Some aspects of corruption in India in 21ˢᵗ Century

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Abstract- Today every country is suffering from the problem of corruption. So it became a matter of worry for both governments and political scientists. Because corruption has a great number of negative consequents, not over the government but also all over the country. It effected the economic and political growth of a country. Mostly the developing has faced the problem.

In India, corruption is not only today's problem. The Indian society has been suffering from this problem since the ancient period. Kautilya stated in his Arthasastra about the bureaucratic corruption. Before independence, during the second world war, a government report was published which focused on the growing nexus between the contractors and government servents and which related that huge money were spent in the war. The rates of corruption has increased after independence. Bureaucratic corruption, judicial corruption and various political scams and scandals have dolled the Indian political scenario.

A study conducted by Tranparency international in 2005 focused on the matter that the Indian people had to pay bribe to get any job. On 3ʳᵈ June 2009 an article published in the 'Times of India' revealed a survey report where it can see that Indian bureaucracy is the least efficient compared other countries.

Index Terms- Corruption, transparency international , bureaucratic corruption judicial corruptuion political scams

I. INTRODUCTION

orruption and hypocrisy ought not to be inevitable products of "Cdemocracy, as they undoubtedly are today."

Mohandas Karamchand Gandhi (1869-1948)

"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 ;and it destroys confidence in democracy and the legitimacy of government .It   debases human dignity and its universally condemned by the world`s major faiths"
The Durban Commitment to Effective Action against Corruption.[1]

According to the Oxford dictionary, the word 'corrupt' means "influence by bribery, especially at the time of elections." Encyclopedia Britannica says a corrupt practice includes bribery; but has reference to the electoral system.

Corruption is the misuse of power. When an public officer or a government employee uses his position for his personal gain it call corruption. In short corruption is the illegal use of public power for personal gain.

The word **corrupt** when used as an adjective literally means "utterly broken."The word was first used by [Aristotle] and later by [Cicero] who added the terms bribe and rejection of good habits. Morris, a professor of politics, writes that corruption is the illegal use of public power to profit a private interest. Economists define corruption as an act to (a) secretly offer (b) a good or a service to a third party (c) so that he or she can pressure certain actions which (d) benefit the corrupt, a third party, or both (e) in which the corrupt agent has authority. Kauffman, from the World Bank, extends the concept to include 'legal corruption' in which power is abused within the boundaries of the law –as those with-power often have the ability to form the law for their security.

In *Arthashastra*, written by Koutilya around 300B.C. the problem of corruption has been dealt with. Koutilya provided advice on politics and warfare to both Chandragupta Maurya and Ashoka for effective administration. In his book, he provided a brief description of a situation where the officials would use their position for there private gain . The most famous passage, and quotation on corruption was "Just as fish moving inside water cannot be known when drinking water ,even so officers appointed for carrying out works cannot be known when appropriating money."Kautilya`s distrust of officials was also revealed when he stated that " it is possible to know even the path of a bird flying in the sky ,but not the ways of officers moving with there intentions concealed. (quoted from Kangle 1972: Book 2,Chapter 9, section 34)

Political Corruption in India since independence

After independence, the power of India came to the hands of the politicians. The theory of power says that power is corrupt and absolute power corrupts absolutely. Gandhi was already wired about corruption after independence when the power will come to the hands of politicians and wrote in Young India in 1928 that after the changing of power drastic measures were needed to be taken into the party from being corrupt. During India's very first General Election in 1951-2, newspapers and party offices, particularly those of the Congress party, were bombarded with allegations of corruption. Accusations of corruption have historically been about corrupt electoral candidates. The system of food and civil supply was subject to commodity controls and rationing – a legacy of the war years which had generated complex systems of patronage. These involved deeply entrenched black markets in lucrative industrial and agricultural concerns. This was the background to what was later known as 'Permit-Licence-Quota Raj' – the linking of business interests with political brokers. In December 1947, Gandhi received a later from his friend Konda Vankatappaiah ,who had referred to the "moral degradation of the congress legislators who were making money by use of influence and

obstructing administration of justice in criminal courts." The House of Indian Parliament-Lok Sabha-has 545 elected lawmakers. As of May 2011, approximately 30 percent of them have criminal cases pending against them. Current election rules state that politicians may stand in elections or serve in elected positions while on trial or while appealing convictions. In such cases where the accused chooses to stand trial, the average criminal case in India takes 15 years to be resolved after charges are initiated.

Since independence, there has been no dearth of political corruption in India. In every decade till today, scams and scandals have dolled the Indian political scenario. Some of those, we think, are worth mentioning here. There are as follows:

The Mundra scandal(1950s); Pratap Singh Kairon scam and Kalinga tubes scandal (1960s); Maruti and Kuo oil scandals (1970s); Cement scam and Bofors scandal (1980s); Harshad Meheta securities scam, Airbus scandal, and Sukh Ram telecom equipment scandal (1990s); Ketam Parekh securities scam, oil for food scam, Goa SEZ scam, LIC housing loan scam, Madhavrao Scindia land scam (since 2000) etc.

A large number of political celebrities have been involved in the corrupt practices at different periods of time. Some of those are – Lallu Prad Yadav, A Raja, Suresh Jain, Balram Jakhar, Prakash Singh Badal, Jagmohan Reddy, Madhu Koda and others.

Bureaucratic Corruption is one of the most prevalent in the Indian context. According to the Oxford dictionary bureaucratic means relating a system of government in which most of the important decisions are taken by the state officials rather than by elected representatives.[2] A government officer, not caring to know the information and neglecting to surprise the dispatch of work in his own department as regulated ,may occasion loss of revenue to the government owing to his ignorance ,or owing to his idleness when he is too weak to endure the trouble of activity or due to inadvertence in perceiving or by being timid when he is afraid of clamor, unrighteousness and untoward results ,or owing to selfish desire when he is favorably disposed towards those who are desirous to achieve their own selfish ends or by cruelty or by making use of false balance, false measures and false calculation owing to greediness.[3]

A study by Transparency International in 2005, focused on the matter that to get any public office job 15% of Indian people had first hand experience of paying bribe. Paying taxes and bribes in the state borders are a common matter. According to Transparency International, truckers pay bribes amounting to US$5 billion annually. According to an article published in *Times of India* on 3rd June 2009, a survey conducted by some leading economists in Asia in 2009 revealed that Indian Bureaucracy is the least efficient compared to Hong Kong, Thailand , South Korea, Japan , Malaysia, Taiwan, Vietnam, China, Philippines, and Indonesia. The 2006 World Bank Enterprise Survey also confirms the prevalence of bureaucratic and administrative corruption in our country. Red tape and wide ranging administrative discretion serve as a pretest for extortion and almost 50% of the firms surveyed expected to pay informal payments to public officials to get things done.26% respondents identified corruption as a major constraint for doing business in the country. N.Vittal the former chief central vigilance commissioner has remarked in his book *Ending Corruption :How to Clean up India,* that "Bureaucratic Corruption is more rampant than political Corruption."

Judicial Corruption

Indian Constitution has guaranteed independence to the judiciary .India is ranked 26th out of 131 countries on indicators of judicial independence in the Global Competitives Report 2007-2008. However our Judiciary is also not free of corrupt practices. A decade ago Chief Justice of India S.P. Bharucha stated that nearby 20% of judges of our country being corrupt. The CMS study report (2005) reveals that 47% of people paid bribe in the courts. It was paid either to the lawyer or the middleman or the court clerks. Political interference is also common in the judicial decision making process. Court procedure are very slow and complicated. This result in delays in the processing of cases. There are also a high level of discretions in the processing of paper works during trials and where court officials can misuse their power with impurity. In such context , people are tempted to resort to bribes, for favourable decisions and to speed up the Court proceedings.[4]

There have been several cases of judicial corruption scandals. One of the most wider-spread judicial scandals was the -23 crore Ghaziabad PF scam- involving a Supreme Court judge , 7 Allahabad High Court Judges, 12Judges from the subordinate courts , and 6 retired High Court judges. The recent allegations of corruption against the Supreme Court judges has been brought up by the senior Supreme Court lawyer Shanti Bhusan which stated (2010) that almost 16 Supreme Court judges were corrupt.

Over the years there have been allegations of corruption, against the judiciary in our Country. In 2011, soumitra sen , a fomer judge at the Kolkata High court, became the first judge in india to be impeached by the Rajya Sabha, the Upper House of the Indian Parliament for misappropriation of funds.[5]

Corruption in delivering Public Services

Centre for Media Services has conducted a research during 2005 to 2010 about corruption in India. This study was done specially on a subject on which there is not much literature available. The centre conducted the study on the basis of perception and real experience .The result of these surveys has been published as a" Indian Corruption Study Report". The India Corruption Study 2008 focused on the rural area's below poverty line(BPL) house holders. The study was a combination of survey and field interview conducted all over India. The Report covers 11 public services into two broad categories 'basic services' including Public Distribution System, Hospital Service, School Education, Electricity etc and 'need based services' including Land Record Registration, Housing Service, Mahatma Gandhi National Rural Employment , Guarantee Scheme(MGNREGS) etc.

According to the report, in the 11 services BPL householders paid annually total 8830 million as bribe. The people faced most amount of corruption practices in the departments of police, land record and registration and housing. These findings are presented below in a tabulation form.

Table

Table 1: Estimate of Bribe Paid in 2008

	Services	Estimated Total Bribe paid in the year (in Rs. million)
BASIC	Public Distribution System (PDS)	458
	Hospital	870
	School Education (up to class XII)	120
	Electricity	1040
	Water Supply	239
NEED-BASED	MGNREGS	72
	Land Records & Registration	1234
	Forest	240
	Housing	1560
	Banking	832
	Police	2148
	Total Bribe Paid	8830

Source: India Corruption Study 2008.

Table 2: Services Ranked According to Corruption Level

Services	Rank
Police	1
Land Records & Registration	2
Housing	3
Water Supply	4
MGNREGS	5
Forest	6
Electricity	7
Health	8
Public Distribution System (PDS)	9
Banking	10
School Education (up to class XII)	11

Source: India Corruption Study 2008.

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The Indian Government has been launched various schemes, programmes for the poorer sections of the people from time to time such as, 'Antyodaya' in Rajasthan , 'Mahadalit' in Bihar , NREGS etc. The Indian Corruption Study report 2007 reveals the reality of such schemes. We can find from the following tables that actually the poorest could not avail the benefits of those schemes. Those who cannot afford to pay the bribe or do not have a contact with the politician , could not avail the benefits of such programme.

TABLE 3:
Poor Households Who Used a Contact and Those Who Could Not Avail because of Inability to Pay Bribe (Year 2007)

Services	Percent of Seekers (Rounded)	
	Used a Contact to Avail the Service	Could Not Avail Because Could Not Pay the Bribe
PDS	4	2
Hospital	6	2
School Education	4	2
Electricity	5	2
Water Supply	6	4
NREGS	8	5
Land Record/Registration	10	5
Forests	10	4
Housing	12	12
Banking	4	3
Police	16	5

Source: India Corruption Study, 2007.

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The Indian Corruption Study Report 2010 was conducted upon 9960 householders in 664 gram panchayats across 12 states. 4 public services (PDS, School Education up to class 12, Water Supply, Hospital services) were covered in these surveys. A comparative picture of the 2005 and 2010 surveys is presented below.

Table No. 4 Perception about Corruption in Public Services in General (in %)

State-Rural	Increased		Decreased		Remain Same	
Rounds	2005	2010	2005	2010	2005	2010
Andhra Pradesh	73	35	9	39	18	17
Bihar	87	66	1	21	12	8
Chhattisgarh	68	66	6	12	25	11
Haryana	75	42	4	29	21	19
Himachal Pradesh	44	40	6	23	50	29
Karnataka	84	27	1	41	14	27
Kerala	56	59	11	13	28	26
Maharashtra	78	44	4	24	16	20
Rajasthan	65	54	7	21	26	18
Tripura	NA	19	NA	59	NA	15
Uttar Pradesh	63	49	6	29	28	16
West Bengal	72	33	8	34	17	19

Source: India Corruption Study 2005 & 2010

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According to the Report of 2010 the largest amount of bribe was paid in the PDS (11.5), Hospital Services (9.0), School (5.8) and water Supply (4.3) followed suit. In the PDS service, maximum bribe was paid for getting new ration card, and monthly ration . In the School Services it was for getting admission, and in case the Hospital, for the medicine; and in the water services for getting irrigation water, and repairing water pipes .

Corruption in the public services hits the poor directly and deprives them of their basic needs and rights. Increase in inequalities between people is one delayed effect of corruption in general and also in the context of access to some public services. "Equity" and "inclusiveness" in policies and development programs are not possible without addressing corruption in its various manifestations in general and in the targeted schemes in particular. This is too obvious. Sixty years of "planned

programs" and intentions to achieve equity have not commensurately reduced the inequalities and poverty level. The size of the poor, in terms of numbers, has been on an increase despite targeted programs. Either the programs are faulty in design or do not reach the poor, or the poor are not able to avail them for one reason or the other, including inability to pay a bribe or lack of a "contact." The process of availing basic services for some poor is somewhat like the "lip and cup" syndrome. A feature film produced by Amir Khan, Peepli Live (2010), depicted this phenomenon so well that the entire Planning Commission for the first time saw a feature film in Yojana Bhawan. The film showed the why and how of corruption and what effect and implications it has on the rural poor.[9]

II. IMPACTS OF CORRUPTION

Corruption has left a deep impact on our national economic growth. we loose our national wealth as a form of Black Money. India has ranked as a black money holder with almost US$1456 billion (US$ 1.4 trillion approximately) in the Swiss banks .According to the data provided by the Swiss Banking Association Report 2006, India has more black money than the rest of the world combined. Indian Swiss bank account assets are worth 13 times the country's national debt. Indeed, Indians would be the largest depositors of illegal money in Swiss banks, according to sources in the banking industry. The estimated average amount stashed away annually from India during 2002-06 is $27.3 billion US dollars.[10] A report published by the Central Bureau Of Investigation in February 2012 stated that Indians have $500 billion of illegal funds in foreign tax havens , which is more than compared to any other country. In March 2012, the Government of India clarified in its Parliament that the CBI Director's statement on $500 billion of illegal money was an estimate based on a statement made to India's Supreme Court in July 2011.[11] In August 2010, the Government of India revised the Double Taxation Avoidance Agreement to provide means for investigation of black money in Swiss banks. The revision, expected to become active by January 2012 , will allow the government to make inquiries of Swiss banks in cases where they have specific information about possible black money being stored in Switzerland.[12] According to White paper on Black Money in India Report , published in May 2012, Swiss National Bank estimates that the total amount of deposits in all Swiss banks, at the end of 2010, by citizens of India were CHF 1.95 billion (INR 92.95 billion , US$2.1 billion). The Swiss Ministry of external affairs has confirmed these figures upon request for information by the Indian Ministry of external Affairs. This amount is about 700 fold less than the alleged $1.4 trillion in some media reports.[13] " The issue of unaccounted money held by national , and other legal entities, in foreign banks, is of primordial importance to the welfare of the citizens .The quantum of such money may be a rough indicator of the weakness of the State , in terms of both crime prevention , and also of tax collection. Depending on the volume of such amount and the number of incidents through which such monies are generated and secreted away, it may very well reveal the degree of softness of the state". - Justice B Sudershan Reddy and Justice S S Nijjar, Supreme Court of India.[14]

Corruption has increased criminalization in the field of politics. Criminalization is a very serious problem. The Washington Report published in July 2008 focused on the matter that nearby a forth of the 540 MPs in India are faced with criminal charges . The Vohra Committee Report also dealt with this problem. Headed by the Indian Union Home Secretary N. N. Vohra, the committee submitted a report in October 1993, which focused on the problem of the criminalization of politics and of the nexus among criminals, politicians and bureaucrats in India. According to the Report, criminalization has affected politics and the entire political classes. Politicians foster it and use it as a protective umbrella .Particularly in some state the politicians have given shelter to the mafia, and protected and patronized them. In return get the politicians support and resources of the criminals, particularly in the elections. According to para 3.2 in the Report "In the larger cities, the main source of income relates to real estate –forcibly occupying lands /buildings, procuring such properties at cheap rates by forcing out the existing occupants / tenants etc. over time , the money power thus acquired is used for building up contacts with bureaucrats and politicians and expansion of activities with impunity. The money power is used to develop a network of muscle –power which is also used by the politicians during elections." "The nexus between the criminals gangs, police, bureaucracy and politicians has come out clearly in various parts of the country. The existing criminal justice system, which was essentially designed to deal with the individual offences/ crimes, is unable to deal with activities of the mafia; the provisions of law in regarding such offences are weak."

III. CAUSES OF CORRUPTION

It is very difficult to find out the causes and analyse the problem of corruption. Because many of those are subjective and also open a challenge. Ralph Braibanti said in his book *Reflections on Bureaucratic Corruption* that, "There are at least a dozen platitudinous injunctions which are in circulation with regard to corruption and which, because of their persistent ubiquity and there auto narcotic effect, deserve mention. This is not to say that these injunctions are totally unimportant ;on the contrary , they are significant even though not as single cause of cures . Their importance lies in the fact that they are but elements in a complicated matrix of causes, each of which were of varying importance depending on spatial, temporal and circumstantial evidence." In a society the problem of corruption arises when there is a difference between the normal standards of law and personal interest. M.N. Landau in his "Development Administration and Decision Theory", Stated that " it is the business of society to transfer sheer behavior into appropriate modes of conduct – a process we usually refer to as socialization." The difference between normative standards and personal interests is big risk because this gap can be filled by various dishonest means such as influence, bribery. In the new industrial society this gap is highly seen.[15]

The various causes of corruption:
  (1)Lack of ethics and work culture in the governance. Although there are several code of conduct in the various

political institutions, ministers, political parties but there is an overall absence of ethics and proper work culture. Corruption is now treats like a common work culture in the various political parties and administrative departments.

2) The corruption is also a result of lack of citizen awareness and willingness. If the citizen decided to do not agree pay bribe in any administrative or political institution then the rate of corruption can be reduced

(3) The wish to make "speed money" is a big reason of Corruption. The papers and files do not move away from one table to another without it. This type of corrupt practice are mostly happened to grant of licences, permits etc. The prevention corruption act also mentioned about the reason of corruption.

(4)The huge responsibilities of the bureaucrats. The Law Commission pointed out its fourteenth administrative report that there is a enormous field of administrative action in which administrative authority may act out- side the scope of law. So there is always a possibility of abuse authority for personal gain.

(5) The Tradition of Administrative Delay. One of the major cause of Corruption in India is the Administrative Delay. There is a no doubt that quite often delay is deliberately contrived so as obtain some kind of illicit gratification. The Prevention Corruption Report also highlighted these point.

(6)Half Hearted approach to Check Corruption. India have several institution for tackling Corruption. Such as Central Bureau of Investigation, which empowered with the power of investigate and register FIR against any Central Government and or referred to any state government. but it work directly under administrative control of Central Government. So they could not work independently, if any complaint filed against the ruling party or ruling party supported bureaucrats they (CBI) have to release them. The Central Vigilance Commission also a very important anti corruption measures of india.CVC is the apex body for all vigilance cases in Government of India. But CVC merely an advisory body. it does not have any power to register criminal cases. It deals only with vigilance or disciplinary matter. It does not power over politicians.CVC does not have administrative control over officials in vigilance wings of various central government departments to whch it forwards corruption complaints. And the most backdrop of CVC that the appointments of CVC are directly under the control of ruling party.

Through the Right to Information act is passed but in the reality in the various states the public Information officer are not appointed ,the people have to faced various trouble for getting information.

TOWARDS A CORRUPTION FREE INDIA

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

(i) Administrative procedure should be simplified and de-lays 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.

(ii) 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.

(iii) 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

(iv) Separate courts should be established to deal with corruption cases in India.

(v) 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.

(vi) Bureaucracy in its present form is inefficient, rule oriented, dysfunctional, and also highly corrupt. We have to find out a new model of bureaucracy in place of the old one.

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

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

(ix) The biggest cause for corruption in today's India is the acts 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 amendments should be made to People's Representation Act.

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

(xi) Governmental 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 admin-istration.

(xii) A strong civil society that will take initiative instead of depending helplessly on politicians and officials to fight against corruption.

(xiii) 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; and establishment of a strong anti- corruption institutions like Lokpal at Centre and

Lokayukta in the State which should have powers to investigate, prosecute and award staff punishment, with all public servants under its jurisdiction, including the highest in the land.

IV. CONCLUSION

Despite having economic reforms, increased transparency, E-governance tools, corruption in public life continues to grow in our country. Intact, corruption and good governance go hand in India; so controlling corruption is a tough task in India. Corruption and bribery has effected our total political, administrative economic system like cancer disease. It may not be possible to entirely eliminate corruption at all levels, but it is possible to control it within tolerable limits however unless people say 'No' to illegal gratification or expose such greedy public servants and politicians, the corruption chain can not be broken in India.

We need a well functioning State with more focus on people, strengthening of our legal and institutional mechanism. To control 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.

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