firm systematic risk and that profits are less correlated with the business cycle for CSR firms than for non-CSR firms. Galema et al. (2008) finds that socially responsible investing (SRI) impacts stock returns by lowering the book-to-market ratio. Jiao (2010) constructs a stakeholder welfare score to measure the extent to which firms meet the expectation of their non- shareholder stakeholders (such as employees, customers, communities, and environment), and finds it to be associated with positive valuation effects. Finally, Aktas et al. (2011) documented a positive relation between acquirer gains and the level of the target’s social and environmental risk management practices. Their findings suggest that acquirers are rewarded for making socially and environmentally responsible investments. Alike ethics, CSR widely viewed as a self regulatory approach involving “beyond compliance” action on the part of business. Business is a creation of society and it operates in a social-economic environment. It can justify its existence by fulfilling its obligations to the society by production and distribution of needed goods and services to the profit of society and itself. Corporate Social Responsibilities (CSR) of Indian business helps to make the best use of national resources so as to raise the level of national income and standard of living of the people. It is about safeguarding the triplet:

people, profit and planet which are the main pillars for the development of the nation that can perpetuate the business and satisfy obligation to investors. Thus social responsibility, as it relates to the economy, encompasses a number of specific issues including how businesses relate to competition, shareholders, consumers, employee, the local community and physical environment.

The concept of CSR:

The concept of corporate social responsibility (CSR) has been developing since 1970's. In the decade of 1990's Peter Druker, Philip Kotler and many authors combined Corporate Social Responsibility (CSR) as an integral part of corporate strategies.

The World Business Council for Sustainable Development has defined the concept of CSR as *“Corporate Social Responsibility is the continuing commitment by business to behave ethically and contribute to economic development while improving the quality of life of the workforce and their families as well as of the local community and society at large”*.

The ISO 26000 working group defines CSR as *“Corporate Social Responsibility is the responsibility of an organization for the impact of its decision and activities on society and the environment through transparent and ethical behavior that is consistent sustainable development and the welfare of the society, taking into account the expectations of stakeholders is in compliance with applicable law and consistent with international norms of behavior and is integrated throughout the organization”*.

This subset of CSR may be interpreted as expressing “the spirit of law”. CSR implies business taking responsibility in a way that is proactive and focused on ensuring that the responsibilities assumed are met, rather than simply meeting minimum regulatory standard. **‘Initial’ efforts in CSR are particularly related upon the adoption by code of companies or other intermediaries and investment climate is also influenced by these.** Wrong and right investment decisions depend upon the bureaucrat or judicial or corporate officials, and on the existence of black markets, acts of corruption and nepotism or fraud in business transactions between the State and private sector. Therefore, for some time now it has been evident to global market actors that corruption indeed represents a potential investment risk. Note that the act of corruption is not confined to the public officials, but includes the private agents as well. In certain situations, the improper offer may involve the private agent or the public official exclusively. Corrupt officials may take wrong decisions or make wrong investments that results into loss for corporation as well as our nation. However, in general, corruption covers both actors: the corruptor and the corrupted, where both parties act unethically for purposes of obtaining undue gain. So it is a moral responsibility of corporation to avoid unscrupulous behaviour because it can erode public confidence and affect the performance of companies. The matter of definition is compounded further because of the emergence of new phrases such as “Corporate Accountability”, “Corporate Governance” and “Corporate Citizenship” which to some extent overlap with the key concept of responsibility driving CSR. But all these phrases are covered in the guidelines of corporate behavior and business ethics which is given by different international authorities time to time like: United Nations Global Compact (UNGC), United National Development Programme (UNDP), United Nations Conventions Against Corruption(UNCAC),International Chamber of Commerce(ICC), Organization for Economic Cooperation and Development (OECD) and NGOs initiatives. The aim is to promote responsible behavior. OECD guidelines focus on the full range of measures normally regarded as essential for combating corruption.

Corruption occurs in the performance of the day-to-day activities of public officials, particularly those who interact directly with the public on a regular basis. To avoid the wrong decisions of corporate officials, it is necessary to know those areas where chances of occurring corruptions are:-

1- Charitable Contributions and Sponsorships: Generally, Enterprises use charitable contributions and sponsorships for increasing their goodwill. These may be solicited by personnel supplier or business partner of the enterprises as a condition of or to influence decision making or to benefit any individual.

2-Gifts and Hospitality:Gifts and hospitality can create corruption by offering or providing money, valuables, other goods or services of a material nature, or property rights to a third party in order to receive an illegal privilege or influence the behavior of official persons (for example in order to help win a government contract).Hospitality expenses (paying for someone's meals in a restaurant) can also give rise to a certain risk.

3-Facilitation Payments: Payments made to national or international public officials to facilitate or accelerate a routine government action or, further, to expedite the execution of non-discretionary administrative activities, that is, any activity the public official is required to perform. Facilitation payments are prohibited in most jurisdictions. Examples of facilitation payments as forms of corruption include: Payment of an undue advantage to a public official to influence the official to expedite the preparation of an export authorization report etc.

4-Conflicts of Interests:Conflicts of interests may arise when the private interests of an individual or of his/her close relatives, friends or business contacts diverge from those of the Enterprise or organization to which the individual belongs. These situations can affect an individual's judgment in the performance of his/her duties and responsibilities.

5-Human Resources practices:Bias human resources practices effect recruitment, promotion, training, performance evaluation, remuneration, recognition and business ethics. All these may suffer from retaliation or discriminatory or disciplinary action,even such acts may result in the Enterprise losing business.

6-Financial and Accounting:“Off the books” or secret accounts and documents may be issued which do not fairly and accurately record the transactions to which they relate; there is norecording of non-existent expenditures or of liabilities with incorrect identification of their objects or of unusual transactions which do not have a genuine, legitimate purpose;

7-Trading in Influence: It is the offering or solicitation of an undue advantage in order to exert an improper, real, or supposed influence with a view of obtaining from a public official.

Many kinds of corruption are there but the root of it is ethical behavior whether it is related to individual, bureaucrats or corporate. Ethical responsibilities are those behavior or activities of business which are expected by society.The Global Compact (GC), the United Nations Development Programme (UNDP), the United Nations Office on Drugs and Crime (UNODC), the Brazilian Committee of the Global Compact and the World Economic Forum (WEF), the United Nations Convention against Corruption, OECD Guidelines for Multinational Enterprises and the Business Principles with the support of International Transparency have taken initiative to develop standards of the Ethos for Business and Social Responsibility.ICC rules on combating corruption respond directly to the Govt. cell and to UNCAC's requirement that business step up its efforts to fight against corruption. ICC was the first business organization to issue anti-corruption rules with the publication as early as 1977. It has updated these Rules in 1996, 1999 and 2005 to reflect the adoption of key international legal instruments, such as the Convention on Combating Bribery of Foreign Public Officials (1997) of the Organisation for Economic Cooperation and Development(OECD) and the United Nations Convention on Corruption (2003). These

instruments, which are major milestones in the fight against corruption with the compliance to corporate responsibility, have been actively supported in their adoption, implementation and enforcement by the business community.

The present 2011 revision of the ICC Rules on Combating Corruption mirror-images the impressive evolution of the ethics and compliance practice of leading enterprises. It is based on numerous contributions made by ICC national committees, member companies and experts of the Commission on Corporate Responsibility and Anti-corruption. It provides a compliance model applicable to large, medium and small-sized enterprises. ICC rules are divided into three parts regarding rules, policies and corporate compliance programme. *ICC guidelines regarding compliance of corporate officials* emphasize the critical role of compliance by enterprises with self-imposed rules, while recognizing the basic responsibility of international organizations and national governments in the fight against all corrupt practices. According ICC rules, **“Each Enterprise should consider either all or part of the following good practices in its programme. In particular, it may choose, among the items listed here under, those measures which it considers most adequate to ensure a proper prevention against Corruption in its specific circumstances, no such measure being mandatory in nature”**(to know compliance measure in detail please see the ICC Rules on Combating Corruption,2011)

The economic responsibilities of a business are society needs and the issue of ethical standards relevant today. Our cynical society is so steeped in corruption that few people are seriously thinking of ethical standards in business. It is difficult to say who sets the standards and ethics – business or government – as both are involved. More recently, the government has been actively penetrating the business sector, It emphasizes that the Standard and the Procedures should be valid and binding for everyone – directors, top managers, and all those employed, civil or agency contracts and other stakeholders. By adopting these steps or ways in companies, corruption can be prevented at much extent. So these steps can be applied as standard at corporate level:-

Remedies for Combating Corruption at Corporate Level

We must have to look at some of the ways in which corruption damages the social and institutional fabric of country. We now turn to reform options open to corporate sector and government as well to reduce corruption and mitigate its effects.

1-Creating transparency and openness: A number of practices related to transparency and the relationships must be established with collaborators and stakeholders that enterprises can adopt to ensure the practical application of ethical and integrity principles in their fields of activity. The financial information of enterprises should adequately reflect their operations, particularly in the case of enterprises committed to ethics and integrity. Organizations should ensure the maximum level of transparency and accuracy in their account books, records, preventing the entry of inadequate records or, further, the concealment of information. The aim is to avoid the commission of illicit acts, including the establishment of off-book accounts, tax evasion, and money laundering, among others. In order to reduce the risk of corruption, it is recommended that companies develop a transparent mechanism.

2-Dissemination of ethical principles and values of company: The activities to disseminate the ethical principles and values of enterprises include the publication of internal newsletters for employees; a separate space on the Intranet devoted to ethics; dissemination of examples of good practices of ethical conduct; posting of pamphlets and announcements on bulletin boards; presentation of positive results obtained from the implementation of the code of conduct; and incorporation of the ethical and integrity principles and values in the organization’s mission and vision statements.

3-Establishing standard at company level: It is also best practice to include an anticorruption Clause in contracts with the potential partners to establish standards of behavior expected of the business partners and to ensure that the company has the right to examine the partner's activities.

4- Assurance of Bona-fide Gifts and hospitality: These are considered basic signs of politeness and companies often offer them as a matter of course. But anticorruption laws in many countries prohibit it. On the other hand, hospitality is a common sign of goodwill all over the world. But in an excessive form, or disproportionate to the position of the invitees, it can be considered a latent form of corruption. So, Enterprises ensure that such arrangements are reasonable and *bona fide* expenditures; and it can not affect the recipient's independence of judgment towards the giver;

5-Cutting red tape: The high correlation between the incidence of corruption and the extent of bureaucratic red tape as captured. So, it should be cut to avoid the unnecessary delay.

6-Establishing international conventions: In a globalized economy, corruption increasingly has a cross border dimensions, companies must also apply and follow different international conventions like OECD's anti-bribery convention, UNCAC, ICC and others in their organization.

7- Deploying smart technology: As government-induced distortions provide many opportunities for corruption, it is also the case that frequent, direct contact between officials and stakeholders can open the way for illicit transactions. One way to address this problem is to use readily available technologies to encourage more of an arms-length relationship between officials and stakeholders. In this respect internet has been proved to be effective tool to reduce corruption.

8-Good corporate governance: corporate governance and corporate social responsibility are as "two sides of the same coin" which aim to provide for accountability, stability and transparency within a corporation. Promoting integrity is a fundamental ingredient of good governance and today represents a critical factor in preventing and controlling corruption in the public and private sectors alike.

9-Training and support: Stakeholders should receive the proper guidance through course programs and seminars, round table discussion aimed at training and motivating employees and a permanent communication channel to clarify questions involving the application of the pertinent rules. These activities help employees make the right decisions in tricky situations. All the program success will depend greatly on the company's executives and how effectively they are able to promote the program throughout the company. Employees must be familiar with the program and the consequences for violating it.

10-Creation of an Ethical Committee: The standards on ethical rules must be disseminated and monitored within enterprises so that all employees and associates have full knowledge of and understand them. To this end, enterprises should set up ethic committees to educate personnel and monitor ethics in the workplace. The committees should be charged with developing strategies and policies to promote, as well as ensure publicity, build capacity, provide training and offer guidance on ethics for purposes of applying the rules of conduct governing the performance of day-to-day activities by employees. The committees also have responsibility for monitoring compliance with the applicable standards of conduct through the investigation of irregularities and application of corrective sanctions aimed at punishing offending employees. Therefore, ethics committees are tasked with promoting preventive activities and applying penalties, where necessary.

11- Measures for Collective action: The handbook of World Bank sets out the benefits of "collective action," a sustainable and collaborative process between interested parties, and its

uses. It offers incentives to enterprises to become actively involved to preventing and combating corruption. In practice, these measures should be developed :standards of proper behavior duly communicated to the employees at all levels; an effective system of internal controls to monitor compliance with those standards; an effective financial and accounting system; a reporting mechanism enabling employees to report suspected offences; adequate procedures for disciplinary measures, etc

12-Adopting anticorruption strategy: Adoption of an anti-corruption policy is a complex process for a company. Simply declaring “we do not accept, and do not offer, bribes” will not suffice. After assessing the risks, company should recommend developing an anticorruption strategy and program that covers those problem areas identified in the analysis. The anticorruption program should be written in the native language of the company’s employees and, for multinationals, it should be translated into other languages.

13-Fixing responsibility on HR authority: Long-term relations with customers and partners would be impossible without confidence in our employees who are the main determinants of the company success. They, rather than products and services, are the most valuable asset of the business. Employ processes that promote the participation of employee. It is necessary to develop and implement proper criteria and procedures for selection of commercial partners and monitoring existing partners, with the possibility of taking relevant measures in case of discovering any evidence of corruption in their activities. If employees or commercial partners commit offences, the organization can point the fault and hold it administratively liable.

14- Apply mechanism of government: For reducing corruption and securing better result of corporate action, companies should apply government mechanism like whistle blower, Lokpal and lokayukta and so on.

In nut shell, after studying different researches, rules, policies and guidelines, we reach to this point that developing efficient anticorruption strategies and programs is of utmost importance. Of course, such programs cannot completely eliminate corruption, but they can help identify and react to potential issues, early and thereby minimize the risk. Sustainable efforts will continue to be necessary in the future. A better awareness is necessary among public officials, in board rooms and in all layers of the corporate world. Thus, corporate social responsibility makes financial sense, adds meaning to corporate officials’ work and makes everyone feel good!

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Role of Forensic Accounting in Detecting Financial Frauds in Corporate world

14

Dr. Pradeep Mamgain

Abstract

Forensic accounting plays a very significant role in the economy of state in terms of balanced Corporate Governance. Forensic accounting combines the auditing skill-set of an accountant, with the investigative abilities of a detective. Forensic accountants are typically employed by large public accounting firms and maintain their own internal division.

The main concern of the study is to analyse the Forensic Accounting role in the economy to detect the Financial Frauds and deal with it successfully. The paper presents a study on the role of financial Accounting in accounting profession. In the present research work Secondary data collected was analyzed by using descriptive statistics technique for the study.

The study shows that significant developments and changes in financial market have enhanced the importance of corporate financial reporting. The purpose of a corporate report is to be an effective medium of communication and the information of the business activities should not be presented in a distorted manner. The role of forensic accountants comes into picture here to communicate the financial information for all concern stakeholders where the accounting procedures are used. For this the practitioners need to design suitable conscience to prove crime discovery and reporting.

Key Words:- *Forensic Accounting, Financial Fraud, Corporate*

Significant developments and changes in financial market have enhanced the importance of corporate financial reporting. The purpose of a corporate report is to be an effective medium of communication and the information of the business activities should not be presented in a distorted manner. Conventionally financial information consists of two financial statements - Balance sheet and Income Statement, which are purely in numeric form. The former presents the financial status of an enterprise on a particular day (usually the last date of the accounting period) to evaluate the liquidity position, solvency position, sources of creation of funds, application of funds, status of working capital, etc. And the latter shows the performance of the business entity which is useful to measure the earning capacity of the organization. In recent time financial information has got sophisticated shape not only in numeric but non-numeric form also. The companies are supplying alongwith mandatory financial information voluntary financial information. To communicate the financial information for all concern stakeholders the accounting procedures are used.

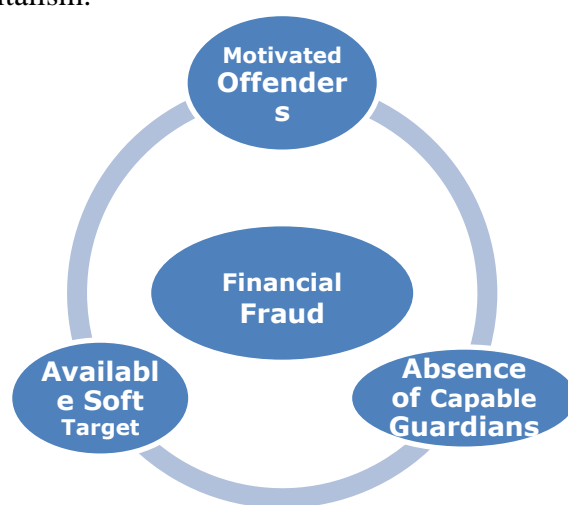
Forensic accounting, forensic accountancy or financial forensics is the emerging practice area of [accounting](#) that describes engagement resulting of disputes. These disputes may arise out of actual or anticipated Litigation in the business contract. Forensic accountants are also referred to as forensic auditors or investigative auditors. They often have to produce and give expert evidence at the eventual trial. All of the larger accounting firms, as well as many medium-sized and boutique firms and various Police and Government agencies have specialist forensic accounting departments.

Forensic accounting is an off-spring of accounting and auditing exercise. It provides a vital base to the court in terms of which it bases its discussion, debate and dispute settlement. Forensic Accounting utilizes accounting, auditing, and investigative skills to conduct an examination into a company's [financial statements](#). Thus, providing an accounting analysis that is suitable for the purpose of court proceedings.

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Forensic accountants, investigative accountants or expert accountants may be involved in recovering proceeds of crime and in relation to confiscation proceedings concerning actual or assumed proceeds of crime or laundering. The integration of accounting, auditing and investigative skills yields the speciality known as Forensic Accounting. "Forensic", according to the Webster's Dictionary means, "Belonging to, used in or suitable to courts of judicature or to public discussion and debate." "Forensic accounting", provides an accounting analysis that is suitable to the court which will form the basis for discussion, debate and ultimately dispute resolution.

Like any other crime, the psychology of fraud can best be explained by three factors: a supply of motivated offenders, the availability of suitable targets and the absence of capable guardians—control systems or someone to mind the store." Some theorists have taken a big-picture approach and argued that white collar crime is the inevitable outcome of the competitive ethic of capitalism.



Since management is responsible for the application of controls to detect fraud, the involvement of management makes detection more difficult and the fraud potentially more devastating for the company

Corporate offenders often consider laws as an unjust or unnecessary form of government interference disrupting free market forces. They may even argue that breaking the law was necessary for the survival of the company.

In rare cases, mental illness can drive a person to commit fraud through a wish to damage the company. Others can be motivated by pure egotism; they commit fraud just to show how smart they are. Yet others are driven by anticapitalist ideologies and think they are destroying the system from within.

The Five Accounting Cycles

To understand how fraud occurs within businesses is to understand how the cycles work within an accounting system. Specifically, the cycles are defined as:

1. Sales and Accounts Receivable
2. Payments/Expenses and Accounts Payable
3. Human Resources and Payroll
4. Inventory and Storage/Warehousing
5. Capital Expenditures

The forensic accounting services scope is vast and for example forensic engagements may fall into any category pertaining to:

- [Economic damages](#) calculations, whether suffered through [tort](#) or [breach of contract](#);
- Post-acquisition disputes such as [earn outs](#) or breaches of [warranties](#);
- [Bankruptcy](#), [insolvency](#), and [reorganization](#);
- [Securities fraud](#) and criminal investigations;
- [Tax fraud](#) and [Money laundering](#);
- [Business valuation](#);
- [Computer forensics/e-discovery](#);
- Partnership settlement;
- Matrimonial disputes;
- Arbitration service;
- Motor vehicle accidents;
- Insurance claims;
- Cases of professional negligence

Forensic accountants often assist in professional [negligence](#) claims where they are assessing and commenting on the work of other professionals. Forensic accountants are also engaged in [marital and family law](#) of analyzing lifestyle for spousal support purposes, determining income available for child support and equitable distribution.

Engagements relating to criminal matters typically arise in the aftermath of fraud. They frequently involve the assessment of accounting systems and accounts presentation—in essence assessing if the numbers reflect reality.

Some forensic accountants specialize in forensic analytics which is the procurement and analysis of electronic data to reconstruct, detect, or otherwise support a claim of financial fraud. The main steps in forensic analytics are (a) data collection, (b) data preparation, (c) data analysis, and (d) reporting. For example, forensic analytics may be used to review an employee's purchasing card activity to assess whether any of the purchases were diverted or divertible for personal use.

In India there is a separate breed of forensic accountants called Certified Forensic Accounting Professionals. The Certified Forensic Accountant (CR.FA) program assesses Certified Public Accountants (CPAs) knowledge and competence in professional forensic accounting services in a multitude of areas. Forensic accountants may be involved in both litigation support (providing assistance on a given case, primarily related to the calculation or estimation of economic damages and related issues) and investigative accounting (looking into illegal activities).

A Forensic Accountant is often asked to quantify the economic losses resulting from a motor vehicle accident. A Forensic Accountant needs to be familiar with the legislation in place which pertains to motor vehicle accidents. Cases of medical malpractice and wrongful dismissal often involve similar issues in calculating the resulting economic damages

A Forensic Accountant is often retained to analyze, interpret, summarize and present complex financial and business related issues in a manner which is both understandable and properly supported. He/She can be engaged in public practice or employed by insurance companies, banks, police forces, government agencies and other organizations.

The working of Forensic Accountant is often involved in the following:

- Investigating and analyzing financial evidence;
- Developing computerized applications to assist in the analysis and presentation of financial evidence;

- Communicating their findings in the form of reports, exhibits and collections of documents; and
- Assisting in legal proceedings, including testifying in court as an expert witness and preparing visual aids to support trial evidence.

In order to properly perform these services a Forensic Accountant must be familiar with legal concepts and procedures. Forensic accounting and fraud investigation methodologies are different than internal auditing. Thus forensic accounting services and practice should be handled by forensic accounting experts, not by internal auditing experts. Forensic accountants may appear on the crime scene a little later than fraud auditors, but their major contribution is in translating complex financial transactions and numerical data into terms that ordinary laypersons can understand. That is necessary because if the fraud comes to trial, the jury will be made up of ordinary laypersons. On the other hand, internal auditors move on checklists that may not surface the evidence that the jury or regulatory bodies look for. The fieldwork may carry out legal risks if internal auditing checklists are employed instead asking to a forensic accountant and may result serious consultant malpractice risks. Forensic accountants utilize an understanding of [economic theories](#), [business information](#), [financial reporting systems](#), accounting and auditing standards and procedures, [data management&electronic discovery](#), [data analysis techniques for fraud detection](#), [evidence](#) gathering and investigative techniques, and litigation processes and procedures to perform their work.

Forensic accountants are also increasingly playing more proactive risk reduction roles by designing and performing extended procedures as part of the statutory audit, acting as advisers to audit committees, [fraud deterrence](#) engagements, and assisting in investment analyst research."While Forensic Accountants ("FAs") usually do not provide opinions, the work performed and reports issued will often provide answers to the how, where, what, why and who. The FAs have and are continuing to evolve in terms of utilizing technology to assist in engagements to identify anomalies and inconsistencies. It is important to remember that it is not the Forensic Accountants that determine fraud, but instead the court." (David Malamed, Forensic Accountant, Toronto Ontario.)The types of crimes forensic accountants investigate are classified as "crimes against property." They investigate crimes such as fraud and give expert testimony in court trials. They also perform work related to civil disputes. Forensic accountants are also known as fraud investigators, investigative accountants, forensic auditors or fraud auditors."Investigative Accounting", is often associated with investigations of criminal matters. A typical investigative accounting assignment would be an investigation of employee theft. Other examples include securities fraud, insurance fraud, kickbacks and proceeds of crime investigations.

Forensic Accounting encompasses both [Litigation Support](#) and [Investigative Accounting](#).As Forensic Accountants, we utilize accounting, auditing and investigative skills when conducting an investigation. Equally critical is our ability to respond immediately and to communicate financial information clearly and concisely in a courtroom setting.Forensic Accountants are trained to look beyond the numbers and deal with the business reality of the situation.

Forensic Investigation The utilization of specialized investigative skills in carrying out an inquiry conducted in such a manner that the outcome will have application to a court of law. A Forensic Investigation may be grounded in accounting, medicine, engineering or some other discipline.Forensic Audit provides an examination of evidence regarding an assertion to determine its correspondence to established criteria carried out in a manner suitable to the court. An example would be a Forensic Audit of sales records to determine the quantum of rent owing under a lease agreement, which is the subject of litigation.

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A Study on Corruption in India: Its Types and Prevention

15

Himanshu Sharma

Abstract

Corruption is like a termite which hollows the entire strength of the society and leads to failure of the nation. Generally, term corruption means misuse of public authority or office for the benefit of personal gain. Due to corruption only, the country suffers with an unstable, government. Our country India is one of them. After independence the roots of corruption deepen, very strong in India. India is a big country and blessed with the huge physical human and natural resources. So we can say that India is rich country inhabited by poor.

The main cause of corruption in India is due to lack of accountability and responsibility in the system, where it exist, it's not followed seriously, so corruption subsist in government organizations or offices. Corruption is a consequence of connection between politicians, bureaucrats and criminals in India. But the father of corruption in today's India is the politician. One cannot go to any public organization or offices today and get the services which they are supposed to get without either paying bribe or bringing influence by way of recommendations or references from VIPs. By keeping in view all this the corruption in India is divided on the basis of its characteristics.

There are two types of corruption prevailing in India which We have discussed in this research paper viz.

1. *Legal corruption*
2. *Illegal corruption.*

Both types of corruptions have deepened its roots deep inside the system. And its prevention is the need of time to bring the dream comes true of Make in India campaign of our Honourable Prime Minister Narendra Modi.

Keywords: *Bribery, Corruption, Nepotism, Bureaucrats.*

Introduction

Corruption occurs in all parts of the world. Corruption is increasingly viewed as a significant obstruction to economic development. In the modern time, corruption is associated with public office. But Corruption has prevailed in society since time immemorial.

Its an ancient problem. In a discussion on public administration dating back to the fourth century B.C. in India, Kau-tilya writes in his *Arthasastra*:

“Just as it is impossible not to taste the honey (or the poison) that finds itself at the tip of the tongue, so it is impossible for a government servant not to eat up, at least, a bit of the king's revenue. Just as fish moving under water cannot possibly be found out either as drinking or not drinking water, so government servants employed in the government work cannot be found out (while) taking money (for themselves).”

“It was not easy to detect corruption, just as it was impossible to know when a fish moving in water is drinking it or not so, it was not possible to find out when the government servant incharge of public business misappropriates money or not.

Corruption is like a termite which hollows the entire strength of the society and leads to failure of the nation. Generally, term corruption means misuse of public authority or office for the benefit of personal gain. Due to corruption only, the country suffers with an unstable, government. Our country India is one of them. After independence the roots of corruption deepen, very strong in India. India is a big country and blessed with the huge physical human

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and natural resources. So we can say that India is rich country inhabited by poor.

The main cause of corruption in India is due to lack of accountability and responsibility in the system, where it exist, it's not followed seriously, so corruption subsist in government organizations or offices. Corruption is a consequence of connection between politicians, bureaucrats and criminals in India. But the father of corruption in today's India is the politician. One cannot go to any public organization or offices today and get the services which they are supposed to get without either paying bribe or bringing influence by way of recommendations or references from VIPs.

Objective

1. To bring awareness in society about corruption.
2. To suggest remedies.

Review of Literature

Former Prime Minister Rajiv Gandhi estimated that for every rupee spent on anti-poverty programmes by the government only 15 per cent went to intended beneficiaries, where the remaining 40 per cent was spent on administrative costs and nearly 45 per cent "disappeared into the corruption column".

CR Kumar, "Corruption and Human Rights: Promoting Transparency in Governance and the Fundamental Right to Corruption-Free Service in India," *Columbia Journal of Asian Law* 17(2003-2004).

Time and again corruption has been identified as the biggest challenge in development in India. S Sondhi, "Combating Corruption in India: The Role of Civil Society" (paper presented at the XVIII World Congress of International Political Science Association, Canada, 2000).

In India, the continuing existence of corruption has been attributed to the weak system of governance, the societal structure based on caste and kinship, the differences in the states of development, nepotism, and society's tolerance of amassing of wealth as it is viewed as a "symbol of competence" Kumar, *The Black Economy of India*; D Mehta, *Tackling Corruption: An Indian Perspective*, United Nations Asia and Far East Institute Seminar (Japan 2010).

Kwaja and Mian (2005) find that politically connected firms in Pakistan received more loans and had higher default rates than unconnected firms.

Di Tella and Franceshelli (2011) find that Argentinian newspapers are less likely to report government corruption on their front page if they generate more government advertising.

Lyon and Maher (2005) document that U.S. firms that reported paying bribes prior to the FCPA faced higher audit fees, consistent with bribery increasing monitoring costs.

Interestingly, the emphasis of tolerance and sense of forgiveness in Hinduism, the dominant religion in India, has also been cited as a reason for the passive acceptance of corruption. Vittal, *Corruption in India: The Roadblock to National Prosperity*.

Experts say people are not concerned with corruption on higher levels, instead worry about corruption "at the cutting edge level of administration", which they experience on a daily basis.

Corruption in India:

Time and again corruption has been identified as the biggest challenge in development in India. The culture of corruption has become well entrenched in the society and is expected to be a part of any transaction. In the past, people paid a bribe or an additional fee to get an illegal benefit, but now public servants have to be bribed even for a lawful demand or for services citizens are entitled to. A number of government commissions have noted corruption as being systematic in India because of the concentration of power among bureaucrats and politicians, "who flourished on the basis of mutual dependence and institutional abuse of power structures".

The culture of secrecy in governance, which began during the British rule and continues now, has perpetuated corruption, where large amount of public money is diverted from development projects and welfare schemes for private use by the authorities. Highlighting the dominance of corruption and its impact on development, former Prime Minister Rajiv Gandhi said that for every rupee spent on anti-poverty programmes by the government only 15 per cent went to intended beneficiaries, where the remaining 40 per cent was spent on administrative costs and nearly 45 per cent disappeared into the corruption column". Hence, it comes as little surprise that India is ranked 84 among 180 countries in the Corruption Perception Index, which measures the perceived level of public-sector corruption around the world.

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Some popular Scandals in India

Cash for Vote Scandal in parliament, Scorpene deal scam, Navy War Room spy scandal, The Satyam scam, Taj corridor scandal, Hawala scandal, Bihar fodder scam, Commonwealth Games scam and many more scams in which leaders and government officials are directly involved. There are many such scandals which we read in daily newspapers. Such scandals have rocked Asia's third largest economy in the past decade. Although the people of India are aware of these scandals but are helpless because there is no effective law against these leaders and officials who are corrupt. The leaders are dominating and escape from the punishment due to some loopholes in law. Ever since the 2010 protests by the 'India Against Corruption' activists, and more forcefully since Hazare's recent fast, the issue of corruption has led Indians to re-evaluate what the state really means to them. What is its role? How far are its agents accountable, and to what extent does it protect civic and democratic rights? But for a great surprise the sentiments of the person like Hazare was also cashed by people like Mr. Arvind kajrewal. He has used Anna Hazare, to build its own party known as Aam Admai party, His motive was not to protest with the Hazare but to establish his national level party and to grab the seat of CM and then PM. One he has already achieved and for another he is on the run. In india people are after wealth or power at any cost which leads to corruption. People present themselves as the well wisher of the society by raising the social issues to get the public favour to win election. This is what Mr. Arvind Kajrewal did.

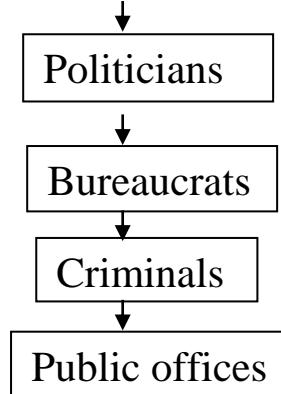
Corruption hierarchy

Types of Corruption

From the current scenario prevailing in India corruption is very strangely categorised. Corruption is always illegal but in India to misuse the public funds the political parties has made it legal. So it is categorized into two parts.

1. Legal
2. Illegal

Legal corruption :- legal corruption are corruption which are made legal to get the personal benefit. It is a type of corruption. Which is done with the intension of gain favour in some or other ways?



For e.g. To build a vote bank by influencing a particular section of the society. Though funds are raised from the public funds to gain personal favour. Mostly political parties are involved in such types of corruptions when they come in power.

1. Distribution of laptops by U.P government. With an advertisement in laptop every time it boots
2. Providing free benefits to a particular section of the society if the political party will come in power. As it was recently in the newspaper that Mr Susil Kumar modi promised that once the party will win the election in Bihar, they will provide colour TV, sari and laptops.

Illegal corruption:- This is a common corruption found in mostly every government offices. In India almost every person is involve in corruption directly or indirectly. Only those are left those who don't get the chance. Illegal corruption is further divide into two parts.

1. **Organized Illegal corruption.**

Under this type a complete Corruption hierarchy is established of politicians, bureaucrats, criminals, public offices, Private offices and common man. For instance extraction of sand and stones is a very big nexus of organised corruption. Construction of roads is not done even after release of funds. All construction is done on paper only and the entire funds get disappear.

2. **Unorganized Illegal corruption.**

under this type of corruption people at public offices are directly involved. for instance a police man asking for bribe at the road side to leave a person for not wearing helmet or for breaking the traffic rules.

Main causes for widespread and rampant Corruption in India:

1. Inefficient judicial system.
2. Inadequate law to deal with corruption cases.
3. Lack of transparent laws
4. Excessive regulations in administration
- 5 . Political patronage of public servants
6. Clumsy handling of corruption cases
7. Inefficient constitutional, legal and institutional framework mechanism against corruption.
8. Absence of strong public opinion and civil society against corruption.
9. Lack of political commitment against corruption
10. Weak local self government institutions.
11. Social environment
12. Political causes
13. Administrative delays
14. Complicated and cumbersome administrative procedure.

15. Outdated, colonial model of bureaucracy.
16. Low salaries of public servants
17. Administrative culture
18. Un-controlled political parties
19. Lack of inner party democracy in Indian political parties
20. Lack of electoral reforms

Remedies to combat corruption

Some suggestions have been made to combat the extent of corruption in Indian administration; some of these are examined below.

1. Simplified procedures and delays eliminated

It is one of the main causes of corruption in India. To reduce and control corruption in administration it is necessary to eliminate such type of procedures and delays. Office procedures should be simplified and level of hierarchy reduced. New pattern of decision making process ought to be evolved. We should have single window system and effective O and M machinery for governmental functioning.

2. Strong Civil Society

We needed strong civil society that takes initiative instead of depending helplessly on politicians and officials to fight against corruption.

3. Creation of strong Public opinion against corruption

Public opinion must be created against corrupt politicians and officers unless people take up cudgels against corruption, no amount of anti corruption measures can succeed.

4. Establishment of Strong, Efficient Lokpal at Centre and Lokayukta in States

Establishment of strong lokpal at centre and lokayukta in states are need of the hour, because at present we are not having Independent, empowered, accountable institution to investigate the complaints of corruption cases and prosecute the guilty.

5. State Funding of election

State funding of elections expenses may encourage honourable and well meaning individuals can enter into politics.

6. Declaration of Assets

Law should be passed to make it obligatory for all ministers, MPs, MLAs, all levels of public servants to declare their assets owned by them, their spouses and children every year. These should be made available to everyone who wants to pay for it. Any falsification should be declared as a punishable offence.

7. Investigating agency should have teeth and Autonomy

The most important thing is to have an autonomous and effective agency to investigate into corruption cases, the present form of Central Bureau Investigation, Central and State Vigilance commission is not having proper autonomy to function effectively

8. Fast Courts for Corruption Cases

Fast courts should be established to deal with corruption cases in India.

9. Special courts for grievance redressal against Administration

Administrative courts should be created for redressal of citizens grievances against administrative authorities. These courts should deal with administrative law for trial of cases of disputes between citizens and administration. It should be separated from ordinary court.

10. New Bureaucratic Model

Our present form of bureaucracy is inefficient, rule oriented, neutral, dysfunctional, and also highly corrupt. We have to find out a new model of bureaucracy Alternate to old model, United Kingdom's agency type model system should be introduced in all important departments.

11. Good governance

Our administration should have improved good governance parameters. It can be helpful to minimize the extent of corruption in Indian administration.

12. Electoral Reforms

The biggest cause for corruption in today's India is mainly because of politicians and political parties. It is an urgent need to evolve a new strategy, and code of conduct to regulate the political party activities. Strong amendment should be made to people's representation Act.

13. Decentralization of Administration

Decentralized administration helps to reduce the corruption. Because it takes decision making process closer to beneficiaries at bottom level. Devolution of more powers to local self government institution is mandatory for reducing corruption in India.

14. Administration should be made Accountable

In India we have a big government performing enormous functions. Decisions are taken at various levels of administration where use of discretionary power may be involved. It is difficult for legislators to exercise control over administration and also Judiciary is bogged down by heaps of mounting arrears of cases. So the principle of accountability does not work in the desired manner. We have to ensure accountability at all levels of administration.

Conclusion

Highly corrupt India is poorly governed may be the main reason for rampant and widespread corruption in India. Despite having economic reforms, increased transparency, E-governance tools, corruption in public life continues to grow. Corruption and good governance go hand in hand in India, so controlling corruption is a tough task in India. Because corruption and bribery has affected our total political, administrative and economic system like cancer disease. Whether, it is possible to control corruption in India. We think it may not be possible to eliminate corruption at all levels but it is possible to control it within tolerable limits unless people say 'No' to illegal gratification or expose such greedy public servants and politicians, the corruption chain can't be broken in India.

We needed well functioning state with more focus on people, strengthening our legal and institutional framework mechanism to control the corruption is the need of the hour and order of the day. Corruption and bribery is a contemporary challenge that is posed to every citizen of India How to conquer the menace of corruption in India. Let us take a view to create an atmosphere free from corruption in India means that may be our highest achievement.

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भ्रष्टाचार – समस्या एवं निवारण

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डॉ संदीप अग्रवाल

भ्रष्टाचार चर्चा और आन्दोलन का एक प्रमुख विषय रहा है। वर्तमान में भ्रष्टाचार समाज के प्रत्येक क्षेत्र में विद्यमान है। भ्रष्टाचार से तात्पर्य ऐसे आचरण से है। जिसमें व्यक्ति भ्रष्ट आचरण करने के लिए प्रोत्साहित होता है। आज समूचे वि०व० को भ्रष्टाचार ने जकड़ रखा है। भारत में यह भ्रष्टाचार विकराल रूप धारण किये हुए है। भारत जैसे विकासोन्मुख राष्ट्र के हर क्षेत्र में भ्रष्टाचार व्याप्त है। सरकारी कार्यालयों में अपना काम जल्दी या गलत तरीके से करवाने के लिए उपहार या पैसे की पे०क० की जाती है। अधिकतर विभागों में दलालों द्वारा काम करवाने की दरे तक निर्धारित है जिसका एक निश्चित भाग सरकारी विभाग के सभी कर्मचारियों को जाता है। भारतवर्ष के नेताओं ने भ्रष्टाचार को चरम सीमा तक पहुँचा दिया है। नेता और अफसरों की मिलीभगत से हुए चारा धोखे, बोफोर्स तोप धोखे, तहलका कांड, कोयला आवंटन धोखे, 2 जी धोखे आदि धोखे से दे० की जनता का अपार पैसा भ्रष्टाचारियों के हाथों में सोप दिया है। कालेधन को दे० में वापस लाने के मुद्दे पर नेतागण एवं सरकार सिर्फ इस बात से डरती है कि इससे सैकड़ों बड़े नाम सामने आ जायेंगे। इसके अलावा न्यायपालिका, मीडिया, पुलिस, सेना आदि विभाग भी भ्रष्टाचार के संक्रमण से बचे नहीं हैं। रि०वत के लिए नियमों को ताक पर रखकर गलत फैसले लिये जाते रहते हैं। भ्रष्टाचार राष्ट्र के विकास को प्रभावित करता है। संविधान का निर्माण इसीलिए हुआ है कि दे० का विकास हो सके। परन्तु इस लक्ष्य को स्वतन्त्रता के 67 वर्ष बाद भी हासिल नहीं किया जा सका है। इसका एक महत्वपूर्ण कारण भ्रष्टाचार ही है।

भ्रष्टाचार दे० को अन्दर से खोखला कर देता है। दे० में प्रत्येक नागरिक पर इसका प्रभाव पड़ता है। भारत में राजनीतिक एवं नौकरशाही का भ्रष्टाचार बहुत अधिक है। आज राजनीतिक पार्टियों का मुख्य उद्देश्य सत्ता पर काबिज रहना है। चुनाव के समय पर करोड़ों रूपयों का चंदा बड़ी-बड़ी कम्पनियों से लेकर फिर सत्ता के आने पर उन्हें लाभ पहुँचाने का काम तक ही सीमित है। यह सच है कि भारत महाशक्ति बनने के करीब-करीब है। परन्तु हम भ्रष्टाचार की वजह से इससे दूर होते जा रहे हैं। दे० में कितना भ्रष्टाचार है इससे स्पष्ट होता है कि जब किसान आत्महत्या करता है। अन्ना हजारे काला-धन के खिलाफ आवाज उठाते हैं।

भारत वि०व० की तेजी से बढ़ती आर्थिक शक्ति है। भारत में 60 प्रतिशत से अधिक युवा शक्ति है जो इस दे० का विकास करने में क्षमता रखती है। यहाँ के नागरिकों को सभी ऋतुओं एवं मौसमों का लाभ मिलता है। हमारे पास मौजूद प्रकृति प्रदत्त खनिज लवण तथा जलीय एवं कृषि सम्पदा है। दुनिया के समृद्ध राष्ट्र आज भारत में निवेश को करते हैं और तेजी से भारत में निवेश की दर बढ़ रही है। फिर भी क्या कारण है कि 21.92 करोड़ लोग आज भी गरीबी रोक के नीचे जीवन यापन करते हैं। वर्तमान समय में विश्व की भारत की प्रति व्यक्ति आय के मापन पर 124 वा स्थान है। यह अपने आप में एक सोचनीय विषय है कि कृषि उत्पादन एवं निर्यात में वि०व० स्तर पर 10 वें स्थान रखने वाले दे० में 18 से 19 करोड़ लोग भूखे सोते हैं। इतनी समृद्धि होने के बावजूद भारत में यह स्थिति सोचने पर मजबूर करती है। भारत का विकास क्यों नहीं हो पाया है।

भारत में निम्न 6 धोखे हुए हैं। 'गारदा चिट फंड (30 हजार करोड़) 2जी स्पैट्रकम (176 हजार करोड़) बवंसेबंड (186 हजार करोड़) छत्सुड (10 हजार करोड़) और न् थ्वक दक ळतपंद ;30 हजार करोड़),। इन धोखों का सबसे अधिक प्रभाव भारत की अर्थव्यवस्था पर हुआ है और भारत का विकास नहीं हो सका है।

भारत एक विकाशील देश है जो लगातार नई ऊँचाई को स्पर्श कर रहा है। आज भारत की ख्याति वि०व० में फैलती जा रही है। परन्तु हमारे दे० में ऐसी कई समस्याएँ हैं जो हमारे दे० की उन्नति में अवरोध पैदा कर रही हैं। जिसमें मुख्यतः बेरोजगारी, गरीबी, अज्ञानता और भ्रष्टाचार। इन समस्याओं में सबसे वणिज्य विभाग. राजकीय स्नाकोत्तर महाविद्यालय. लोहाघाट (चम्पावत)

अधिक कोई दे"ी को बाधित कर रहा है तो वह है भ्रष्टाचार की समस्या । आज सारा दे"ी इस समस्या से पीडित है । भारतीय लोकतंत्र की जड़ों को खोखला करने का कार्य काफी समय से इसके द्वारा हो रहा है। भ्रष्टाचार सम्पूर्ण राष्ट्र की उन्नति के स्थान पर अवनति की ओर ले जा रहा है।

भ्रष्टाचार के विवाद में अफगाणिस्तान ,नाइजीरिया और भारत सबसे अधिक भ्रष्ट दे"ी की सूची में शामिल हैं। दे"ी में पिछले छह महीनों में आदर्श हाउसिंग धोखे , राष्ट्रमण्डल खेलों में धांधली और टू जी स्पेक्ट्रम आवंटन में धोखे ने भ्रष्टाचार की पोल खोल कर रख दी है। पूर्व प्रधानमंत्री राजीव गांधी ने भ्रष्टाचार को स्वीकार करते हुए कहा था कि सरकार की तरफ से जारी एक रुपया में जनता का सिर्फ 15 पैसे ही पहुंच पाते हैं। निश्चित रूप से शेष 85 पैसे सरकारी अधिकारियों की जेब में चले जाते हैं। जो दे"ी में विकास में बहुत बड़ी समस्या है। वास्तव में दे"ी में यदि भ्रष्टाचार मिटाना है तो न सिर्फ स्वच्छ छवि के नेताओं का चयन करना होगा , बल्कि लोकतंत्र के नागरिकों को भी सामने आना होगा। सरकार भारत में अन्ना हजारे भ्रष्टाचार के खिलाफ हुए जन आन्दोलन से जागृत होकर जनलोकपाल बिल पर अमल करना चाहिए, जिससे भ्रष्टाचार कम हो जायेगा।

हमारे दे"ी में अनेकों सामाजिक समस्याएँ हैं। जिनका समाधान अभी खोजना शेष है। किन्तु इन सभी समस्याओं में सर्वाधिक महत्वपूर्ण समस्या भ्रष्टाचार है क्योंकि यह एक ऐसी समस्या है जिसे मिटा देने से दे"ी की सभी समस्याएँ अपने आप ही समाप्त हो जायेगी।

गरीबी, बेरोजगारी और पलायन से त्रस्त ग्रामीण भारत में राहत का संदे"ी लेकर आये महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार गारण्टी कानून में पाँच साल तो पूरे कर लिये, परन्तु अभी तक सरकार इसमें अपारदर्शिता एवं खामियों को दूर नहीं कर सकी। संक्षेप में, मनरेगा की प्रमुख कमियाँ निम्नलिखित हैं—

1 मनरेगा के अर्न्तगत पाँच करोड़ों लोगों को सरकार द्वारा 2009-10 में काम उपलब्ध कराने का प्रवधान किया गया था।परन्तु अगर तमिलनाडु और आन्ध्र प्रदेश को छोड़ दिया जाये तो यह सुचारु रूप से पूरे दे"ी में लागू नहीं हो पाया है।

2 इस योजना में पंचायती राज व्यवस्था द्वारा सो"ील आडिट करने की व्यवस्था है, परन्तु वास्तव में सो"ील आडिट के नाम पर केवल खानापूती ही की जा रही है।

3 इस योजना में भ्रष्टाचार काफी अधिक है जो खत्म होने का नाम नहीं ले रहा है। जैसे— कहीं जॉब कार्ड बन जाने पर भी काम न मिलने की शिकायत, तो कहीं हाजिरी रजिस्टर में हेराफेरी की। इसके अतिरिक्त कागजों में फजी म"ीनों का उपयोग तथा फर्जी कामगारों को दिखाकर फर्जी बिल बनाये जाने के मामले भी सामने आये हैं।

जब किसी दे"ी में भ्रष्टाचार होता है तो इसका दे"ी के विकास पर निम्न प्रभाव पड़ता है।

1 यदि किसी दे"ी में भ्रष्टाचार होता है तो उस दे"ी का आर्थिक विकास असन्तुलित हो जाता है।

2 जब दे"ी में भ्रष्टाचार होता है तो दे"ीवासियों के रहन-सहन के स्तर में अन्तर होता है।

3 भ्रष्टाचार के कारण सम्पत्ति का वितरण ऐसे दे"ी में समान नहीं होता है। इसका कारण यह है कि विकसित क्षेत्रों में विनियोग की सुविधा के कारण सम्पत्ति तेजी से बढ़ती है और वहाँ के लोग अधिक धनवान बन जाते हैं, जबकि अविकसित क्षेत्र के रहने वाले लोग गरीब ही बने रहते हैं।

4 भ्रष्टाचार से अति और न्यून उपयोग की समस्या पैदा हो जाती है। जिन स्थानों पर विकास होता है, वहाँ आय बढ़ने के उपयोग बढ़ जाता है परन्तु जहाँ विकास नहीं हो पाया है वहाँ आय कम होने से उपयोग का स्तर निम्न रहता है।

उपरोक्त विवेचन से स्प"ट है कि आज वर्तमान में भारत सहित सम्पूर्ण विश्व में भ्र"टाचार केन्सर की तरह फैल रहा है। भ्र"टाचार को दूर करने के लिए निम्न उपाय करने चाहिए।

1 उचित शिक्षा द्वारा बच्चों को इससे दूर रहने के लिए प्रेरित करना चाहिए।

2 जनता को भ्र"टाचार में लिप्त नेताओं को वोट नहीं देना चाहिए।

3 प्रत्येक नागरिक को अपनी आय पर सही आयकर देना चाहिए।

4 प्रत्येक नागरिक को वस्तु का क्रय करते समय बिल लेना चाहिए ताकि व्यापारी कर की चोरी न कर सकें।

- 5 सरकार को ऐसे नियम बनाने चाहिए ताकि देश में भ्रष्टाचार न हो।
- 6 प्रत्येक नागरिक को अपना कार्य करने के लिए रिष्वत नहीं देनी चाहिए।
- 7 जिन लोगों के पास काला धन है उन्हें स्वेच्छा से इनकी जानकारी देने पर कोई दण्ड न दिया जाये तथा उस काले धन की राशि को रकम के दीर्घकालीन वाण्ड दे दिये जाए जिससे काले धन को प्रचलन से हटाया जा सके।
- 8 सरकार की आयकर की अधिकतम दर 30% को घटाकर 15% कर देना चाहिए।

समाज में बढ़ता भ्रष्टाचार—निराकरण के उपाय एक समाज”ास्त्रीय अध्ययन

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रुकमा रावत व अरविन्द कुमार गहलौत

सार संक्षेप

समाज एक सुव्यवस्थित प्रणाली है। इसके सभी घटक तत्व अपना-अपना कार्य समाज में स्थापित संस्थाओं के अनुरूप करते रहते हैं किन्तु परिवर्तन समाज का एक अनिवार्य नियम है जिसके तहत स्थापित कार्यप्रणालियाँ प्रभावित होती रहती हैं। जैसा कि भारतीय समाज 150 वर्षों तक अंग्रेजों का गुलाम रहा उनकी “फूट डालो राज करो” की नीति के साथ-साथ अंग्रेजी संस्कृति मानववादिता व धर्म निरपेक्षता, भौतिकवादिता, भोग विलास जैसे तत्व पहुँचे परिणाम स्वरूप आध्यमिकता से परिपूर्ण यह समाज भौतिवादी संस्कृति के प्रभाव में आ गया। भोग, विलास हेतु किसी भी तरीके से धन कमाने की लालसा ने जन जीवन को प्रभावित किया। सरकारी तंत्रों और सामाजिक संस्थाओं में उच्च पदों पर आसीन लोगों ने भ्रष्ट तरीकों से धन कमाई शुरू कर दी। एक ओर नैतिक चरित्र पतन हुआ, लोगों की मनोवृत्ति में परिवर्तन हुआ दूसरी ओर हमारे संसाधनों में उस गति से वृद्धि नहीं हो सकी जितनी तीव्र जनसंख्या वृद्धि दर रही। इस परिस्थिति ने भ्रष्टाचार के लिये अनुकूल वातावरण तैयार किया। जीवन के प्रत्येक क्षेत्र में भ्रष्टाचार तेजी से बढ़ा लोगों की संस्थाओं और उच्च पदों पर आसीन व्यक्तियों पर से वि”वास उठ गया। इस प्रकार भ्रष्टाचार का एक दलदल तैयार हुआ लेकिन आज की परिस्थिति में लोग भ्रष्टाचार से अत्यधिक व्यस्त हो चुके हैं और संगठित हो कर इस दलदल से निकलने का रास्ता ढूँढ रहे हैं। जहाँ तक सामुहिक प्रयासों का प्र”न है इस संदर्भ में जे0पी0 आन्दोलन और हाल का श्री अन्ना हजारे आन्दोलन एक उदाहरण बन कर उभरे हैं। अतः इस समस्या के निराकरण हेतु वर्तमान में सूक्ष्म और वृद्ध स्तरों पर प्रयासों की नितान्त आव”यकता है। प्रस्तुत: लेख इसी दि”ा में एक सूक्ष्म प्रस्तुति है।

सामान्यतः समाज एक सुव्यवस्थित प्रणाली के रूप में कार्य करता रहता है जिसके सभी घटक स्थापित कार्यप्रणालियों के अनुरूप अपनी-अपनी भूमिकाओं का निर्वहन करते हैं लेकिन परिवर्तन का अनिवार्य नियम इन कार्यप्रणालियों को प्रभावित का अनिवार्य नियम इन कार्यप्रणालियों को प्रभावित करता है। भारतीय समाज में भी अनेक परिवर्तन होते रहे हैं। यह एक आध्यात्मवादी समाज से भौतिवादी समाज के रूप में बदलता दिखाई दे रहा है। यहाँ अन्य परिस्थितियों के अलावा महत्वपूर्ण कारक अंग्रेजी शासन रहा जिसके समानता, सहिष्णुता, मानववादिता, धर्मनिरपेक्षता के गुणों के साथ भौतिकवादी सांस्कृतिक तत्व भोग, विलास ने भारतीय समाज के मूल्यों को प्रभावित किया।

एक ओर भौतिकवादी दृष्टिकोण से जीवन को भोग, विलासिता से जीने की चाह अपनी और उच्च पदों पर बैठे लोगों ने शक्ति और सत्ता की आड़ में भ्रष्ट तरीकों से धन की कमाई शुरू कर दी धीरे-धीरे यह आम जनो की जीवन पद्धति बन गया। लोगों की संस्थानों और ऊँचे पदों पर आसीन लोगों से वि”वास उठ गया। दूसरी ओर जनसंख्या वृद्धि और संसाधनों की वृद्धि दर में तालमेल न रहा संसाधन वृद्धि दर पिछड़ गई और इन परिस्थितियों के कारण भ्रष्टाचार के लिये अनुकूल वातावरण तैयार हुआ। सामाजिक मूल्यों में निरन्तर गिरावट आती गई और लोगों की मनोवृत्ति भी बदल गई। लोग स्थापित नियमों को तोड़ने और विचलित व्यवहार करने में संकोच से मुक्त हो गये। अतः धीरे-धीरे भ्रष्टाचार एक जीवन विधि बन गया जीवन के सभी क्षेत्रों में भ्रष्टाचार फैल गया। भ्रष्टाचार एक ऐसा व्यवहार है जो स्थापित आदर्”नियमों से विचलन है। इसे समाज के लोग स्वयं महसूस करते हैं और अभिव्यक्त करते हैं। यह व्यवहार लोगों द्वारा अनअपेक्षित होता है। इससे सामाजिक न्याय और संसाधनों के निष्पक्ष बँटवारे की प्रक्रिया बाधित होती है।

अब प्र”न उठता है कि इससे कैसे बचा जाय क्यों कि “बचाव निदान से बेहतर है”। बचाव का सबसे महत्वपूर्ण मार्ग जागरूकता और सक्रियता का है। अतः भ्रष्टाचार, से मुक्ति के दो मार्ग हो सकते हैं। एक सूक्ष्म स्तर का और दूसरा वृहद स्तर का। सूक्ष्म स्तर का मार्ग प्राथमिक सामाजिक संस्थाओं को पुनः और अधिक जिम्मेदार बनाने की आव”यकता है। वैसे भारतीय समाज में ये संस्थायें आज भी

सक्रियता से अपनी भूमिका निर्वहन कर रही है। लेकिन भौतिक वादिता और आधुनिकता के प्रभावों से अछूती नहीं है क्योंकि कई अन्य व्यापारिक आस्थान इन प्राथमिक संस्थाओं के कुछ कार्यों को करने हेतु उभर आये हैं। परिवार के उदाहरण को ही लीजिये जिसमें बच्चे का लालन पालन होता है यहीं से उसे सामाजिक मूल्यों की शिक्षा तथा प्रशिक्षण प्राप्त होता है। लेकिन उसके पालन पोषण में आया शिक्षण केन्द्र आदि आ चुके हैं।

अतः यहीं से विचलन आरम्भ हो जाता है। अन्य प्राथमिक संस्थायें पास-पड़ोस, विद्यालय आदि हैं जिनका महत्व कम हो गया है। पड़ोस से सम्बन्ध मात्र औपचारिक रह गये हैं। विद्यालयों में बच्चे को पुरस्कार तो दिया जा सकता है लेकिन सामाजिकरण का दूसरा घटक दण्ड हट सा गया है। अतः यहाँ भी उसे एक सामाजिक और जिम्मेदार सदस्य बनने का काम अधूरा छूट जाता है। उसके स्वार्थ सम्बन्धी मूल्य ही हावी हो जाते हैं जिसका भावी जीवन में तथा समाज पर प्रभाव पड़ता है। यहीं से पुनः सामाजिक मूल्यों की शिक्षा को सक्रिय करना होगा।

भ्रष्टाचार से बचाव का दूसरा मार्ग वृहद स्तर से सम्बन्धित है। इसके अन्तर्गत सामूहिक प्रयासों द्वारा जागरूकता और सामाजिक समस्या का निवारण सम्भव हो सकता है। जहाँ तक भारतीय समाज का प्रश्न है यहाँ का समाज सुधार आन्दोलनों के लिये उपजाऊ रहा है। सुधार आन्दोलनों के द्वारा यहाँ के समाज में फैली सामाजिक समस्याओं के निवारण में अतीत सफलता मिली। जिसमें राजा राम मोहन राय, के.वचन्द्र सेन ईश्वर चन्द्र विद्यासागर आदि के प्रयासों से सती प्रथा उन्मूलन सम्बन्धी कानून बना और जन-जागरण के कारण इसे रोकना सम्भव हुआ। इसी प्रकार विभिन्न प्रकार के अन्धविश्वासों और कुप्रथाओं के विरुद्ध जागरूकता का संचार करने में समाज सुधार आन्दोलनों का ऐतिहासिक योगदान रहा। इसके अतिरिक्त स्वतंत्रता संग्राम आन्दोलन के ही कारण हम स्वतंत्र हुये हैं। आज स्वतंत्र भारत में अनेक परिवर्तनों के बावजूद भारतीय समाज सामाजिक समस्याओं से मुक्त नहीं है। जिसमें गरीबी, बेरोजगारी, भ्रष्टाचार आदि प्रमुख हैं। जहाँ तक भ्रष्टाचार का प्रश्न है यह जीवन के सभी क्षेत्रों में विद्यमान है यहाँ तक कि भ्रष्टाचार जीवन का एक ढंग बन चुका है। इसे दूर करने के उपाय भी अंग्रेजी शासन काल से ही प्रारम्भ हो चुके हैं। इसी संदर्भ में 1941 में विधेय पुलिस बल की स्थापना की गई थी। मार्च 1947 में स्वतंत्रता के दिन ही अमदजपवद बततनचजपवद। बज 1947 पारित किया गया था। इतना ही नहीं जे0पी0 आन्दोलन तथा हाल ही का अन्ना हजारे का आन्दोलन भ्रष्टाचार के विरुद्ध जन-जागरण में काफी सफल रहे जिसके अनुसार लोकपाल और लोकायुक्त का नियुक्ति से लोकसेवकों (राजनीतिज्ञों और नौकरशाहों) के विरुद्ध सीधी कार्यवाही हो सकती है। भारत में जीवन के प्रत्येक क्षेत्र में सैकड़ों नियम तो बने हैं लेकिन उन्हें लागू करने में कई तकनीकी पेंच होने के कारण तथा इच्छा शक्ति के अभाव में उन्हें लागू करना कठिन हो जाता है और फिर जहाँ उच्च पदों पर आसीन लोकसेवक लिप्त हो तो नियमों को लागू करना कठिन हो जाता है। इसके अतिरिक्त भ्रष्टाचार में जहाँ श्वेतपोषी लिप्त हो उसके विरुद्ध साक्ष्यों की प्रस्तुति एक कठिन कार्य हो जात है।

अन्त में यह कहा जा सकता है कि भ्रष्टाचार से मुक्ति प्रयासों को लगातार जारी रखना होगा तथा जनजागरूकता, मनोवृत्ति परिवर्तन कार्य संस्कृति का विकास, त्वरित न्याय, राजनीतिक इच्छा शक्ति आदि लक्ष्यों की प्राप्ति द्वारा भ्रष्टाचार मुक्त भारत निर्माण हो सकता है।

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विद्यालयी शिक्षा पर भ्रष्टाचार का प्रभाव

18

इन्दू रावत

प्रस्तावना

रिश्वत लेना व देना, चुनाव में धांधली, अपने विरोधियों को दबाने के लिए सरकारी मशीनरी का दुरुप्रयोग, न्यायाधीशों द्वारा गलत या पक्षपातपूर्ण निर्णय, टैक्स चोरी, झूठी गवाही, झूठा मुकदमा, ब्लैकमेल करना, परीक्षा में नकल करना, परीक्षार्थी का गलत मूल्यांकन करना, पैसे लेकर संसद में प्रश्न पूछना, पैसे लेकर वोट देना, वोट के लिए पैसे और शराब बांटना, पैसे लेकर रिपोर्ट छापना, विभिन्न पुरस्कारों के लिए चयनित लोगों में पक्षपात करना, अपने कार्य को कुशलता व जिम्मेदारी से न करना, अपने पद का गलत फायदा उठाना आदि सभी कृत्य भ्रष्टाचार को प्रदर्शित करते हैं।

भ्रष्टाचार का अर्थ व परिभाषा—

भ्रष्टाचार अर्थात् भ्रष्ट+आचार। भ्रष्ट यानी बुरा या बिगड़ा हुआ तथा आचार का मतलब है आचरण अर्थात् भ्रष्टाचार का शाब्दिक अर्थ है वह आचरण जो किसी भी प्रकार से अनैतिक और अनुचित हो। सार्वजनिक जीवन में स्वीकृत मूल्यों के विरुद्ध आचरण को भ्रष्ट आचरण समझा जाता है। आम-जन जीवन में इसे अपराधों से जोड़ा जाता है।

भ्रष्टाचार को इस तरह से परिभाषित किया जा सकता है— सरकारी सत्ता और संसाधनों के निजि फायदे के लिए किये जाने वाले बेजा इस्तेमाल को भ्रष्टाचार कहते हैं। इसे अधिक व्यापक रूप में परिभाषित करने के लिए हम कह सकते हैं कि निजि या सार्वजनिक जीवन में किसी भी स्थापित स्वीकार्य मानक का चोरी-छिपे उल्लंघन करना भ्रष्टाचार कहलाता है।

भ्रष्टाचार का विषय किसी पद विशेष, व्यक्ति विशेष, संस्था विशेष अथवा शासकीय तंत्र मात्र से ही नहीं बल्कि आम जनमानस की मानसिकता से जुड़ा विषय है जिसमें व्यक्ति के साथ-साथ देश की भी प्रगति रुक जाती है। यह एक सामाजिक बुराई है जो इन्सान की सामाजिक, आर्थिक और बौद्धिक क्षमता के साथ खेल रहा है। पद, पैसा और ताकत के लालच की वजह से यह लगातार अपनी जड़े गहरी करते जा रहा है। अपनी व्यक्तिगत संतुष्टि के लिए शक्ति, सत्ता, पद और सार्वजनिक संस्थानों का दुरुप्रयोग ही भ्रष्टाचार है।

भ्रष्टाचार की स्थिति—

भारत में भ्रष्टाचार चर्चा और आन्दोलनों का प्रमुख विषय रहा है। आजादी के एक दशक बाद से ही भारत भ्रष्टाचार के दलदल में धंसा, नजर आने लगा था और उस समय संसद में भ्रष्टाचार के खान्दे पर संसद में हुई बहस में डॉ० राम मनोहर लोहिया ने जो भाषण दिया था वह आज भी प्रसंगिक है। उस वक्त डॉ० लोहिया ने कहा था सिंहासन और व्यापार के बीच सम्बन्ध भारत में जितना दुषित और बेइमान हो गया है, उतना दुनिया के इतिहास में कहीं नहीं हुआ है।

भ्रष्टाचार देश की अर्थव्यवस्था और प्रत्येक व्यक्ति पर विपरीत प्रभाव डालता है। भारत में राजनीतिक और नौकरशाही का भ्रष्टाचार बहुत ही व्यापक है इसके अलावा न्यायपालिका, मीडिया, सेना, पुलिस, शिक्षा, विभाग, आदि में भी भ्रष्टाचार व्यापक है। 2005 में भारत में ट्रांसपेरेंसी इन्टरनेशनल नामक संस्था द्वारा किये गये एक अध्ययन में पाया गया कि 62 प्रतिशत से अधिक भारतवासियों को सरकारी कार्यालयों में अपना काम करवाने के लिए रिश्वत या ऊँचे दर्जे के प्रभाव का प्रयोग करना पड़ा। वर्ष 2008 में पेश की गई इसी संस्था की रिपोर्ट ने बताया कि भारत में लगभग 20 करोड़ की रिश्वत अलग-अलग लोक सेवकों को (जिसमें न्यायिक सेवा के लोग भी शामिल हैं) दी जाती है। इसी संस्था का यह निष्कर्ष है कि भारत में पुलिस और कर, एकत्र करने वाले विभागों में सबसे ज्यादा भ्रष्टाचार है।

जीवन का कोई भी क्षेत्र भ्रष्टाचार के प्रभाव से मुक्त नहीं है। यदि हम इस वर्ष की बात करें तो ऐसे कई उदाहरण मौजूद हैं जो भ्रष्टाचार के बढ़ते प्रभाव को दर्शाते हैं। जैसे— आईपीएल0 में खिलाड़ीयों की स्पॉटर्स फिसिंग, नौकरियों में अच्छी पोस्ट पाने की लालसा में कई लोग रिश्वत देने में भी नहीं चूकते हैं।

आज भारत का हर तबका भ्रष्टाचार की बीमारी से ग्रस्त है। सूत्रों के मुताबिक पूरी दुनिया में भ्रष्टाचार के मामले में भारत का 84 वाँ स्थान है। भारत में 80 प्रतिशत के साथ राजनीतिक भ्रष्टाचार

शोधार्थी, शिक्षा विभाग, बिरला परिसर श्रीनगर गढ़वाल, हे०न०ब०ग०के० विश्वविद्यालय श्रीनगर (ग०)

पहले पायदान पर जबकि पुलिस विभाग 70 प्रतिशत के साथ भ्रष्टाचार के दूसरे पायदान पर स्थित है।

आंकड़े यह भी बताते हैं कि 1992 से अब तक यानि महज 22-23 सालों में देश के लगभग 80 लाख करोड़ रुपये घोटले की भेंट चढ़े हैं। इतनी बड़ी रकम से हम 2 करोड़ 40 लाख प्राइमरी हेल्थ सेन्टर बना सकते थे, करीब साढ़े 16 करोड़ कम बजट वाले मकान बना सकते थे, नरेगा जैसी 90 और स्कीमें शुरू हो सकती थी, करीब 61 करोड़ लोगों को नैनो कार मुफ्त मिल सकती थी, हर हिन्दुस्तानी को 56 हजार रुपये या फिर गरीबी रेखा से नीचे रह रहे 40 करोड़ लोगों में हर एक को 1 लाख 82 हजार रुपये मिल सकते थे, यानि पूरे ही देश की तस्वीर बदल सकती थी।

आंकड़े कहते हैं 2009 में भारत में अपने-अपने काम निकलवाने के लिए 54 फिसदी हिन्दुस्तानियों ने रिश्वत दी, आंकड़ों के अनुसार एशियाई प्रशांत के 16 देशों में भारत का शुमार चौथे सबसे भ्रष्ट देशों में होता है।

शिक्षा पर भ्रष्टाचार—

भ्रष्टाचार कई प्रकार का होता जिससे कोई भी क्षेत्र छूटा नहीं है, चाहे वो राजनीति का क्षेत्र हो, आर्थिकी का क्षेत्र, देश की रक्षा का क्षेत्र हो, खेल का क्षेत्र, या सामाजिक क्षेत्र सभी जगह चाहे बड़े स्तर पर हो या छोटे स्तर पर भ्रष्टाचार मौजूद है। चूंकि शिक्षा एक सामाजिक प्रक्रिया है वह समाज में, समाज के लिए, समाज द्वारा संचालित होने वाली प्रक्रिया है। चूंकि समाज में भ्रष्टाचार, बेईमानी, अनैतिकता व्याप्त है तो भला हमारी शिक्षा व्यवस्था और शिक्षण संस्थान इससे कैसे अछूते रह सकते हैं। कहने का तात्पर्य है कि आज हमारी शिक्षा व्यवस्था भी भ्रष्टाचार के चंगुल में धंसी हुई है। इलाबाद के एक निजी संस्थान द्वारा कराये गये सर्वेक्षण के अनुसार हमारे देश में शिक्षा विभाग भ्रष्टाचार के मामले में राजनीतिक भ्रष्टाचार, पुलिस विभाग के भ्रष्टाचार के बाद (62 प्रतिशत भ्रष्टाचार के साथ) तीसरे पायदान पर है।

आज भारत की अधिकांश शिक्षा व्यवस्था राज्याश्रित अथवा पूंजीपतियों पर आश्रित है। अधिकांश राज्याश्रित शिक्षण संस्थाएँ, संसाधन, अनुशासन, जिम्मेदारी व ईमानदारी के अभाव में निष्क्रिय हैं। इसलिए गुणवत्ता शिक्षा देने में असमर्थ है। इसी प्रकार पूंजीपतियों पर आश्रित शिक्षण संस्थाएँ व्यावसायिक रूप से सक्रिय हैं, जो गरीबों की पहुंच से बाहर हैं, उनमें सिर्फ सम्पन्न लोगों के ही बच्चे पढ़ सकते हैं।

एक समय था जब बच्चों को शिक्षा ग्रहण करने के लिए गुरुकुल भेजा जाता था, जहाँ बच्चा नैतिक, आध्यत्मिक शिक्षा के साथ घर विद्या में निपूर्ण होता था और गुरु शिष्य का अनोखा सम्बन्ध होता था। बाद में गुरुकुल का स्वरूप बदलकर पाठशाला हो गया, जहाँ बच्चों के साथ जाति धर्म का भेद-भाव किया जाने लगा। शिक्षा का स्तर गिरता गया। पाठशालाओं ने आज भव्य स्कूलों का रूप ले लिया है, यदि कुछ संगठनों द्वारा चलाये जा रहे विद्यालयों को छोड़ दिया जाय तो, सुविधाओं के नाम खुलेनाम लूटा जाता है। नाम अलग-अलग है—एडमिशन चार्ज, डोनेशन डेवलपमेंट चार्ज, उसके अलावा किताबे व यूनीफार्म स्कूल से लेना अनिवार्य कर दिया जाता है जिनका मूल्य आसमान को छूता है, चार्ज इतने ठोक दिये जाते हैं और सुविधायें नदारद होती हैं। ऐसा नहीं कि सरकार की तरफ से कोई स्कीम नहीं है लगभग 25 प्रतिशत सीट गरीब व जातिगत आधार पर सुरक्षित रखी जाती हैं, जिसमें बच्चों को बिल्कुल निःशुल्क शिक्षा का प्रावधान है किन्तु वहाँ भी रिश्वत का बोलबाला है। एक आय प्रमाण पत्र देना होता है वो भी थोड़ी सी रिश्वत से बनवा लिया जाता है।

केन्द्र सरकार ने जनवरी 2001 में शिक्षा का स्तर सुधारने के उद्देश्य से सम्पूर्ण देश में प्राथमिक शिक्षा की नींव को सुदृढ़ तथा उसकी स्थिति को सुधारने के लिए सर्वशिक्षा अभियान शुरू किया था। वह उत्तराखण्ड में भ्रष्टाचार की भेंट चढ़ चुका है। यहाँ सुगम दुर्गम के किस्से, कहानियाँ और शिक्षकों के स्थानान्तरण में मोटा खेल होने के आरोप तो समय-समय सामने आते ही रहते हैं। लेकिन हकिकत और चिन्ता जनक हैं सरकारी विद्यालयों में पढ़ने वाले बच्चे पानी, बिजली, शौचालय जैसी मूल-भूत सुविधाओं से महरूम हैं। इसका मुख्य कारण भ्रष्टाचार और लापरवाही ही है। महालेखा नियन्त्रक और केन्द्रीय भवन अनुसन्धान संस्थान के निरीक्षणों से पता चला है कि राज्यों के स्कूलों में बेहद घटिया निर्माण कार्य हो रहे हैं। केन्द्र से भारी भरकम बजट मिलने के बावजूद राज्य का शिक्षा विभाग बच्चों को बुनियादी सुविधाएँ नहीं दे पाया है आज भी राज्य के 25 प्रतिशत विद्यालयों में पेय जल सुविधा नहीं है। नहीं है। 10 प्रतिशत विद्यालयों में जल संयोजन तो है लेकिन पानी उपलब्ध नहीं है 74 प्रतिशत विद्यालयों में बिजली उपलब्ध नहीं है। राज्य में शिक्षा को बढ़वा दिये जाने के तमाम दावों के बावजूद नौनिहालों को

मूलभूत सुविधाएँ उपलब्ध कराने की स्थिति यह है कि राज्य के कुल विद्यालयों में से 57 प्रतिशत विद्यालयों में ही पृथक बालिका शौचालय उपलब्ध थे। लेकिन इनमें से 44 प्रतिशत प्रयोग के लायक नहीं पाये गये। राज्य के जिन मुख्यमंत्रियों को अभियान की सफलता के लिए माह में कम से कम दो बैठके करनी चाहिए थी पिछले 12 सालों में महज एक ही बैठक (29 अक्टूबर 2003) कर पाये।

लापरवाही के इस आलम के परिणाम स्वरूप दुर्गम क्षेत्रों के नौनिहालों का स्कूल जर्जर है तथा उनका भविष्य खतरे में है। सितम्बर 2010 तथा जून 2013 की आपदा से जिला चमोली, रुद्रप्रयाग, चम्पावत आदि में क्षतिग्रस्त विद्यालयों की मरम्मत कार्य आज तक शुरू नहीं हुआ है।

केन्द्र सरकार ने विद्यालयी शिक्षा में गुणवत्ता, छात्र-छात्राओं के नामांकन में बढ़ोत्तरी, जातियता का भेद-भाव मिटाने तथा शिक्षा को व्यापक बनाने के लिए 1995 में मिड-डे मील स्कीम को लागू किया जिसके अन्तर्गत कक्षा 1 से 5 वीं तक के सरकारी, परिषदीय, राज्य सरकार द्वारा सहायता प्राप्त प्राथमिक स्कूलों में पढ़ने वाले छात्रों को स्कूल में खाने के लिए पोषित आहर की व्यवस्था है। मिड-डे मील को लापरवाही से तथा दूषित पानी में पकाने की खबरे हम आये दिन सुनते थे, परन्तु अभी हाल की ही घटना है बिहार के सारण जिले में मिड-डे मील योजना के तहत परोसा गया विषाक्त भोजन खाने से 23 बच्चे अससमय काल के गाल में समा गये। देशभर में मिड-डे मील में लापरवाही को रोकने के पुख्ता इन्तजाम नहीं हो पाने के कारण बच्चों को कुपोषण से बचाने वाली यह पुरी योजना संदेह के घेरे में आ गयी है।

पूर्ण शिक्षा देने के लिए लागू की गई शिक्षा के अधिकार अधिनियम के पांच साल पूरे हो गये अब भी इस कानून को देश के सभी राज्यों में पूरी तरह से लागू नहीं किया जा सका, जबकि 31 मार्च 2015 को देश की नई पीढ़ी को गुणवत्ता पूर्ण शिक्षा मुहैया कराने के लिए सवा सौ साल की मसक्कत के बाद बनी शिक्षा के अधिकार कानून को पूरी तरह से लागू करने की आखिरी मियाद भी पूरी हो गई। लेकिन आंकड़ों से साफ है कि अब भी बुनयादी और गुणवत्ता पूर्ण शिक्षा का सपना हकीकत से कोशो दूर है। आज भी करोड़ों बच्चे स्कूल की दहलीज तक नहीं पहुंच पा रहे हैं और शिक्षा के मौलिक अधिकार से वंचित हैं। यह बड़ी दुर्भाग्य की बात है कि देश भर में महज 20 फीसदी स्कूलों में ही शिक्षा के अधिकार कानून को पूरी तरह से लागू किया गया है। यानि 80 प्रतिशत स्कूलों में या तो इस कानून को लागू नहीं किया गया, या पूरी तरह से लागू नहीं किया गया।

देश की राजधानी दिल्ली के स्कूलों में व्याप्त भ्रष्टाचार को देखकर दिल्ली के उप मुख्यमंत्री और शिक्षा मंत्री मनीष सिंसोदिया का कहना है कि विद्या के मन्दिरों में जब इस तरह की वारदाते होने लगती हैं तो ऐसे में समाज में फैले भ्रष्टाचार को लेकर कोई हैरानी नहीं होती है। सन् 2011-12 में गवर्नमेंट ब्याइज सिनियर सेकेंडरी स्कूल बिन्दासपुर के प्रधानाचार्य वेद प्रकाश ने चार अभिभावकों से उनके बच्चों के एडमिशन के लिए रिश्वत ली थी।

एक अन्य मामले में ब्याइज सिनियर सेकेंडरी स्कूल नं0 01 और नं0 02 रेलवे कॉलोनी तुगलकाबाद के प्रधानाचार्य अशोक कुमार और धर्मराज इन दोनों पर एक छात्र को फर्जी सार्टिफिकेट जारी करने और फर्जी सार्टिफिकेट के जरिये एडमिशन देने का मामला है। इन तीनों प्रधानाचार्यों पर चार्ज सीट फाइल की गई है। इसी तरह शिक्षा में भ्रष्टाचार का ज्वलंत उदाहरण अभी हाल में ही दिल्ली के निष्कासित कानून मंत्री की फर्जी डिग्रियों से साबित होता है।

कहते हैं कि पढ़ लिखा समाज देश के नेता (अगुवाई करने वाले लोग) ही एक विकसित देश की नींव होते हैं पर आज के नेताओं ने शिक्षा व्यवस्था को मजाक बनाकर देश को बर्बाद करने में कोई कसर नहीं छोड़ी है। शिक्षा मित्रों की भर्ती, सर्व शिक्षा अभियान, मिड-डे मील योजना, शिक्षा का अधिकार, तथा प्राइवेट स्कूलों में शिक्षा के नाम पर बढ़ता पैसा देश को शीर्ष पर नहीं बल्कि गर्त में ढकेलने वाली योजनाएँ हैं।

अगर यह बात किसी के गले नहीं उतर रही है तो वो सिर्फ ये बताये कि किस वजह से कोई शिक्षा मित्र या सरकारी अध्यापक अपने बच्चों को अपनी तैनाती वाले स्कूल में पढ़ाना नहीं चाहता है। सर्व शिक्षा अभियान में शिक्षा पाकर कितने लोग उच्च पदों पर हैं, मिड-डे मील योजना न जाने कितने घोटालों को जन्म दे गया।

आज शिक्षा के नियमावली में संशोधन करने वाले देश की जनता को शिक्षित करने के नाम पर चाहते हैं कि देश का वह तबका जो अशिक्षित है एवं गरीब है शिक्षा के नाम पर अपना नाम लिखने के अलावा कुछ न सीख पाये जो शीर्ष पर है उन्हीं के परिवार जनों का शीर्ष पर एकाधिकार सुरक्षित रहे

मेरे हिसाब से भ्रष्टाचार का यह रूप लाखों, करोड़ों घोटालों से भयानक है जिसमें पीढ़िया बर्बाद हो जाती है।

सर्वेक्षण से मिले संकेत यह बता रहे हैं कि शिक्षा क्षेत्र में व्याप्त भ्रष्टाचार केवल विभागीय कार्यालयों तक सीमित नहीं है। इसका क्षेत्र स्कूल, कॉलेज एवं विश्वविद्यालय तक फैला हुआ है। इसके अलावा विभागीय अधिकारी, शिक्षक, तथा अभिभावक भी इस मामले में पीछे नहीं हैं। कहीं-कहीं तो छात्रों की भूमिका भी भ्रष्टाचार को बढ़ाने में मददगार है। शिक्षा विभाग में भ्रष्टाचार केवल आर्थिक ही नहीं है, यहां चारित्रिक तथा नैतिक भ्रष्टाचार की स्थिति आर्थिक भ्रष्टाचार से कहीं अधिक है। इसके कई रूप सामने आये हैं जिसमें परीक्षाओं में नकल, तथा धन का बढ़ता प्रभाव, छात्र-अध्यापक के बिगड़ते सम्बन्ध उल्लेखनीय हैं।

अध्यापकों के वेतन तथा दूसरे अन्य देयकों के भुगतान में तो भ्रष्टाचार शिष्टाचार बन चुका है। विभागीय अधिकारी जिसमें मण्डल तथा खासकर जिला स्तर के अधिकारियों की भूमिका भ्रष्टाचार के मामले में इस समय सत्ह पर आ चुकी है। दूसरी ओर शिक्षकों की नियुक्ति, चयन, स्थानान्तरण, पदोन्नति तथा पदस्थापन आदि के मामलों में तो रिकॉर्ड स्थापित हो चुका है।

स्कूलों में गलत एवं नियम विरुद्ध शुल्क की वसूली तथा प्रवेश देने के नाम पर भी मुंह मांगी वसूली हो रही है। छात्रों के छात्रवृत्ति के भुगतान में भी गलत तरीकों से कटौती की जा रही है। इसमें सबसे चिन्ता का विषय है, वह है अध्यापकों द्वारा अपने अध्यापन कार्य तथा कर्तव्यों के प्रति कामचोरी की प्रवृत्ति बढ़ना। इस तरह शिक्षा के क्षेत्र में भ्रष्टाचार कई रूपों में विद्यमान है।

भ्रष्टाचार का कारण –

आज के आधुनिक युग में व्यक्ति का जीवन अपने स्वार्थ तक सीमित होकर रह गया है। प्रत्येक कार्य के पीछे स्वार्थ प्रमुख हो गया है। समाज में अनैतिकता, अरजाकता और स्वार्थ से युक्त भावनाओं का बोलबाला हो गया है। परिणाम स्वरूप भारतीय संस्कृति और उसका पवित्र तथा नैतिक स्वरूप धुंधला सा हो गया है। देश में ज्यों-ज्यों भौतिकवाद और उपभोक्तावाद की प्रवृत्ति बढ़ेगी तथा अध्यात्मिकता का ह्रास होगा त्यों-त्यों अपराध, अनैतिकता एवं भ्रष्टाचार में बढ़ोत्तरी होगी। लगातार नैतिक मूल्यों में हो रही गिरावट के साथ इस अर्थ प्रदान युग में प्रत्येक व्यक्ति के अन्दर कम से कम समय में अधिक से अधिक पैसा और सफलता अर्जित करने का ध्येय ही भ्रष्टाचार को जन्म देता है।

अपने कार्य को ईमानदारी व कर्तव्यनिष्ठा से न करना भी भ्रष्टाचार की जननी है। जब किसी को अभाव के कारण कष्ट होता है तो वह भ्रष्ट आचरण करने के लिए विवश हो जाता है। आधुनिक युग में कमरतोड़ मंहगाई में अपनी भौतिक आवश्यकताओं की पूर्ति के लिए मनचाहे तरीकों को अपनाना भी भ्रष्टाचार के बढ़ावा देता है।

भ्रष्टाचार निवारण–

शिक्षा के क्षेत्र में हो या किसी भी अन्य क्षेत्र में भ्रष्टाचार की बढ़ती स्थिति निश्चित ही अफसोस और चिन्ता जनक है। समय रहते यदि इस पर काबू नहीं किया गया तो आने वाली पीढ़ी को भारी क्षति उठानी पड़ेगी जिसका खामियाजा देश को ही उठाना पड़ेगा

भारत की धार्मिक, सांस्कृतिक, आध्यात्मिक पृष्ठभूमि को दृष्टि में रखते हुये यदि हमें भ्रष्टाचार पर अकुंश लगाना है तो देश में इस चिन्तन का प्रचार व प्रसार करना होगा कि, धन का तात्पर्य सिर्फ कागज के कुछ रुपये, जमीन जायदाद अथवा किसी भौतिक वस्तु तक ही सीमित नहीं है, बल्कि बुद्धि, विवके, प्रेम, दया, भक्ति, लोक प्रियता, सन्तोष अनानन्द रूपी गुणों का भाव जिस व्यक्ति में है वह, सर्वाधिक धनाढ्य है। ऐसे गुणों को धारण करने वाला व्यक्ति हमेशा सुखी रहता है।

समाज में फैली इस बिमारी के खात्मे के लिए सबसे पहले आवश्यक है, प्रत्येक व्यक्ति के मनोबल को ऊँचा उठाना। प्रत्येक व्यक्ति को अपनी कर्तव्यों का निर्वहन करते हुये अपने कार्य को कुशलता से करना होगा। यही नहीं शिक्षा में कुछ ऐसा अनिवार्य अंग जोड़ा जाए जिससे हमारी नई पीढ़ी प्राचीन संस्कृति तथा नैतिक प्रतिमानों को संस्कार स्वरूप लेकर विकसित हो। न्यायिक व्यवस्था को कठोर करना होगा तथा सामान्य ज्ञान को आवश्यक सुविधाएँ भी सुलभ करनी होंगी। शिक्षा द्वारा समाज में समानता लाने व देश के विकाश को सही पथ पर अग्रसर करने हेतु समाज के सभी वर्गों को जागरूक होकर एक साथ आना होगा और अपनी शक्ति के अनुसार संयोग देना होगा तभी भ्रष्टाचार की इस स्थिति में कुछ सुधार कि अपेक्षा की जा सकती है।

उत्तराखण्ड में केन्द्र पोषित योजना : मध्याह्न भोजन योजना में भ्रष्टाचार की समस्या (जनपद पौड़ी एवं हरिद्वार के विभागीय सन्दर्भ में)

19

कु. हेमलता वर्मा

Abstract

केन्द्र द्वारा पोषित मध्याह्न भोजन योजना प्रारम्भिक स्तर के विद्यार्थियों की स्कूल आने के प्रति रुचि जाग्रत करने व सर्वांगीण विकास के लिए प्रारम्भ की गई थी मध्याह्न भोजन योजना भारत सरकार द्वारा 15 अगस्त 1995 को प्रारम्भ की गयी, जिसके अन्तर्गत प्राथमिक विद्यालयों में पढ़ने वाले विद्यार्थियों को प्रति माह 80 प्रतिशत उपस्थिति पर 100 ग्राम प्रतिदिन की दर से 3 किलोग्राम साप्ताहिक कच्चा खाद्यान्न उपलब्ध कराया जाता था इसका मुख्य उद्देश्य प्रारम्भिक स्तर पर राजकीय सहायता प्राप्त विद्यालयों कक्षा 1 से 8 तक अध्ययनरत बच्चों के पोषण के स्तर में सुधार करना, एवं वंचित समूहों के गरीब बच्चों को नियमित रूप से विद्यालय में उपस्थित रहने तथा स्कूल की गतिविधियों में सम्मिलित होने को प्रोत्साहित करना, सूखाग्रस्त क्षेत्रों में ग्रीष्मावकाश के दौरान प्रारम्भिक स्तर के बच्चों को पोषण उपलब्ध कराना था। यह योजना एक महत्वाकांक्षी योजना है व इसके माध्यम से स्कूलों में बीपीएल एवं एपीएल वर्ग के छात्र-छात्राओं की उपस्थिति बढ़ी है। यह योजना उत्तराखण्ड के समस्त विद्यालयों में भी संचालित की जा रही है व इसके अन्तर्गत छात्र-छात्राओं को मध्याह्न में पौष्टिक आहार उपलब्ध कराया जाता है। परन्तु योजना के अच्छा होने पर भी उचित देख रेख व भ्रष्ट आचरण के कारण कई प्रकार की अनियमितताएँ इसमें दृष्टिगोचर हुई हैं। उदाहरणार्थ – हरिद्वार जनपद के लक्सर ब्लाक में “शिक्षा राज्य इण्टर कालेज” नामक विद्यालय में छात्र संख्या में अनियमितता देखने को मिली। इस विद्यालय में 20 बच्चों के स्थान पर 40 बच्चों का नामकन दिखाया गया है। ऐसे ही हरिद्वार के नारसन ब्लाक के राजकीय प्राथमिक विद्यालय में भोजन की तालिका में सब्जी का उल्लेख है, परन्तु इस स्कूल में मध्याह्न भोजन में सब्जी आज तक नहीं बनाई गई है। इसी प्रकार अन्य राज्यों में जैसे –जुलाई 2013 में बिहार के सारण (छपरा) जिले के गंडामन में मिड-डे-मील खाने से लगभग दो दर्जन बच्चों की मौत हो गई, ओडिशा में ढंकानल जिले के एक स्कूल में भोजन करने पर कम से कम 39 बच्चे बीमार पड़ गए व छत्तीसगढ़ के बेमेतरा जिले के सरकारी प्राइमरी स्कूल में 40 बच्चों की हालत खराब हुई, राजस्थान, पटना, मध्यप्रदेश आदि में भी इसी प्रकार की घटनाएँ देखने को मिली हैं। इन घटनाओं से डरे लोग अपने बच्चों को मिड-डे-मील खाने से दूर रखना चाहते हैं। ये घटनाएँ इस बात को इंगित करती हैं, कि मिड-डे-मील योजना अच्छी होने के बावजूद स्वार्थी एवं भ्रष्टाचारी तत्वों की हेरा-फेरी के कारण भोजन की गुणवत्ता में कमी, भोजन बनाने में लापरवाही व निम्न कोटी के खाद्य-पदार्थों को बच्चों को दिया जाना, इस योजना में भ्रष्टाचार की ओर संकेत करता है। उत्तराखण्ड के पर्वतीय क्षेत्रों में बच्चों द्वारा मिड-डे-मील की भोजन सामग्री को अपने सिर पर रख कर स्कूल तक पहुँचाना, खाना बनाने के लिए पानी की व्यवस्था करना, इस योजना को इसके उद्देश्यों से भटकाती है, अतः प्रस्तुत शोध पत्र में उत्तराखण्ड में मिड-डे-मील योजना की सफलता व इसमें समस्या से पड़ रहे प्रभाव का अध्ययन पौड़ी व हरिद्वार जिले के कुछ स्कूलों में परीक्षण करके विश्लेषण करने का प्रयास किया गया है।

मल्लवतकेरु मध्याह्न भोजन, भ्रष्टाचार, समस्या।

परिचय

वि”व के सबसे बड़े लोकतंत्र तथा भविष्य की महाशक्ति एवं तीव्र गति से विकास की ओर अग्रसर अर्थव्यवस्था वाले दे”त भारत में भ्रष्टाचार कोई नयी समस्या नहीं है वरन् यह तो जीवन के हर क्षेत्र में व्याप्त है। भारत में विधायिका, कार्यपालिका, न्यायपालिका, नौकरशाही, सार्वजनिक उपक्रम, समाज सेवा, पत्रकारिता, एवं शैक्षिक क्षेत्र सब संस्थाएँ भ्रष्टाचार की समस्या से ग्रस्त हैं।

“भ्रष्ट” शब्द ‘भ्रंष’ धातु से ‘क्त’ प्रत्यय द्वारा व्युत्पन्न है जिसका अर्थ है दुष्चरित्र या दूषित चरित्र।¹

अतः दुष्चरित्र वाला भ्रष्ट और भ्रष्ट आचार-व्यवहार करने वाला भ्रष्टाचारी कहलाता है। एम0 रोबिन्स

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के अनुसार – ‘निजी या सार्वजनिक जीवन के किसी भी स्थापित या स्वीकार्य मानक का चोरी छिपे उल्लंघन करना भ्रष्ट आचार कहलाता है।’²

भ्रष्टाचार निरोध समिति, 1964 ने भ्रष्टाचार के सम्बन्ध में कहा है, ‘शब्द के व्यापक अर्थ ब्रह्मदवजंजपवदद्ध में, एक सार्वजनिक पद विपिबमद्ध अथवा जनजीवन में उपलब्ध एक विशेष स्थिति के साथ संलग्न शक्ति तथा प्रभाव का अनुचित या स्वार्थपूर्ण प्रयोग ही भ्रष्टाचार है।’³

यद्यपि भ्रष्टाचार की समस्या भारत में हर एक क्षेत्र में विद्यमान है, चाहे वह शिक्षा का क्षेत्र हो, चाहे चिकित्सा, चाहे सड़क निर्माण, परन्तु यह अत्यन्त दुःख का विषय है कि इसने उन क्षेत्रों व योजनाओं को भी खोखला करने में कोई कसर नहीं छोड़ी है, जो कि जनकल्याण की भावना से समाज के कमजोर एवं गरीब वर्ग के उत्थान के लिए बनाई गई है। उदाहरण के लिए मध्याह्न भोजन योजना जो कि भारत सरकार द्वारा 15 अगस्त 1995 को प्रारम्भ की गयी थी व जिसके अन्तर्गत प्राथमिक विद्यालयों को प्रति माह में 80 प्रतिशत उपस्थिति पर 100 ग्राम प्रतिदिन की दर से प्रति माह में 3 किलोग्राम व उच्च प्राथमिक विद्यालयों में 150 ग्राम की दर से कच्चा खाद्यान्न (प्राथमिक कक्षा के बच्चों को 450 कैलोरी और 12 ग्राम प्रोटीन व उच्च प्राथमिक कक्षा के बच्चों को 700 कैलोरी और 20 ग्राम प्रोटीन युक्त भोजन) उपलब्ध कराया जाता था, परन्तु मा0 सर्वोच्च न्यायालय के द्वारा दिनांक 18 नवम्बर 2001 के आदेश द्वारा प्राथमिक विद्यालयों में अध्ययनरत बच्चों को पका-पकाया गरम भोजन दिये जाने की व्यवस्था की गई है।

विभिन्न प्रकार की केन्द्र पोषित योजनाओं का उद्देश्य व्यक्ति का सामाजिक, आर्थिक, सांस्कृतिक विकास करना है, जिससे व्यक्ति के व्यक्तित्व का सर्वांगीण विकास हो सके अतः योजनायें मुख्यतः किसी विशेष उद्देश्य को पूर्ण करने के लिए बनाई जाती है व इनका लक्ष्य कल्याणकारी व्यवस्था की स्थापना करना है, चूंकि भारत एक कल्याणकारी राज्य है अतः राज्यों के द्वारा इस प्रकार की योजनायें लागू किए जाने के लिए इनके परिचालन लागतों का खर्च केन्द्र सरकार उठाती है। जबकि चूंकि इन योजनाओं का कार्यान्वयन राज्य सरकारें करती है तथा अपने साधनों से पूरक पोषण ंनचचसमउमदजंतल छनजतपजपवदद्ध सुविधाएं प्रदान करती हैं, अतः सभी समस्याओं के चलते यह योजनायें अपना शत प्रतिशत उद्देश्य पूरा करने में सफल नहीं रहती है, परन्तु यह भी सत्य है कि बिना राज्यों के सहयोग व समन्वय के यह योजनायें क्रियान्वित यदि कर भी दी जाती है तो उनकी सफलता संदिग्ध हो जाती है, केन्द्र सरकार के द्वारा जन कल्याण के लिए समय-समय पर ऐसी योजनायें जारी की जाती है और उनकी सफलता में राज्य सरकारों का बड़ा हाथ होता है, चूंकि बच्चों को यह ज्ञात नहीं होता है कि उनको क्या भोजन परोसा जाना है अतः उन्हें जो कुछ भी परोसा जाए उसका प्रतिकार नहीं कर पाते हैं अतः समस्या बढ़ती है व अच्छी खासी योजनायें कुछ लोगों की वजह से भ्रष्टाचार की शिकार बन जाती है कई घटनाओं से मध्याह्न भोजन योजना में भ्रष्टाचार दृष्टिगोचर होता है व इस बात का संकेत मिलता है कि भ्रष्टाचारी अपने निहित उद्देश्यों को पूरा करने के लिए बच्चों के स्वास्थ्य से भी खिलवाड़ करने से नहीं चूकते हैं, इसी प्रकार अन्य राज्यों में जैसे-नई दिल्ली में ईस्ट डिस्ट्रिक्ट के पटपड़गंज इलाके में स्थित सर्वोदय कन्या बाल विद्यालय में मिड-डे-मील खाने से 20 से 22 लड़कियां बीमार हो गईं ज्यादातर लड़कियों ने पेट में तेज दर्द और वॉमिटिंग की शिकायत की थी।⁴ तमिलनाडु के एक जिले में 100 से ज्यादा स्कूली लड़कियां मिड-डे-मील से बीमार पड़ गईं।⁵ पिछले वर्ष जुलाई 2013 में बिहार के सारण (छपरा) जिले के गंडामन में मिड-डे मील खाने से लगभग 23 बच्चों की मौत हो गई।⁶ दिल्ली के अंगोक विहार इलाके के एक स्कूल में मिड-डे मील खाने से बच्चे बीमार हो गए एवं राजस्थान, पटना, मध्य प्रदेश आदि में भी इसी प्रकार की घटनायें देखने को मिली है।

राज्य के नीति निर्देशक तत्वों की धारा 45 में राज्य को निर्देशित किया गया कि 6-14 की वर्ष आयु वर्ग के बच्चों की शिक्षा को निःशुल्क और अनिवार्य बनाने का दायित्व राज्य का होगा। स्वतंत्रता के छः दशक पश्चात् जब प्राथमिक शिक्षा अपने वास्तविक स्वरूप को प्राप्त नहीं कर सकी तब 86 वें संवैधानिक संशोधन 2002 द्वारा 6-14 वर्ष की आयुवर्ग के बच्चों को शिक्षा का मौलिक अधिकार प्रदान करते हुए संविधान में एक नया अनुच्छेद 21 (ए) जोड़ा गया।⁷ तथा शिक्षा के प्रसार एवं बुनियादी स्तर पर शिक्षा की सुदृढ़ता हेतु भारत सरकार द्वारा 1995 में मध्याह्न भोजन योजना का शुभारम्भ किया गया

जहां तक उत्तराखण्ड का सम्बन्ध है उत्तराखण्ड में शिक्षा के स्तर को बढ़ाने कि लिए निम्नलिखित योजनाएँ क्रियान्वित की जा रही है।

- 1- राज्य शैक्षिक अनुसंधान एवं प्रशिक्षण संस्थान (सीमैट), 2005
- 2- उत्तराखण्ड सभी के लिए माध्यमिक शिक्षा परिषद् "राष्ट्रीय माध्यमिक शिक्षा अभियान",
- 3- उत्तराखण्ड सभी के लिए शिक्षा परिषद् "सर्व शिक्षा अभियान", 2001
- 4- मध्याह्न भोजन योजना, 1995 (संशोधित 2004)
- 5- साक्षर भारत कार्यक्रम, 2009।⁸

उत्तराखण्ड राज्य में शिक्षा के सार्वभौमिकरण एवं गुणवत्तापूर्ण माध्यमिक शिक्षा के लक्ष्य की प्राप्ति हेतु विद्यालयी शिक्षा विभाग द्वारा अपने समयबद्ध परियोजनाएँ संचालित की जा रही है।। जिनमें मध्याह्न भोजन योजना, 1995 (संशोधित 2004) मुख्य है

उत्तराखण्ड में मध्याह्न भोजन योजना:—उत्तराखण्ड में राज्य सरकार ने मध्याह्न भोजन योजना का संचालन निम्नलिखित छः चरणों में किया गया।

पहला चरण— मई 2002 में जनपद – देहरादून के विकासखण्ड – सहसपुर के 107 प्राथमिक विद्यालयों में योजना को पाइलट प्रोजेक्ट के रूप में संचालित किया गया। इस चरण में 10494 बच्चों को योजना से लाभान्वित किया गया।

दूसरे चरण में – 14 नवम्बर, 2002, बाल-दिवस से उत्तराखण्ड के प्रत्येक जनपद के दो-दो विकासखण्डों में योजना का संचालन किया गया इसके अन्तर्गत 3196 प्राथमिक विद्यालयों के 237248 बच्चों को योजना से लाभान्वित किया गया।

तीसरा चरण में –जुलाई 2003 में प्रदेश के समस्त 13372 प्राथमिक विद्यालयों, शिक्षा गारण्टी/वैकल्पिक शिक्षा केन्द्रों को योजना से आच्छादित किया गया। वर्ष 2005-06 तक प्रदेश के 7,79,826 बच्चों को योजना से लाभान्वित किया गया।

चौथा चरण में— दिसम्बर 2007 से प्रदेश के 21 शैक्षिक रूप से पिछड़े विकासखण्डों (ई0बी0बी0) में योजना का विस्तार ऐसे उच्च प्राथमिक विद्यालयों (हाईस्कूल एवं इण्टर कॉलेज सहित), शिक्षा गारण्टी/वैकल्पिक एवं नवाचारी केन्द्रों तथा मकतब-मदरसों तक किया गया जिनमें कक्षा 1-8 तक संचालित हों।।

पाँचवा चरण में— मार्च, 2008 से प्रदेश के समस्त प्राथमिक/उच्च प्राथमिक विद्यालयों (हाई स्कूल एवं इण्टर कॉलेज सहित), शिक्षा गारण्टी/वैकल्पिक एवं नवाचारी केन्द्रों तथा मकतब-मदरसों में जहाँ कक्षा 1-8 तक संचालित हैं, में योजना को लागू किया गया।

छठा चरण— वर्ष 2010-11 से राष्ट्रीय बाल श्रम योजना विद्यालयों को भी मध्याह्न भोजन योजनान्तर्गत सम्मिलित किया गया।⁹

इस अध्ययन में जनपद पौड़ी व हरिद्वार के स्कूलों को सम्मिलित किया है जनपद पौड़ी व हरिद्वार में स्कूलों की संख्या व छात्रों के नामकन को निम्न तालिका द्वारा स्पष्ट किया गया है

तालिका -1 जनपद पौड़ी में स्कूलों की संख्या एवं छात्रों का नामांकन

S.N.	BLOCK NAME	SCHOOL			ENROLMENT		
		PS	UPS	TOTAL	PS	UPS	TOTAL
1.	PAURI	89	41	130	2547	2153	4700
2.	KHIRSU	59	33	92	4578	3928	8506
3.	PABAU	106	46	152	1885	1672	3557
4.	KOT	88	39	127	1140	1259	2399
5.	KALJIKHAL	106	41	147	1309	1177	2486
6.	EKESHWAR	91	42	133	1407	1294	2701

7.	POKHRA	70	31	101	863	1091	1954
8.	DUGADDA	133	61	194	1102	1155	2257
9.	YAMKESHWAR	125	49	174	2013	1813	3826
10.	RIKHANIKHAL	101	37	138	2137	1971	4108
11.	BIRONKHAL	142	53	195	1442	1439	2881
12.	JAYHARIKHAL	96	41	137	1036	982	2018
13.	NAINIDANDA	114	42	156	1975	1627	3602
14.	THALISAIN	153	61	214	4998	3862	8860
15.	DWARIKAHL	130	52	182	2797	2438	5235
	TOTAL	1603	669	2272	31229	27861	59090

स्तोत्र- मध्याह्न भोजन योजना रिपोर्ट, अगस्त 2015¹⁰

उपरोक्त तालिका यह स्पष्ट है कि पौड़ी जिले में कुल स्कूलों की संख्या 2272 है, जिसमें सर्वाधिक स्कूलों की संख्या 214 थैलीसेण्ड ब्लॉक में है व निम्नतम संख्या 92 खिसू ब्लॉक में है। उपरोक्त तालिका यह भी प्रदर्शित कर रही है कि पौड़ी जिले में कुल नामांकन संख्या 59090 है जिसमें सर्वाधिक नामांकन संख्या 8860 थैलीसेण्ड ब्लॉक में है व निम्नतम नामांकन 1954 पोखड़ा ब्लॉक है।

तालिका -2. जनपद हरिद्वार में स्कूलों की संख्या एवं छात्रों का नामांकन

S.N.	BLOCK NAME	SCHOOL			ENROLMENT		
		PS	UPS	TOTAL	PS	UPS	TOTAL
1.	BAHADARABAD	194	85	279	28131	14592	42723
2.	BHAGWANPUR	121	53	174	14803	8021	22824
3.	KHANPUR	49	15	64	3920	1594	5514
4.	LAKSAR	105	41	146	10866	5965	16831
5.	NARSAN	115	60	175	14664	8162	22826
6.	ROORKEE	116	56	172	18812	9570	28382
	TOTAL	700	310	1010	91196	47904	139100

स्तोत्र-मध्याह्न भोजन योजना रिपोर्ट, अगस्त 2015¹¹

उपरोक्त तालिका के अनुसार हरिद्वार जिले में कुल स्कूलों की संख्या 1010 है, जिसमें सर्वाधिक स्कूलों की संख्या 279 बहादुराबाद ब्लॉक में है व निम्नतम संख्या 64 खानपुर ब्लॉक में है। उपरोक्त तालिका यह भी प्रदर्शित कर रही है कि हरिद्वार जिले में कुल नामांकन संख्या 139100 है जिसमें सर्वाधिक नामांकन संख्या 42723 बहादुराबाद ब्लॉक में है व निम्नतम नामांकन 5514 खानपुर ब्लॉक है।

मध्याह्न भोजन योजना को स्कूली बच्चों के पोषण के लिए लागू किया था जिससे कमजोर व गरीब वर्ग के बहुसंख्यक के लोग लाभाविन्त होंगे। लेकिन वर्तमान में मध्याह्न भोजन योजना 'लूट-खसोट की योजना' मानी जाती है। जिस कारण यह योजना भ्रष्टाचार के कारण अपने वांछित परिणाम प्राप्त नहीं कर पा रही है। नवोदित उत्तराखण्ड राज्य जिसका गठन 9 नवम्बर 2000 को हुआ था, वह भी भ्रष्टाचार की समस्या से अछूता नहीं रहा है। उत्तराखण्ड राज्य के गठन के समय से ही भ्रष्टाचार के हावी रहने के कारण कई चुनौतियाँ उत्पन्न हुयी हैं, यद्यपि अन्य राज्यों की तरह कई केन्द्र पोषित योजनाएँ उत्तराखण्ड में भी चल रही हैं, परन्तु भ्रष्टाचार के कारण न तो इन योजनाओं से वांछित लक्ष्य की प्राप्ति

हो सकी है और न ही इस राज्य का आर्थिक पिछड़ापन दूर हो सका है। समाचार पत्रों में अकसर ऐसे समाचार छपते रहते हैं कि पौड़ी जिले के कुछ स्कूलों में मिड-डे-मील योजना के हुए बुरे हाल, खाने को नहीं मिल रहा चावल।¹² हरिद्वार जिले के रूड़की ब्लॉक के खंजरपुर के दो स्कूलों में की जा रही कंजूसी, जुलाई 2012 में चावल का अवशेष कोटा मिला।¹³ रूड़की ब्लॉक के ही एक स्कूल में मिड-डे-मील में नहीं मिल रही सब्जी।¹⁴ यह इस योजना की कमी की ओर इंगित करते हैं, व आपूर्ति व खाद्य सामग्री के पकाने में ताल-मेल की कमी को भी स्पष्ट करते हैं इसी प्रकार हरिद्वार जनपद के लक्सर ब्लॉक में "शिक्षा राज्य इण्टर कालेज" नामक विद्यालय में छात्र संख्या में अनियमितता देखने को मिली, इस विद्यालय में 20 बच्चों के स्थान पर 40 बच्चों का नामंकन दिखाया गया है।। ऐसे ही हरिद्वार के नारसन ब्लॉक के राजकीय प्राथमिक विद्यालय में भोजन की तालिका में सब्जी का उल्लेख है, परन्तु इस स्कूल में मध्याह्न भोजन में सब्जी आज तक नहीं बनाई गई है।

निष्कर्ष

अतः हम निष्कर्ष के रूप में निःसन्देह यह कह सकते हैं कि मध्याह्न भोजन योजना एक लाभकारी एवं विवसनीय योजना है जिसका उद्देश्य निम्न वर्ग के बच्चों की शिक्षा में सुधार व उन्हें भोजन उपलब्ध कराके उनका सर्वांगीण विकास करना है, परन्तु फिर भी मध्याह्न भोजन में भ्रष्टाचार व्याप्त है वो भी निचले स्तर पर जैसे कि भोजन पकाने के लिए कम से कम एक प्रशिक्षित महिला एवं एक सहायिका की सिफारिश की गयी है।। लेकिन ज्यादातर स्कूलों में वास्तविकता यह है कि खाना बनाने के लिए मात्र एक ही भोजन माता भरोसे यह योजना चलायी जाती है। ये भोजन मातायें भोजन पकाने के लिए किसी और को नहीं बल्कि उसी विद्यालय के बच्चों की सहायता लेती हैं, जिसके परिणामस्वरूप शिक्षा व्यवस्था में बाधा के रूप में यह कार्यक्रम सामने आता है।।

मध्याह्न भोजन योजना में प्रत्यक्ष या अप्रत्यक्ष रूप से जो शिक्षाकार्यें आती हैं उनका वहन करने से यह कालान्तर में अधिक घातक व शर्मनाक हो सकती है। इसलिए मध्याह्न भोजन योजना में भ्रष्टाचार के स्तर को ध्यान में रखते हुए उचित कदम उठाने चाहिए। चूंकि मिड-डे-मील में अधिकतर निचले स्तर पर ही भ्रष्टाचार व्याप्त है। इसलिए जरूरी यह है कि सरकार इस सम्बन्ध में कठोर कानून व नियम बनाये जिससे दोषियों को सजा मिल सके।। इससे शिक्षा का भविष्य सुधरेगा, इसके लिए हम आम-जनों को भी आगे आना होगा, और इसके खिलाफ आवाज उठानी होगी, क्योंकि यह योजना हमारे ही बच्चों के लिए है।। निः सन्देह यह योजना एक व्यापक और अच्छी सोच की योजना है, लेकिन आवश्यकता है इसके कार्यान्वयन पर भागीदारीपूर्ण उचित कदम उठाया जाये।

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भ्रष्टाचार : देश के विकास में बाधक

20

..... डॉ अजीत पंवार

समाज में भ्रष्टाचार किसी भी देश एवं समाज के नासूर के समान है। इससे न केवल देश के नागरिकों को अपार कष्ट झेलने पड़ते हैं बल्कि देश के आर्थिक विकास की गति पर भी प्रतिकूल प्रभाव पड़ता है। भ्रष्टाचार में लिप्त प्रशासक, राजनीतिज्ञ और नौकरशाह स्वहित की भावना से इस कदर प्रभावित रहते हैं कि उनके समक्ष राष्ट्रहित या समाज हित गौण हो जाता है। भारत में स्वतंत्रता प्राप्ति के बाद समाज में भ्रष्टाचार की घटनाओं में तीव्र वृद्धि हुई है। भारत में तो भ्रष्टाचार का दायरा इतना बढ़ चुका है कि जन साधारण का प्रतिनिधित्व करने वाले नेतागण भी इनसे अछूते नहीं रहे हैं। भारत की राजनीति में अपराध जगत की घुसपैठ इतनी अधिक हो चुकी है कि आज विभिन्न स्तर के पेशेवर गुन्डे व अपराधी धन एवं हिंसा के बल पर विधायका में ही नहीं बल्कि मंत्रिमंडल में भी स्थान पा जाने में सफल हो रहे हैं। इतनी बढ़ती घुसपैठ देश के समूचे राजनीतिक वातावरण को दूषित कर रही है। इस कारण से हमारे देश के विकास में कई कठनाइयां उत्पन्न हो रही हैं। देश में फैले हुए ये सभी भ्रष्टाचार देश को विकास के स्थान पर विघटन की ओर ले जा रहे हैं।

भ्रष्टाचार को सरल भाषा में 'रिशवत का कार्य' कहा जा सकता है। दूसरे रूप में कह सकते हैं कि अपने निजी स्वार्थों के लिए अनुचित लाभ लेना ही भ्रष्टाचार है। इलियट तथा मैरिल के अनुसार "किसी प्रत्यक्ष अथवा अप्रत्यक्ष लाभ को प्राप्त करने के लिए जान-बूझकर कर्तव्य का पालन न करना है। भ्रष्टाचार सदैव किसी स्पष्ट अथवा अस्पष्ट लाभ के लिए कानून तथा समाज के विरोध में किया जाने वाला कार्य है।" डी.एच.बेली ने भ्रष्टाचार के सम्बन्ध में कहा है कि "निजी लाभ के विचार परिणामस्वरूप सत्ता का दुरुपयोग जो धन सम्बन्धित नहीं भी हो सकता है।" वहीं एन्ड्रिक ने कहा है "ऐसे तरीकों में सार्वजनिक शक्ति का निजी लाभ के लिए प्रयोग जो कानून का उल्लंघन करता हो। भ्रष्टाचार पर सैफले की राय है कि "भ्रष्टाचार वह व्यवहार है जो मानदण्डों और सार्वजनिक भूमिका निर्वाह के कर्तव्यों को संचालित करने या निजी लाभों के लिए पद के उचित उपयोग से विचलन होता है।" भारतीय दण्ड संहिता की धारा 161 के अनुसार "कोई भी सार्वजनिक कर्मचारी वैध पारिश्रमिक के अतिरिक्त अपने या किसी दूसरे व्यक्ति के लिए जब कोई लाभ इसलिए लेता है कि सरकारी निर्णय पक्षपात ढंग से किया जाए तो यह भ्रष्टाचार है तथा इससे सम्बन्धित व्यक्ति भ्रष्टाचारी है।" इस प्रकार भ्रष्टाचार दानव को कई विद्वानों ने अपने-अपने तरीके से परिभाषित किया है। भ्रष्टाचारी व्यक्ति सहयोग, सेवा कर्तव्य और नियम कानून के प्रति निष्ठा की भावना को तिलांजलि देकर केवल अपने ही स्वार्थों की अधिकतम पूर्ति में लगा रहता है। भ्रष्टाचार की कोई सीमा नहीं है राजनीतिक व सरकारी कर्मचारियों से लेकर व्यापारियों, डाक्टरों, नर्सों तथा पुजारियों तक इसका अपना क्षेत्र है। इस तरह सरकारी और गैर सरकारी व्यक्तियों द्वारा अगर भ्रष्टाचार होता रहेगा तो हम यह कैसे कह सकते हैं कि देश विकास की राह पर बढ़ रहा है।

विश्वभर में भ्रष्टाचार एक बड़ी समस्या लेकर उभर रहा है। चारों ओर भ्रष्टाचार का ही बोलबाला है। अन्तर्राष्ट्रीय संगठन 'ट्रांसपेरेन्सी इण्टरनेशनल', ने 3दिसम्बर, 2014 को वैश्विक भ्रष्टाचार अवधारणा सूचकांक 2014 जारी किया। इस सूचकांक की सबसे बड़ी बात भारत के स्थान में परिवर्तन को लेकर है। रिपोर्ट के अनुसार पकिस्तान और नेपाल को 126वां स्थान मिला। बांग्लादेश 145वें, भूटान 30वें तथा अफगानिस्तान 172वें स्थान पर रहा। श्रीलंका भारत के साथ 85वें स्थान पर रहा। सीपीआई के अनुसार ब्रिक देशों (भारत, रूस, चीन, ब्राजील) में भ्रष्टाचार की स्थिति चिन्ताजनक है। इन देशों में धन शोधन के मामले में मॉरिशस (54 अंक) और साइप्रस(63 अंक) जैसे देशों के साथ जुड़े मिले हैं। विश्व में सबसे कम भ्रष्ट देशों में डेनमार्क, स्वीडन, सिंगापुर, कनाडा, न्यूजीलैंड, नॉर्वे, नीदरलैण्ड्स, फिलिपिन्स देश शामिल हैं और सबसे अधिक भ्रष्ट देशों की सूची में उत्तरकोरिया और सोमालिया हैं। ऑर्गेनाइजेशन ऑफ इकोनॉमिक कोऑपरेशन एण्ड डेवपमेण्ट के अध्ययन के अनुसार विभिन्न देशों में

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कार्यरत बहुराष्ट्रीय कम्पनियों आर्थिक विकास के प्रत्येक स्तर पर रिश्वत देने में आगे रहती हैं।²

भारत में कौटिल्य ने अपने अर्थशास्त्र में राज्य कोष के सरकारी कर्मचारी द्वारा ग़बन किए जाने का सन्दर्भ दिया है। उसने सरकारी कर्मचारी द्वारा अपनाए जाने वाले लगभग पचास प्रकार के गबन और अन्य भ्रष्ट तरीकों का वर्णन किया है।³ अंग्रेजों के शासनकाल में भ्रष्टाचार कम पैमाने पर पाया जाता था।⁴ मध्ययुगीन समाज में भी भ्रष्टाचार का क्षेत्र कम था क्योंकि कर वसूली के लिए कम से कम अधिकारी थे। जितना अधिक धन वो संग्रह करते थे उतनी उनकी प्रशंसा होती थी, न कि उन पर दोष लगाया जाता था। स्वतंत्रता के बाद यद्यपि राष्ट्रीय स्तर का उच्च राजनैतिक अभिजात वर्ग एक दो दशकों तक अति ईमानदार बना रहा किन्तु तीसरे और चौथे (1962) और चौथे (1967) चुनावों के बाद नवोदित राजनैतिक अभिजात वर्ग ने अपने ईमानदार होने के विषय में जनता का विश्वास खो दिया।⁵ स्वतंत्र भारत में सब से पहले 1949 में विन्ध्य प्रदेश के कांग्रेसी नेता व तत्कालीन उद्योग मंत्री राव गिब बहादुर सिंह को 25 हजार रुपये लेने के लिए जेल की सजा की गई थी। 1962 में कृष्णा मेनन पर 2,000 जीपों की खरीद के मामले में घूस खाने का आरोप था। इंदिरा गांधी के शासनकाल में 20 करोड़ रुपये के क्युओ आयल कंपनी के साथ का विवादास्पद सौदा, 60 लाख रुपए का नागरवाला मामला, मारुति उद्योग घोटाला, एच0बी0 डब्ल्यू पनडुब्बी का घोटाला उद्घाटित हुए थे।⁶ 1980-1990 के दशक में भी अनेक केन्द्रीय मंत्री और मुख्यमंत्री उन उच्चतम स्तर के राजनीतिज्ञों में थे जिन पर अपने राजनैतिक सत्ता के काल में भ्रष्ट तरीकों को अपनाने का आरोप लगा था। तब से एक बड़ी संख्या में मुख्यमंत्रियों, मंत्रियों और उच्च स्तरीय नौकरशाहों पर लगभग सभी राज्यों में अवैध रूप से धन संग्रह और भाई-भतीजावाद अपनाने के आरोप लगे हैं। इस तरह से हम देखते हैं कि भ्रष्टाचार की यह परम्परा बहुत पहले से हमारे देश को दीमक की तरह खोखला कर रही है जिससे हमारे देश के विकास में स्थिरता आई है।

लोकसेवकों में भ्रष्टाचार हमेशा एक या दूसरे रूप में विद्यमान रहा है, यद्यपि इसका स्वरूप, आयाम, प्रकार और छवि समय-समय स्थान-स्थान पर बदलते रहे हैं। एक समय था जब रिश्वत गलत कार्यों को करने के लिए दी जाती थी लेकिन अब सही कार्य को सही समय पर कराने के लिए दी जाती है। सार्वजनिक सेवाओं में कौन से कार्यों को भ्रष्ट कहा गया है। यद्यपि भ्रष्टाचार शब्द के व्यापक अर्थ है किन्तु कानूनी प्राविधानों लोकसेवकों के निम्नलिखित व्यवहार भ्रष्ट कहे गए हैं 1. अधिकारिक हैसियत के किए गए कार्य के लिए पुरस्कार स्वरूप भेंट स्वीकार करना। 2. अवैध रूप से कोई भी वस्तु या आर्थिक लाभ प्राप्त करना। 3. सार्वजनिक सम्पत्ति का धोखाधड़ी से दुरुपयोग करना। 4. आय के ज्ञात संसाधनों से अधिक अनुपात में सम्पत्ति या आर्थिक संसाधन जुटाना। 5. सरकारी व्यवहार से सम्बन्धित किसी व्यक्ति से कीमती वस्तु खरीद के लिए धन उधार लेना यह मानते हुए कि उधार लिया धन वापस नहीं किया जाना है। 6. उच्च स्थिति या पद पर होने वाले व्यक्ति द्वारा ऐसे लोगों से भेंट स्वीकार करना जिनके साथ उनके पद के नाते सम्बन्ध हों। 7. जानबूझ कर नियमों की अनदेखी करते हुए देयकों/करों/ आदि के भुगतान करने से बचने में नागरिकों की मदद करना।

राजनीतिक पार्टियों का मूल उद्देश्य सत्ता पर काबिज रहना है। इन्होंने युक्ति निकाली है कि गरीब को राहत देने के नाम पर अपने समर्थकों की टोली खड़ी कर लो। कल्याणकारी योजनाओं के कार्यान्वयन के लिए भारी भरकम नौकरशाही स्थापित की जा रही है। सरकारी विद्यालयों एवं अस्पतालों का बेहाल सर्वविदित है। सार्वजनिक वितरण प्रणाली में चालिस प्रतिशत माल का रिसाव हो रहा है। मनरेगा के मार्फत निकम्मों की टोली खड़ी की जा रही है। सौ रुपय पाने के लिए उन्हें दूसरे उत्पादक रोजगार छोड़ने पड़ रहे हैं। अतः भ्रष्टाचार और असमानता की समस्याओं को रोकने में हम असफल हैं। यह हमारी महाशक्ति बनने में रोड़ा है। यह सच है कि भारत महाशक्ति बनने के करीब है परन्तु हम भ्रष्टाचार की वजह से इस से दूर होते जा रहे हैं। भारत में आर्थिक घोटाले हुए हैं जिनमें मुख्य हैं— बोफोर्स घोटाला (64 करोड़ रुपय), यूरिया घोटाला, (133 करोड़ रुपय), चारा घोटाला, (950 करोड़ रुपय), शेयर बाजार घोटाला (4000 करोड़ रुपय), सत्यम घोटाला (43 करोड़ रुपय), स्टैंप पेपर घोटाला (43 हजार करोड़ रुपय), कॉमनवेल्थ गेम्स घोटाला (70 हजार करोड़ रुपय), 2जी स्पेक्ट घोटाला (1 लाख 67 हजार करोड़ रुपय), अनाज घोटाला (2लाख करोड़ रुपय)।⁷ धीरे धीरे भारत में घोआलों की सूची

बढ़ती जा रही है। यह सच है कि भारत महाशक्ति बनने के करीब है परन्तु हम भ्रष्टाचार की वजह से दूर होते जा रहे हैं। भारत के नेताओं को जब अपने फालतू के कामों से फुरसत मिले तब ही तो वो इस सम्बन्ध में सोच सकते हैं उन लोगों को तो फ्री का पैसा मिलता रहे देश जाए भाड में। भारत को महाशक्ति बनने में जो रोडा है वो नेता। युवाओं को इस के लिए इनके खिलाफ लड़ना पड़ेगा। आज देश को महाशक्ति बनाने के लिए एक महाक्रान्ति की जरूरत है, क्यों कि बदलाव के लिए क्रान्ति की ही आवश्यकता होती है लेकिन इस बात का ध्यान रखना पड़ेगा कि भारत के रशिया जैसे महाशक्तिशाली देश की तरह टुकड़े न हो जाए।

भ्रष्टाचार के कई कारण हैं जैसे कि जब किसी को अभाव के कारण कष्ट होता है तो वह भ्रष्ट आचरण करने के लिए विवश हो जाता है। जब कोई व्यक्ति न्याय व्यवस्था के मान्य नियमों के विरुद्ध जाकर अपने स्वार्थ की पूर्ति के लिए गलत आचरण करने लगता है तो वह व्यक्ति भ्रष्टाचारी कहलाता है। आज भारत जैसे की चिड़िया कहलाने वाले देश में भ्रष्टाचार अपनी जड़े फैला रहा है। अतः यह बेहद ही आवश्यक है कि हम भ्रष्टाचार के इस जहरीले सांप को कुचल डालें। साथ ही सरकार को भी भ्रष्टाचार को दूर करने के लिए प्रभावी कदम उठाने होंगे। जिससे हम एक भ्रष्टाचार मुक्त भारत के सपने को सच कर सकें। भ्रष्टाचार पिछड़ेपन का द्योतक है। भ्रष्टाचार का बोलबाला यह दर्शाता है कि जिसे जो करना है वह कुछ ले-देकर अपना काम चला लेता है और लोगों को कानों-कान खबर तक नहीं होती है। और अगर होती भी हो तो यहां हर व्यक्ति खरीदने जाने के लिए तैयार है।

भारत में भ्रष्टाचार रोकने के लिए बहुत से कदम उठाने की सलाह दी जाती है। उनमें से कुछ प्रमुख हैं- सभी कर्मचारियों को वेतन आदि नकद न दिया जाए बल्कि यह पैसा उनके बैंक खाते में डाल दिया जाए। कोई अपने बैंक खाते से एक बार में दस हजार तथा एक माह में पचास हजार से अधिक न निकाल पाए, तथा अधिक से अधिक से लेन देन इलोकट्रॉनिक रूप में किया जाए। बड़े से बड़े नोटों का प्रचालन बंद किया जाए। जनता के प्रमुख कार्यों को पूरा करने एवं िकायतों पर कार्यवाही कराने के लिए समय सीमा निर्धारित हो तथा लोकसेवकों द्वारा कार्य पूरा न करने पर वो दंड के भागी बने। विभागाधिकार और विवेकाधिकार कम किए जाएं या हटा दिए जाएं। सभी लोकसेवक अपनी संपत्ति की घोषण करें। भ्रष्टाचार करने वालों के लिए कठोर दंड कव प्रावधान किया जाए। भ्रष्टाचार की कमाई को राजसात करने का प्रावधान हो। चुनाव सुधार किए जाएं और भ्रष्ट तथा अपराधी तत्वों को चुनाव लड़ने पर पाबंदी हो।

भ्रष्टाचार पर अंकुश लगाने के लिए केन्द्र सरकार द्वारा सूचना का अधिकार अधिनियम लाया गया तथा केन्द्र तथा राज्य स्तर पर सूचना आयुक्तों की नियुक्ति की गई है। दिसम्बर 2002 में पारित यह अधिनियम प्रशासनिक भ्रष्टाचार को रोकने में एक सशक्त हथियार साबित हो सकता है। इस अधिकार का उपयोग कर भ्रष्टाचार के विरुद्ध होने वाले जन आंदोलनों को एक सार्थक रूप दिया जा सकता है। सर्वोच्च न्यायालय ने एक निर्णय में सूचना के अधिकार दे दिया जाए तो नौकरशाही पर एक दबाव बनेगा जो उन्हें भ्रष्ट आचरण से दूर रखेगा।.....

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भारत में भ्रष्टाचार : उभरता परिदृश्य एवं प्रश्न

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डॉ. प्रकाश चंद्र दिलारे

शोध सारांश

विश्व के सभी देशों का सामाजिक समस्याओं के साथ बहुत ही गहरा रिस्ता है। किंतु जिन देशों में शिक्षा का स्तर निम्न हो जागरुकता की कमी हो और इन्हे दूर करने में सरकार नाकाम हो तो ऐसे देशों में सामाजिक समस्याएँ गहरे चिंतन का विषय बन जाती हैं। भारत ऐसे ही देशों में आता है, यहाँ पर अनेकों सामाजिक समस्याएँ हैं। जिनका समाधान अभी खोजना शेष है किंतु इन सभी समस्याओं में सर्वाधिक महत्वपूर्ण समस्या भ्रष्टाचार है क्योंकि यही एक ऐसी समस्या है जिसे मिटा देने से देश की आधी समस्याएँ अपने आप ही समाप्त हो जाएगी। प्रस्तुत पेपर में भ्रष्टाचार की ऐतिहासिक पृष्ठभूमि के साथ साथ भ्रष्टाचार के विभिन्न आयामों, उसकी प्रकृति और परिमाण की विस्तार से चर्चा की गई है। साथ ही भ्रष्टाचार की अवधरणा, उसके उद्भव एवं विकास को विस्तार से प्रस्तुत कर इसे समूल नष्ट करने हेतु उपायों को सुझाया गया है।

जब व्यक्ति के सामाजिक मूल्यों एवं आदर्शों में गिरावट आती है, तो उसे सामाजिक विचलन की संज्ञा दी जाती है। परिणाम स्वरूप, व्यक्ति समाज में विचलित व्यवहार प्रदर्शित करता है। जब यह व्यवहार स्वयं या किसी नातेदार के लिए लाभ से प्रेरित हो तो उसे भ्रष्टाचार कहा जाता है। संक्षेप में, इसे "आचरण का भ्रष्ट हो जाना" कहते हैं। भ्रष्टाचार को भारत ही नहीं बल्कि समूचे विश्व की पुरातन सामाजिक समस्या के रूप में इंगित किया जाता है, जो वर्तमान में अपने विकराल रूप में हमारे समक्ष मुँह बाए खड़ी है। यह अनन्त समय से विश्व के प्रत्येक समाज में किसी न किसी रूप एवं परिमाण में अपना अस्तित्व बनाए हुए है।

प्रस्तुत पेपर के माध्यम से भ्रष्टाचार की ऐतिहासिक पृष्ठभूमि को समझने के साथ साथ भ्रष्टाचार के विभिन्न आयामों को उनकी प्रकृति और परिमाण के अनुसार जानने का प्रयास किया गया है। ताकि भ्रष्टाचार की अवधरणा उसके उद्भव एवं विकास को विस्तार से समझ कर इसे समूल नष्ट करने हेतु उपायों को खोजा जा सके।

उपरोक्त उद्देश्य को पूरा करने के लिए पेपर में द्वितीयक स्रोतों के माध्यम से प्राप्त आंकड़ों एवं जानकारीयों का समावेश किया गया है। साथ ही लेखक द्वारा किए गये अवलोकनों एवं स्वयं के अनुभवों को यथोचित स्थान प्रदान किया गया है।

इतिहास के पन्नों को पलटने पर हम पाते हैं कि भ्रष्टाचार न सिर्फ भारत की समस्या है बल्कि यह तो सम्पूर्ण विश्व में व्यापक है। यह न सिर्फ आधुनिक समय की समस्या है बल्कि यह तो प्राचीनतम सभ्यताओं में भी प्रचलित थी। साक्ष्यों के अनुसार प्राचीन समय में मिश्र, बेबीलोनिया एवं हेब्रु समाजों में न्यायाधीशों रिक्त लेते थे। रोम में सार्वजनिक पदों के चुनाव के दौरान रिक्त ली जाती थी। फ्रांस में 15वीं शताब्दी के दौरान इंग्लैण्ड को "भ्रष्टाचार का गड्डा" (पदा विवसम) कहा जाता था। 19वीं शताब्दी के ब्रिटेन के भ्रष्टाचार के कारण गिबबन (१७५३-१७९६) ने इसे संवैधानिक स्वतंत्रता का अचूक लक्षण कहा (मउपदंत छवण 421 मचज 1994)।

स्वतंत्रता पूर्व भारत

यदि हम भारतीय संदर्भ में देखें तो हमारे आदर्श धर्मग्रन्थों में भी ऐसे अनेक दृष्टांत मिलते हैं, जिनमें छल, कपट और भ्रष्ट आचरण दिखाई देता है, चाहे वह गणेश व कार्तिकेय का पृथ्वी भ्रमण, विष्णु का वामन अवतार, राम द्वारा बाली वध, लंका विजय हेतु विभीषण मैत्री, मामा शकुनी की चालें, चीर हरण, चक्रव्यूह रचना, अभिमन्यु वध या जयदत्त वध हो, सत्युग, त्रेता एवं द्वापर, तीनों ही कालों की इन घटनाओं में छल, कपट और भ्रष्ट आचरण साफ नजर आता है।

कौटिल्य ने अपने ग्रन्थ अर्थशास्त्र में राजकोष से सरकारी कर्मचारियों द्वारा गबन किए जाने का संदर्भ दिया है (उजतल 1967 ए 15रू17)। उसने सरकारी कर्मचारियों द्वारा अपनाए जाने वाले लगभग 50 प्रकार के गबन और अन्य भ्रष्ट तरीकों का वर्णन किया है। अल्प परिमाण के साथ प्राचीन कालीन समाज 3

संकाय सदस्य, समाजशास्त्र विभाग, गौतम बुद्ध विश्व-विद्यालय, ग्रेटर नोएडा, दिल्ली (एन सी आर), prakash.csss.jnu@gmail.com,
prakash@gbu.ac.in

एवं मध्य कालीन समाजों में भी भ्रष्टाचार देखने को मिलता है। वहीं, ब्रिटिश काल में तो भारतीय अफसरों के साथ-साथ उच्च पदस्थ अंग्रेज अधिकारी भी रिक्त लिया करते थे। क्लाइव और वॉरेन हेस्टिंग्स तो इतने भ्रष्ट थे कि इंग्लैण्ड में उन पर भ्रष्टाचार का मुकदमा चलाया गया। प्रथम एवं द्वितीय विश्व युद्ध के दौरान आर्थिक क्रियाकलापों के विस्तार ने देश में भ्रष्टाचार के नए तरीकों को जन्म दिया (भंससलं डण 1948ए 13.51)। युद्ध के दौरान लगाए गए प्रतिबन्ध नियंत्रणों और अभावों ने रिक्त, भ्रष्टाचार एवं पक्षपात के यथेष्ट अवसर प्रदान किए।

स्वतंत्रयोत्तर भारत

स्वतंत्रता के बाद भारत में संवैधानिक व्यवस्था को 26 जनवरी 1950 को लागू कर हमारे संविधान निर्माताओं ने एक आदर्श एवं भ्रष्टाचार मुक्त भारत निर्माण के अपने स्वप्न को यथार्थ रूप प्रदान करने हेतु भारतीय संविधान के साथ आई.पी.सी. एवं सी.आर.पी.सी. जैसी विधिक व्यवस्थाओं को अपनाया ताकि हमारा देश विश्व के सबसे स्वस्थ लोकतांत्रिक राज्य के रूप में विकसित हो सके तथा अपने इस स्वप्न की यथार्थता को और अधिक दृढ़ता प्रदान करने हेतु भारतीय संविधान में शक्ति संतुलन के सिद्धांत को शामिल करते हुए कार्यपालिका, व्यवस्थापिका एवं न्यायपालिका को एक दूसरे से स्वतंत्र किन्तु सन्तुलित करते हुए इन्हें लोकतंत्र के तीन स्तंभों की संज्ञा प्रदान की गई। बावजूद, इसके भविष्य की अन्य नकारात्मक संभावनाओं के निराकरण हेतु इन तीनों के कार्यकलापों में पारदर्शिता को बनाए रखने एवं उनसे जनता को अवगत कराने का कार्य हमारी जन संचार प्रणाली (मीडिया) को सौंपा गया। फलतः कालान्तर में, मीडिया को लोकतंत्र के चौथे स्तंभ के रूप में प्रतिष्ठित किया गया। समय के साथ-साथ लोकतंत्र के ये चारों स्तंभ अपने मूल उद्देश्य से भटक गए हैं और ये आज भ्रष्टाचार में लिप्त हैं।

राजनैतिक अभिजात्य वर्ग

यद्यपि उच्च राजनीतिक अभिजात वर्ग प्रारंभ में तो अति ईमानदार बना रहा, किन्तु 1962 व 1967 के चुनावों के दौरान नवोदित राजनीतिक, अभिजात वर्ग ने अपनी ईमानदारी के बारे में जनता का विश्वास खो दिया। तब से वर्तमान तक कोई भी नेता इस विश्वास को पुनः स्थापित करने में विफल रहा है। स्थिति दिन-प्रतिदिन बदतर होती गई और आज पूरा का पूरा अभिजात्य वर्ग भ्रष्टाचार में लिप्त है, चाहे वह किसी भी विचारधारा या दल से सम्बन्धित हो सर्वप्रथम, स्वतंत्र भारत में 1949 में कांग्रेसी नेता व उद्योग मंत्री राव गिरीबहादुर सिंह को 25 हजार रुपये की रिक्त लेने के मामले में जेल की सजा मिली। 1962 में कृष्णा मेनन पर घूस लेने का आरोप लगा। निरंरंउए 2000ए 435.442इ तब से आरंभ भ्रष्टाचार का यह सिलसिला आज दिन दूनी रात चौगुना बढ़ रहा है। परिणामस्वरूप हर दिन एक नया भ्रष्टाचार का मामला देखने/सुनने/पढ़ने में आता है, जिनमें इन्दिरा गांधी के समय मारुती उद्योग घोटाला, एच.बी.डब्ल्यू पनडुब्बी घोटाला, प्रधानमंत्री राजीव गांधी के समय बोफोर्स तोप काण्ड, जयललिता का सुकना भूमि घोटाला, राजस्थान की मुख्यमंत्री बसुन्धरा राजे का दीन दयाल उपाध्याय ट्रस्ट का मामला, झारखण्ड के मुख्यमंत्री मधुकोड़ा द्वारा 400 करोड़ रुपये का गबन, कॉमन वेल्थ खेल समिति प्रमुख सुरेश कलमाड़ी का कॉमन वेल्थ घोटाला, पूर्व केन्द्रीय संचार मंत्री ए. राजा का टू-जी स्पेक्ट्रम घोटाला, द्रमुक सांसद कनिमौली की सांठगांठ, कर्नाटक के मुख्यमंत्री येदियुरप्पा का जमीनी घोटाला, महाराष्ट्र के मुख्यमंत्री अशोक चव्हाण का आदर्श हाउसिंग सोसाइटी घोटाला एवं पूर्व केन्द्रीय मंत्री एवं सारस्वत बैंक के अध्यक्ष सुरेश प्रभु का मामला और न जाने आगे कितने.....? गैर सरकारी जर्मन संगठन ट्रांसपैरेंसी इंटरनेशनल द्वारा जारी एक रिपोर्ट के अनुसार विधायिका में भ्रष्टाचार का स्तर 10 फीसदी है तो वहीं राजनेताओं में यह स्तर 58 फीसदी है। आज ईमानदार राजनीतिज्ञों की संख्या को अंगुलियों पर गिना जा सकता है। देश का भला चाहने वाले राजनीतिज्ञों का दौर खत्म-सा हो गया है। अधिकांश राजनीतिज्ञ अपनी पार्टी एवं परिवार के हितों को ही सम्पूर्ण हित का पर्याय मान बैठे हैं। अब चुनाव धन-बल, जाति-संप्रदाय एवं बाहुबलियों की सहायता से ही जीता जा सकता है और यही कारक बाद में प्रत्याशी पर भ्रष्टाचार में संलिप्त होने हेतु दबाव बनाता है। परिणामस्वरूप, जनता में विजयी प्रत्याशी/दल/सरकार के प्रति वह आदर, श्रद्धा या आस्था नहीं रह गई है जो स्वतंत्रता के प्रारंभिक दौर में थी।

शासन तंत्र

सरकार की लाइसेंस प्रणाली, लचीले नियंत्रण के नियम एवं सार्वजनिक क्षेत्र के विस्तार ने प्रशासनिक क्षेत्र में भ्रष्टाचार का विस्तार किया है। आज भारतीय नौकरशाह पर भ्रष्टाचार का सर्वाधिक प्रभाव है। दिल्ली हाईकोर्ट ने स्वयं अपने फैसले में सरकारी विभागों में 90 फीसदी भ्रष्टाचार होने की बात कही है, यद्यपि यहाँ पर भ्रष्टाचार का स्वरूप भिन्न है। नगदी के साथ-साथ यहां उपहार एवं पुरस्कार के रूप में रिश्वत को स्वीकार किया जाता है। यहाँ भ्रष्टाचार करने के तरीके भी भिन्न है, जैसे सार्वजनिक सम्पत्ति का दुरुपयोग, जानबूझकर नियमों की अनदेखी, आय से अधिक आर्थिक संसाधन जुटाना, कर की चोरी इत्यादि। गैर सरकारी जर्मन संगठन ट्रांसपेरेंसी इंटरनेशनल द्वारा जारी एक रिपोर्ट के अनुसार सरकारी कर्मचारियों में मात्र 2 फीसदी अधिकारी हैं, किन्तु कुल रिश्वत का 14 फीसदी इनको जाता है। भारतीय लोकतंत्र के प्रारंभिक दौर में गलत कामों के लिए रिश्वत दी जाती थी। किन्तु वर्तमान में सही कामों को समय पर करवाने के लिए रिश्वत दी जाती है। गैर सरकारी जर्मन संगठन ट्रांसपेरेंसी इंटरनेशनल द्वारा जारी रिपोर्ट के अनुसार 51 फीसदी लोग काम समय पर पूरा कराने के लिए रिश्वत देते हैं, तो वहीं 16 फीसदी लोग इस डर से रिश्वत देते हैं कि कहीं बनता हुआ काम न बिगड़ जाए। 10 फीसदी लोग मनचाही जगह पर अपना तबादला कराने के लिए रिश्वत देते हैं। देश के कुल भ्रष्टाचार में 91 फीसदी हिस्सा सरकारी तंत्र का होता है, जिसमें केन्द्रीय सरकारी विभागों का 33 फीसदी, पुलिस विभाग का 30 फीसदी, कस्टम विभागों का 13 फीसदी, जल विभाग का 5 फीसदी, शेष अन्य विभागों का। नौकरशाही में भ्रष्टाचार को स्वयं पूर्व केन्द्रीय सतर्कता आयुक्त प्रत्युष सिन्हा ने स्वीकारते हुए कहा है कि देश का हर तीसरा व्यक्ति भ्रष्ट है। छक्के मचजमउइमतए 08ए 2010द्ध वर्तमान में रोजगार चयन का मुख्य आधार ही अधिकतम ऊपरी कमाई हो गया है। आज ऐसा लगता है मानो रिश्वत लेना व देना कार्यप्रणाली का प्रमुख अंग बन गया है। कोई भी फाईल बिना वजन (रिश्वत) के आगे ही नहीं बढ़ती है। यहां तक कि साहब अपने कमरे में हैं/नहीं हैं/कब तक आएंगे? यह जानने के लिए भी चपरासी को चाय पिलानी होती है। तेलगी स्टाम्प घोटाला, अजीत जोगी मामला एवं आदर्श हाऊसिंग सोसायटी से उजागर हुए शीर्षस्थ अधिकारियों के नामों ने सार्वजनिक क्षेत्र में भ्रष्टाचार की कलई खोल दी है।

समाज में समस्या के हल अथवा नियंत्रण के लिए शास्ति प्रणाली होती है जिसका स्वरूप, परिमाण एवं आधार देश, काल और परिस्थितियों के अनुसार परिवर्तित होता रहता है। जिसके तहत सकारात्मक कार्यों हेतु पुरस्कार एवं नकारात्मक कार्यों हेतु दण्ड की व्यवस्था होती है। भारतीय लोकतंत्र में इसे न्यायपालिका के नाम से जाना जाता है। किन्तु पिछले कुछ समय से न्यायपालिका भी अपनी इस छवि के विपरीत भ्रष्टाचार में लिप्त नजर आ रही है। गैर सरकारी जर्मन संगठन ट्रांसपेरेंसी इंटरनेशनल द्वारा जारी रिपोर्ट के अनुसार न्यायपालिका में भ्रष्टाचार का स्तर 3 फीसदी है किन्तु, समय और हालात को ध्यान में रखने पर इसके कम होने के आसार नहीं के बराबर हैं जबकि, बढ़ने की प्रबल संभावना है। जिसके चलते वर्तमान में लगभग 3 करोड़ से भी अधिक प्रकरण वर्षों से लम्बित पड़े हैं तो यहां पवित्र ग्रन्थ गीता पर हाथ रखकर दिया बयान स्वीकार है किन्तु वैज्ञानिक विधि से प्रमाणित नार्को ऐनालिसिस, ब्रेन मेपिंग, डी.एन.ए फिंगर प्रिन्ट स्वीकार नहीं है। सर्वोच्च न्यायालय, उच्च न्यायालय, जिला न्यायालय, केन्द्रीय जांच विभाग, भ्रष्टाचार निरोधक विभाग, केन्द्रीय सतर्कता विभाग/न्यायाधीशों की नियुक्ति का मामला हो या न्याय करने का आज सब कुछ भ्रष्टाचार से प्रभावित है।

मीडिया

लोकतांत्रिक भारत में कार्यप्रणाली की पारदर्शिता को बनाए रखने का दायित्व हमारी जन संचार प्रणाली का है। जिसमें अखबार पत्र, पत्रिकाएं, रेडियो, टेलिविजन एवं इंटरनेट शामिल हैं। लोकतंत्र के इस चौथे स्तंभ ने प्रारंभिक दौर में अपने दायित्व का निर्वाह बड़ी ईमानदारी के साथ किया किन्तु पिछले दो दशकों में मीडिया का मिजाज काफी परिवर्तित हुआ है।

उदारीकरण और भूमंडलीयकरण के परिणाम स्वरूप मीडिया में अन्तर्राष्ट्रीय प्रभाव बढ़ा है। जिससे मीडिया की पहली प्राथमिकता मुनाफा एवं निजी सम्पत्ति में इजाफा हो गई है। जिससे आम आदमी की जगह दिन प्रतिदिन हाथों की तरफ बढ़ाई जा रही है। मध्यम वर्ग की विलासिता मीडिया के आकर्षण का केन्द्र बनता जा रहा है एवं जनता की जरूरतें, समस्याएं एवं सूचना का प्रचार-प्रसार

मीडिया की पहुंच से छूटा जा रहा है। अति तो तब हो गई जब पेड, न्यूज, नीरा राडिया टेप काण्ड के खुलासे से मीडिया का असली चेहरा जनता के सामने आया।

2009 में पेड न्यूज का मामला पहली बार खुलकर सामने आया, जिससे सारा समाज भौंचक्का-सा रह गया। किन्तु क्या यह पहली बार हुआ ? नहीं। बड़ी-बड़ी कम्पनियाँ दे"कों से यह करती आ रही है। फिल्म व्यवसाय में तो यह आम बात हैं, फिल्म निर्माता अपनी फिल्मों की समीक्षा पैसों के बल पर ही लिखवाते और छपवाते हैं। यहां तक कि सरकार भी धन, उपहार एवं अन्य प्रलोभनों के माध्यम से मीडिया पर अपना नियंत्रण रखती है।

2010 में नीरा राडिया टेप काण्ड के खुलासे से आम जनता को सदमा-सा महसूस हुआ। परन्तु यह सिर्फ आम जनता तक ही सीमित था। समाज के उच्च अभिजात वर्ग में कोई हलचल नहीं थी। क्योंकि ये जानते हैं कि मीडिया का एक बड़ा हिस्सा प्रारंभ से ही सत्ताधी"ों के करीब रहा है और इसमें वह गौरव महसूस करता हैं। किन्तु बात इतनी खुल गई कि मीडिया, राजीनतिज्ञ एवं नौकर"ाह की परस्पर निजी लाभ की हिस्सेदारी ने स्वस्थ लोकतंत्र के हमारे स्वप्न को चकनाचूर कर दिया जो आम जनता के लिए किसी सदमें से कम नहीं था। बरखा दत्त, प्रभु चावला, वीर संघवी, एम.के.वेणु जैसे वरिष्ठ एवं प्रतिभा"ाली मीडिया कर्मियों की इन काली करतूतों से समूचा मीडिया शर्मसार है।

गैर सरकारी जर्मन संगठन ट्रांसपेरेंसी इंटरनेशनल द्वारा जारी रिपोर्ट के अनुसार मीडिया में भ्रष्टाचार का स्तर 8 फीसदी है। किन्तु इसका अर्थ यह कतई न लगाया जाए कि जिन लोगों के नाम स्वच्छ छवि में आते हैं। वे सचमुच ही स्वच्छ हों, क्योंकि सही या गलत केवल वही है जो दुनिया के सामने है। पर्दे के पीछे की कौन जाने ?

भ्रष्टाचार की व्यापकता

दे"ों के इन उच्च अभिजात्य एवं अभिजात्य वर्ग की काली करतूतों से उपजा काला धन भी दे"ों की विकराल समस्याओं में शामिल है। किन्तु यह एक ऐसा मुद्दा है, जिसमें जाने-अनजाने में दे"ों का हर व्यक्ति शामिल है। चाहे वह गरीब हो या अमीर। काले धन पर विचार करने पर सर्वप्रथम ध्यान विदे"ों में जमा धन की ओर जाता है। किन्तु दे"ों की सीमा के अन्दर भी इसका सृजन कम नहीं है। चाहे वह उपभोक्ता द्वारा वस्तु के खरीदने पर बिल न लेने से हो, अपनी सम्पत्ति या पूर्ण आय पर कर (टैक्स) न चुकाने से हो अथवा वाहन, फार्म हाऊस, कृषि भूमि, भवन, फ्लैट या भूखण्ड की खरीदी पर बेचना में (रजिस्ट्री) पर सही मूल्य अंकित न करना। इसमें दे"ों का हर व्यक्ति जाने-अनजाने ही सही अपना सहयोग दे रहा है। वा"िंगटन स्थित आर्थिक मामलों के वि"ैषज्ञ समूह ग्लोबल फाइने"ियल इंटेग्रिटी (ळ)थ्रुद्ध द्वारा जारी रिपोर्ट "द डाइवर्स एंड डायनामिक्स ऑफ इलिसिट फाइने"ियल प्लॉ फ्रॉम इंडिया 1948-2008" में कहा गया है कि 1991 में भारत की सुधरती अर्थव्यवस्था के बावजूद गैर-कानूनी तरीके से दे"ों के बाहर भेजी जाने वाली रकम में बहुत बढ़ोत्तरी हुई है। वर्तमान में प्रतिदिन काले धन के रूप में 200 करोड़ रुपये दे"ों के बाहर जाते हैं। रिपोर्ट के अनुसार भारत को 462 अरब डॉलर का नुकसान हुआ है, जो भारत के विदे"ों कर्ज (230 अरब डॉलर) का दुगना है। संस्था के निदे"ोंक रेमण्ड बेकर के अनुसार इतनी बड़ी रकम दे"ों के बाहर भेजे जाने के कारण ही भारत में अमीर और गरीब के बीच की खाई बढ़ गई है। इनके अनुसार भारत के भ्रष्टाचारियों ने विकसित दे"ों को छोड़ उन दे"ों में अपना धन जमा करना प्रारंभ कर दिया है, जहां पर इन मामलों में पर्याप्त गोपनीयता बरती जाती है। इन दे"ों के बैंकों में जमा कुल रकम, दुनिया भर के बैंकों में जमा कुल रकम का 54.2 फीसदी है। विदे"ों में भेजी जाने वाली यह रकम भारत के सकल घरेलू उत्पाद (ळक्व) का 40 फीसदी हैं, तो वहीं हर साल इसमें 11.6 फीसदी की बढ़ोत्तरी होती है। गैर सरकारी जर्मन संगठन ट्रांसपेरेंसी इंटरने"ोनल द्वारा जारी अपनी रिपोर्ट के अनुसार वर्ष 2010 में भ्रष्टाचार सूचकांक में भारत 87 वें स्थान पर पहुंच गया है, जो 2009 में 84 वें स्थान पर था। भारत में अवैध रूप से चल रही काले धन की यह अर्थव्यवस्था कितनी बड़ी है, इसका आकलन आप इन आंकड़ों से कर सकते हैं। इस काले धन को समाप्त किए बिना दे"ों से भ्रष्टाचार को समाप्त करना असंभव है।

सकारात्मक प्रयास

आव"यकता है, भ्रष्टाचार के क्षेत्र में शोध कार्य को बढ़ावा देकर भ्रष्टाचार के कारणों की खोज की जाए तथा उनके निराकरण हेतु कारगर उपाय सुझाए जाए। वरिष्ठ गांधीवादी समाजसेवी अन्ना हजारे एवं योग गुरु बाबा रामदेव का भ्रष्टाचार विरोधी आन्दोलन से लेकर अरविंद केजरीवाल का आम आदमी पार्टी बनाना दिल्ली विधानसभा चुनाव में अप्रत्याशित सफलता के वावजूद परेशान होकर मजबूरी में महज कुछ ही समय में सत्ता छोड़ देना और फिर लोकसभा चुनाव में आम आदमी पार्टी की स्थिति और पुन दिल्ली की सत्ता पर काबिज होना, केंद्र में माननीय प्रधानमंत्री नरेंद्र मोदी जी का भ्रष्टाचार मुक्त भारत का नारा और इन सब से जुड़ी वर्तमान सफलताओं का आकलन इन सभी घटनाक्रम से भ्रष्टाचार को खत्म करने के प्रति देश की जनता और सरकार दोनों का मिजाज शक के दायरे में आता है। जो भी हो परिणाम हम सबके सामने हैं खैर अब अच्छे दिन आ गये हैं उम्मीद है कि इन अच्छे दिनों की परिभाषा में भ्रष्टाचारमुक्त भारत भी होगा। रहा जन लोकपाल विधेयक तो इससे बहुत ज्यादा आ"गा नहीं की जा सकती क्योंकि जन लोकपाल विधेयक कहां तक प्रभावी होगा। ये सबसे बड़ा सवाल है क्योंकि वर्तमान में भी अनेक दे"ों में इसका क्रियान्वयन हो रहा है और इसका संक्षिप्त रूप "लोकायुक्त" के माध्यम से दे"ों के लगभग 18 राज्यों में यह व्यवस्था लागू है किन्तु, परिणाम न के बराबर हैं। आव"यकता इसे स"ीकृत और सार्थक बनाने की है। किन्तु, यही पर्याप्त नहीं है क्योंकि, लोकपाल के दायरे में राष्ट्रपति, प्रधानमंत्री एवं न्यायधी"ों इत्यादि को लाना एवं इनसे अधिक शक्ति देना दिवा स्वप्न-सा प्रतीत होता है और यदि चमत्कार स्वरूप यह हो भी गया तो कोई कैसे आ"वस्त हो सकता कि लोकपाल संस्था के अधिकारी, कर्मचारी एवं सदस्य भ्रष्टाचार नहीं करेंगे। आखिर वे भी तो इसी व्यवस्था का हिस्सा होंगे। आव"यकता है, भ्रष्टाचारउन्मूलन कानून के जरिए समाज और शासन व्यवस्था में डर पैदा करने की, सुधारात्मक की बजाय दण्डात्मक कानून व्यवस्था को अपनाने की, मनुष्य के चारित्रिक गुणों में सुधार की और इससे भी महत्वपूर्ण है, इन सब की शुरुआत अपने घर से करने की।

इससे यह तो नहीं कहा जा सकता कि भ्रष्टाचार पूर्ण रूप से खत्म हो जायेगा किन्तु इस दि"ा में आगे तो बढ़ा ही जा सकता है। लाभ स्वरूप अगर कुछ नजर आता है तो सिर्फ इतना कि इसके माध्यम से सम्पूर्ण दे"ों के सभी आयु वर्गों में भ्रष्टाचार को लेकर चिन्तन प्रारंभ होगा। बुद्धिजीवियों के मत भविष्य में भ्रष्टाचार उन्मूलन की दि"ा व द"ा तय करने में सहायक सिद्ध होंगे। साथ ही, युवा जोश एवं समर्थन मिला तो काबिल-ए-तारिफ हैं। बाकी भविष्य किसने देखा है ? और उम्मीद पर तो दुनिया कायम है।

सुझाव

- भ्रष्टाचार के क्षेत्र में शोधकार्य को बढ़ावा दिया जाए।
- सुधारात्मक की जगह दण्डात्मक कानून व्यवस्था को अपनाया जाए।
- समाजीकरण के माध्यम से व्यक्ति के चारित्रिक सुधार पर बल दिया जाए।
- ि"क्षा व्यवस्था में सुधार वि"ोषकर नैतिक ि"क्षा को बढ़ावा दिया जाए।
- हम सुधरेंगे, जग सुधरेगा की तर्ज पर आत्म सुधार पर बल दिया जाए।
- लोकपाल व्यवस्था व्यक्तिगत न होकर संस्थागत हो।
- मीडिया को ंत्सद्ध के दायरे में शामिल किया जाए।
- वैकल्पिक मीडिया को और अधिक मजबूत किया जाए।
- विदे"ों में जमा काला धन के साथ-साथ दे"ों के अन्दर सृजित एवं संचित काले धन की प्राप्ति हेतु कठोर एवं कारगर उपाय किए जाए।

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बजरंगी यादव

सारांश

भ्रष्टाचार का मुख्य केन्द्र बिन्दु राजनीति, जिसके चारों ओर भ्रष्ट और आपराधिक नेता, विभिन्न क्षेत्रों के माफिया वर्ग, नौकरशाह, औद्योगिक वर्ग आदि संयुक्त रूप से परिसीमन करते हैं। राजनीति की पटकथा से मुख्य भ्रष्टाचार का दानव जन्म लेता है और राजनीतिज्ञों की सत्ता और धन की बड़ी हबस के साथ चुनाव लड़ने, चुनाव जीतने तथा येन-केन-प्रकारेण सत्ता पर कब्जा करने के लिए अपार मात्रा में धन और बाहुबल का प्रयोग किया जाता है। अतः ज्ञात होता है कि भ्रष्टाचार रूपी महादानव भारत के चुनाव प्रक्रिया में जन्म लेता है, अर्थात् राजनैतिक भ्रष्टता गलियारों से निकलकर भ्रष्टाचार देश के कोने-कोने में फैलता है। भ्रष्ट-नौकरशाह एवं बाबू भोली-भाली जनता का जमकर शोषण करते हैं और इसका एक हिस्सा मंत्रियों-मुख्यमंत्रियों तक पहुँचता है। यही राजनैतिक भ्रष्टाचार और भ्रष्टाचार का संरक्षण जनता में भ्रष्टाचार फलने-फूलने का अवसर प्रदान करता है।

भीर्ष-शब्द- भ्रष्टाचार, मनोवृत्ति, अभिप्रेरणा, संवेग, कारण, निवारण, सुझाव, निर्देशात्मक युक्तियाँ।

भ्रष्टाचार की भूमिका- आज भ्रष्टाचार से कोई भी तन्त्र अछूता नहीं है, दुःख इस बात का है कि सरकार इसे मिटाने के बजाय बढ़ावा दे रही है। भ्रष्टाचार को मिटाने के लिए 'लोकपाल कानून' की माँग हो रही है, बिल संसद में लाया जा चुका है लेकिन संसद के बाहर का एक पक्ष सरकार की ओर से इसका विरोध कर रहा है। सरकार ने 'लोकपाल' का जो मसौदा पेश किया है वह भी भ्रष्ट व्यक्तियों को संरक्षण देने और आम जनमानस की आँखों में धूल झाँकने वाला है। इसके अनुसार, यदि कोई व्यक्ति किसी अधिकारी के खिलाफ भ्रष्टाचार की शिकायत लोकपाल करता है और उसके पास साक्ष्यों की कमी है तो उसे कम से कम दो साल का कारावास की सजा का प्रावधान है। सरकार उस नागरिक के खिलाफ मुकदमा दर्ज करने के लिए भ्रष्ट अधिकारी को मुफ्त में अधिवक्ता उपलब्ध कराएगी, लेकिन शिकायत के बाद यदि साबित हो जाता है कि उक्त अधिकारी वास्तव में भ्रष्ट है तो उसे छः महीने की सजा होगी यानि कि ये लोकपाल बिल भ्रष्टाचार और भ्रष्टतंत्र के खिलाफ नहीं है, बल्कि उन व्यक्तियों के खिलाफ है जो भ्रष्टाचार के विरुद्ध आवाज उठाने की हिम्मत करते हैं। यह आम धारणा है कि भ्रष्टाचार सरकारी दफ्तरों में फलता-फूलता है। दूसरा महत्वपूर्ण क्षेत्र जो जनता की नजर में भ्रष्टतम दिखाई देता है, वह रोजगार दिलाने वाली विभिन्न स्कीमों और स्थायी नौकरी प्राप्त करने के लिए दी जाने वाली बड़ी रिश्वत आदि हैं और तीसरा भ्रष्टाचार का क्षेत्र है, न्याय-व्यवस्था जहाँ पर प्रत्येक व्यक्ति भ्रष्टाचार की पीड़ा झेलता है, भले ही ये तीनों क्षेत्र भ्रष्टाचार के प्रमुख केन्द्र दिखाई देते हैं और इन तीनों में घोर भ्रष्टाचार व्याप्त है लेकिन भारत में होने वाले भ्रष्टाचार के कुल धन का केवल एक चौथाई धन ही इन क्षेत्रों में लगा हुआ है। भ्रष्टाचार का बड़ा स्वरूप जिसे आम आदमी नहीं देख पाता है, वह राजनीतिज्ञों, माफियाओं, नौकरशाहों आदि के साथ औद्योगिक घरानों में भ्रष्टाचार का 90 प्रतिशत धन मूव करता अथवा काले धन के रूप में उपलब्ध है।

इस प्रकार सन् 1996 ई0 का वर्ष देश के इतिहास में 'घोटाला वर्ष' के नाम से विख्यात हुआ, इस वर्ष शायद ही कोई दिन ऐसा गया होगा जब कोई नए घोटाले की खबर समाचार पत्रों के मुख्य पृष्ठ पर न छपी हो अथवा टेलीविजन की हेडलाइन न हुई हो। ऐसा प्रतीत होता है जैसे-प्रादेशिक समाचार, खेल, अर्थ-जगत, मनोरंजन आदि गतिविधियों की तरह समाचार पत्रों को घोटालों अथवा भ्रष्टाचार के लिए भी एक अलग पृष्ठ शुरू करना पड़ेगा। इस प्रकार हमें अपने देश में अनेक प्रकार के घोटाले अथवा भ्रष्टाचार उजागर होते देख रहे हैं, जिसमें से कुछ घोटालों का संक्षेपण इस प्रकार है-चारा घोटाला, 2जी स्पेक्ट्रम घोटाला, आदर्श हाउसिंग सोसाइटी घोटाला, कोलगेट घोटाला, कॉमनवेल्थ घोटाला, एन.आर.एच.एम. स्वास्थ्य घोटाला, मनरेगा घोटाला, राष्ट्रमण्डल घोटाला, उत्तर प्रदेश शोधार्थी, मनोविज्ञान, कामताप्रसाद सुन्दरलाल साकेत स्नातकोत्तर महाविद्यालय, अयोध्या-फैजाबाद (उ0प्र0)। ई-मेल : bajrangji24@gmail.com

खाद्यान्न घोटाला, रेलवे घोटाला, कर्नाटक का वक्फ बोर्ड घोटाला, जम्मू-कश्मीर क्रिकेट घोटाला, हरियाणा फारेस्ट घोटाला आदि, जिन पर विचार अपेक्षित है।

भ्रष्टाचार के प्रकार— भ्रष्टाचार मुख्यतः दो प्रकार का होता है—उत्पीड़न भ्रष्टाचार और कपटपूर्ण भ्रष्टाचार। उत्पीड़न भ्रष्टाचार में कोई अधिकारी किसी नागरिक के उसका अधिकार जैसे, जन्म प्रमाण-पत्र या राशन कार्ड देने की स्थिति में उससे रिश्वत लेता है। यहाँ रिश्वत देने वाला उत्पीड़न का शिकार है और उसे शिकायत करने के लिए प्रेरित किया जाना चाहिए। वहीं दूसरी तरफ कपटपूर्ण भ्रष्टाचार में राष्ट्रीय सम्पत्ति को चुराने के लिए रिश्वत लेने और देने वालों की मिली भगत होती है, जैसा कि 2जी स्पेक्ट्रम घोटाले में हुआ। इसमें दोनों पक्षों को दण्डित किया जाना चाहिए। जन लोकपाल मसौदे में भ्रष्टाचार के शिकार लोगों की सुरक्षा की वकालत की गई है। झूठी शिकायतों के मामले में सरकारी बिल बेहतर है, जिसमें ऐसा करने वालों के लिए कठोर दण्ड का प्रावधान है।

इस प्रकार उत्पीड़न भ्रष्टाचार को रोकने में इण्टरनेट हमारा बड़ा मददगार साबित हुआ है, इसके कारण पारदर्शिता में वृद्धि हुई है। रेलवे टिकट बुकिंग और कुछ राज्यों में भूमि का रिकार्ड इण्टरनेट पर डालने से भ्रष्टाचार पर अंकुश लगा है। जन्म और मृत्यु प्रमाण-पत्र, राशन कार्ड, पेंशन भुगतान, ड्राइविंग लाइसेंस नवीनीकरण आदि में ई-गवर्नेंस अपनाने से भ्रष्टाचार में कमी आयी है। प्रत्येक सरकारी विभाग के लिए यह अनिवार्य हो जाना चाहिए कि वह अनेक नियम, प्रक्रियाएँ और फार्म आदि इण्टरनेट पर जारी करें। सरकारी कार्यालयों में अभी तक सिटीजन चार्टर विफल रहा है लेकिन अन्ना हजारे के आन्दोलन के बाद दिल्ली समेत पाँच राज्यों ने इसे लागू किया है लेकिन सक्षमता से कार्य नहीं हो रहा है। इसमें अभी और सुधार की आवश्यकता है।

भ्रष्टाचार के कारण— भ्रष्टाचार के उत्पन्न होने के जिन कारणों पर विचार करना चाहिए, वे प्रमुख कारण निम्नलिखित हैं—

1. भ्रष्टाचार के पनपने का सर्व प्रमुख कारण नैतिक मूल्यों में ढ़ास और मूल व्यवस्था में परिवर्तन है। आज भारत देश में ऐसे राजनैतिक वर्गों का अभ्युदय हुआ है, जो राष्ट्रहितों के कार्यक्रमों और नीतियों की अपेक्षा निज हित को वरीयता देते हैं। राजनीति के अपराधीकरण ने इसे और जटिल बनाया है। स्वार्थाभिमुख राजनीतिक के पुरोधाओं के अनैतिक आचरणों ने नौकरशाहों को भी भ्रष्टाचार के दलदल में धँसने को प्रोत्साहित किया है।
2. सुस्पष्ट और पारदर्शी नियमों के अभाव से भ्रष्टाचार को पुष्पित/पल्लवित होने का अवसर मिलता है।
3. विकास की अंधी दौड़ से बने अत्यधिक प्रतिस्पर्धात्मक परिवेश ने लोगों को समझौतावादी बनाया है, फलतः येन-केन-प्रकारेण कार्य कराने की प्रवृत्ति बढ़ी है। लोग वैध कार्यों को कराने के लिए सिर्फ इसलिए रिश्वत का लेन-देन करते हैं, जिससे कि कार्य समय से हो जाये।
4. बढ़ती मँहगाई के बीच शासकीय कर्मचारियों का अल्प-वेतन उन्हें भ्रष्टाचार के दलदल में घुसने को विवश करता है।
5. विनाश जनसंख्या, व्यापक निरक्षरता और अर्थव्यवस्था के दुर्बल ढाँचे के मिश्रित प्रभाव से आम जनमानस में भ्रष्टाचार, संक्रामक रोग की भाँति फैला है। भ्रष्टाचारी तत्व अपनी स्वार्थ सिद्धि हेतु आवश्यक वस्तुओं का कृत्रिम अभाव निर्मित कर अर्थव्यवस्था के ढाँचे को क्षति पहुँचाते हैं।
6. भारत में बढ़ता हुआ चुनावी खर्च भी भ्रष्टाचार में अभिवृद्धि का एक महत्वपूर्ण कारक है।

भ्रष्टाचार को समाप्त करने के उपाय— भ्रष्टाचार उन्मूलन हेतु सर्वप्रथम कड़े कानून व्यवस्था, कठोर दण्ड संहिता प्रक्रिया, प्रशासनिक कर्तव्यबद्धता के साथ-साथ इन सबके पारदर्शी एवं उचित क्रियान्वयन पर ध्यान केन्द्रित करना होगा। विविष्ट स्तर पर विविष्ट व्यक्तियों के विविष्ट

परिस्थितियों में काम करने एवं व्यवहार करने के सम्बन्ध में कानून एवं नियमों का पालन होना आवश्यक है। भारत में भ्रष्टाचार पर नियन्त्रण पाने के लिए विभिन्न प्रकार के प्रयास किये गये हैं—

1. सन् 1941 ई० में भ्रष्टाचार पर अंकुश लगाने की दृष्टि से भारत सरकार ने विधायक पुलिस की व्यवस्था की। यह संगठन युद्ध के उपयोग के सामान की खरीददारी में घोटाले को रोकने के लिए बनाया गया। सन् 1963 ई० में इसे केन्द्रीय जाँच ब्यूरो के एक खण्ड के रूप में स्थानान्तरित कर दिया गया, इससे पहले यह सन् 1942 ई० में रेलवे विभाग और सन् 1953 ई० में भ्रष्टाचार निरोध शाखा के अंग के रूप में कार्य कर रहा था।
2. सन् 1963 ई० में भारत सरकार के गृहमंत्री द्वारा भ्रष्टाचार की समस्या पर काबू पाने के लिए के०सन्धानम की अध्यक्षता में एक समिति की नियुक्ति की गई, इस समिति ने 31 मार्च, 1964 ई० में अपनी रिपोर्ट सरकार को प्रस्तुत की, जिसमें निम्नलिखित सिफारिशों की गई—

सरकारी विधियों, नियमों और प्रशासनिक कार्य प्रणालियों के निरन्तर समीक्षा करते हुए इन्हें और स्पष्ट बनाया जाय, इससे सरकारी कर्मचारियों को भ्रष्ट आचरण आदि करने का अवसर प्राप्त नहीं हो पायेगा। भारतीय संविधान के अनुच्छेद-113 में इस प्रकार संशोधन किया जाए कि भ्रष्टाचार के मामलों में कानूनी कार्यवाही शीघ्रतापूर्ण तथा आसानी से किया जा सके।

ब्रिटेन जैसे विकसित राष्ट्र को भी लगभग 100 साल यहाँ भ्रष्टाचार को रोकने में लग गये। आजादी के विचारधारा के लोग चिली और वोल्सवाना देशों की तरह अपने देशों में भी कुछ नियमों और कानूनों में परिवर्तन करने की उम्मीद रखते हैं, जिससे भ्रष्टाचार को समाप्त किया जा सकता है। कुछ प्रमुख नियम तथा कानून इस प्रकार हैं—

1. समाज सेवी अन्ना हजारे द्वारा लाया गया 'लोकपाल विधेयक बिल' को पारित करना।
2. सम्पत्ति अर्जन पर सीमा का निर्धारण करना।
3. काले धन के पाये जाने पर सम्बन्धित व्यक्ति को देश-द्रोही घोषित किया जाना।
4. स्विस बैंक जैसे अनेक विदेशी बैंकों में जमा भारतीय धन को वापस लाना तथा ऐसे परस्पर देशों से समझौता करना कि हमारे देशों के जमा पैसे का ब्यौरा हमें दें।
5. किसानों को अपने अनाजों का मूल्य निर्धारित करने का अधिकार देना।
6. औद्योगिक विकास के नाम पर भारतीय सम्पदा को विदेशों में जाने से रोकना।
7. धर्म के नाम पर एकत्रित होने वाले धन का भी ऑडिट कराना और उसका लेखा-जोखा समाज के सामने प्रस्तुत करना।
8. प्रत्येक विकास कार्य की जन-निगरानी कराना।
9. शिक्षा और स्वास्थ्य पर अधिक से अधिक बजट का प्रावधान करना।
10. लोक सभा और विधान सभा के प्रतिनिधियों के वापसी का अधिकार देना।
11. 51 प्रतिशत से कम वोट पाने वाले उम्मीदवार को विजयी उम्मीदवार न मानना क्योंकि कभी-कभी 15 से 20 प्रतिशत वोट पाने वाले उम्मीदवार भी चुनाव में जीत जाते हैं, तो उन्हें 100 प्रतिशत का प्रतिनिधि कैसे माना जा सकता है।
12. मतदाताओं को किसी को भी वोट न देने का अधिकार मिलना चाहिए।
13. केन्द्रीय अन्वेषण ब्यूरो (सी.बी.आई.) तथा केन्द्रीय सतर्कता आयोग को पूर्णरूपेण जाँच के लिए स्वतंत्र करना।
14. सूचना के अधिकार (आर.टी.आई.) को प्रभावी ढंग से लागू करना।

भ्रष्टाचार निवारण के सुझाव—केन्द्रीय सतर्कता आयोग एवं केन्द्रीय अन्वेषण ब्यूरो (सी.बी.आई.) आदि भारत सरकार की संस्थाएँ अपने कार्यों को पूर्णता प्रदान करने में लगी हुई हैं फिर भी भ्रष्टाचार रूपी विष अपनी भयंकरता को त्यागने के लिए सहमत नहीं हो पा रहा है। प्रशासनिक सुधार आयोग, केन्द्रीय विधि आयोग, केन्द्रीय निर्वाचन आयोग, केन्द्रीय सतर्कता आयोग आदि द्वारा भी इस ओर काफी प्रयास किया गया कि किसी भी प्रकार से भ्रष्टाचार को कम किया जाए। सरकार द्वारा केन्द्र में 'लोकपाल विधेयक बिल' और राज्यों में लोकायुक्त संस्था एवं राष्ट्रीय लोक अदालत की स्थापना हो पायी है, परन्तु 'लोकपाल विधेयक बिल' अभी लटका पड़ा है। इन सबको देखते हुए भ्रष्टाचार निवारण हेतु मुख्य तौर पर निम्नलिखित सुझाव दिये जा सकते हैं—

1. वर्तमान समय में व्यक्ति यह महसूस करता है कि हमारा देना भ्रष्टाचार के कब्जे में है, अतः सभी को मिलकर सामूहिक रूप से इसके विरुद्ध आन्दोलन तथा जनमत खड़ा करना चाहिए।
2. प्रत्येक व्यक्ति अपना कर्तव्य समझना चाहिए कि यह देना हमारा है अतएव उसे घूस लेने अथवा घूस देने की प्रवृत्ति का परित्याग करना चाहिए।
3. प्रत्येक चुनाव व्यवस्था में पारदर्शिता लानी चाहिए जिससे कि योग्य उम्मीदवार ही सार्वजनिक पदों पर पहुँच सकें।
4. समाज में सबसे बड़ी जिम्मेदारी निष्पक्ष न्यायपालिका की है, अतएव उसे बिना किसी बाहरी प्रभाव से अपने कर्तव्यों का पालन करना चाहिए। वर्तमान समय में देना की आशाओं का एकमात्र केन्द्र न्यायपालिका ही बची है, जिस पर हमें उचित न्याय का सम्पूर्ण विश्वास है।
5. भ्रष्टाचार में लिप्त पाये गये दोषियों (अधिकारी/कर्मचारी) को कड़ी से कड़ी सजा दी जानी चाहिए, जिससे आगे इस मार्ग की ओर उन्मुख होने वाले व्यक्ति को इससे सबक मिल सके कि ऐसा कार्य करना उचित नहीं है।
6. मंत्रियों और सरकारी प्रशासकों के लिए निश्चित आचार-संहिता का निर्माण किया जाना चाहिए और कड़ाई से उसका अनुपालन भी करना चाहिए।
7. सरकारी अधिकारियों/कर्मचारियों को उनके कार्य के अनुसार वेतन सही समय पर प्राप्त होना चाहिए और विभागों में कार्य-पद्धति को सरल बनाना चाहिए।
8. रेडियो, टेलीविजन, समाचार-पत्रों आदि संचार माध्यमों के द्वारा जनता में भ्रष्टाचार को मिटाने हेतु जागरूकता पैदा की जानी चाहिए।

तथ्यों का आंकलन करने के पश्चात् मेरा अपना निजी सुझाव यह है कि भारत सरकार को चाहिए कि वह देना में विभिन्न आयोग, जैसे—केन्द्रीय सतर्कता आयोग, केन्द्रीय अन्वेषण ब्यूरो, पुलिस अपराध अन्वेषण ब्यूरो, प्रशासनिक सुधार आयोग, केन्द्रीय विधि आयोग, केन्द्रीय निर्वाचन आयोग आदि को जालसाजी, हेरा-फेरी, भ्रष्टाचार, आपराधिक मामले आदि में अन्वेषण करने के लिए खुली छूट देनी चाहिए जिससे कि वास्तविकता के निष्कर्ष पर पहुँचा जा सके, जिससे हमारा देना स्वच्छ और स्वस्थ होगा तथा नकारात्मक मनोवृत्तियाँ उत्पन्न नहीं होंगी क्योंकि नकारात्मक मनोवृत्तियों/ अभिवृत्तियों के उत्पन्न होने के कारण ही व्यक्ति अभिप्रेरित होता है तथा उसमें एक विषैले प्रकार का संवेग उत्पन्न होता है जिसके प्रभाव में वह कुकृत्य करने को विवश हो जाता है। यदि व्यक्ति की मनोवृत्तियाँ धनात्मक होंगी तो निश्चित रूप से वह कोई ऐसा जघन्य अपराध करने को तत्पर नहीं होगा, जिससे हमारे देना में सुख एवं शान्ति उत्पन्न होगी।

ग्रन्थ सूची

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