

## Corruption and its remedy

Corruption means destroying the purity, bribery etc. Corruption is of various types such as Political corruption, Police corruption, Corporate corruption, Data corruption, Linguistic corruption bribery in Politics, Business or Sports. Corruption is like a contagious disease, that spreads like a wild fire. It is not only like a contagious disease rather its like a cancer. It destroys the roots of a good governance and development. Corruption indeed has become an universal phenomena. It has spread in the offices either of the Government or private. It affects implementation of development schemes, education, implementation of the orders, investigation of criminal cases etc. Our leaders during the freedom struggle and later had certainly a dream of independent India, free from hunger, poverty, diseases, unemployment and corruption. Now it has spread to every spheres of life and in all offices. Corruption, mal-administration, red tapism, nepotism have become now customary and also as a way of life and if it is not checked in time it shall be disastrous for the nation. Corruption may destroy the economy and cultural heritage of our nation.

Under the Parliamentary system of Government like ours it is the bureaucracy and the highly placed public officials who really wield power. There can hardly be any instances where political Executives being Ministers can resort to corrupt practice or have abused their powers for personal gains without direct or indirect connivance with the bureaucracy.

The danger of permitting the bureaucrats to exercise un-bridled power, ( they not being accountable for their actions and because of lack of transparency ) was felt in the early years of the Republic of India by our first Prime Minister, Pandit Jawahar Lal Nehru, who in a letter to all the Chief Ministers of the States warned that bureaucratism is worse and more insidious than corruption as it kills the initiative and ardour and wastes time. In spite of above corruption has taken a vicious shape. The present Prime Minister, Dr. Manmohan Singh who in his

valedictory address at the 8<sup>th</sup> All India conference of Lokayuktas and Upa-Lokayuktas at Dehradun observed “ over a period of time, bureaucratism has taken a vicious shape. I think remaining indifferent to such an issue which arrests our mind and imprisons spirit, is detrimental to our progress and advancement .....

The need for creation of a mechanism like Ombudsman in ensuring transparency and accountability both for the political executives and the administrators being the bureaucrats and the public servants were felt in the early part of the 19<sup>th</sup> century as it was found that the existing Parliamentary system is inadequate to protect the people from corrupt practice, abuse of power and mal-administration by the political executive and the public servants being the administrators as they were not accountable for their actions and the citizens have no remedy against the same. The aforesaid facts were realized by different countries of the world and in the foreign countries like in Europe and America established such an institution.

In India it was only after independence the need for evolving a machinery to curb corruption and mal-administration were felt by outstanding personalities like Chief Justice Gajendra Gadkar, Attorney General, M.C. Sitalbad and others and ultimately a Parliamentary committee headed by late K. Santhanam was constituted which, however, recommended for the constitution of a Vigilance commission in India. Soon after however, it was realized that the Vigilance Commission, which is a part and parcel of the Government does not inspire the confidence of the people nor can it work as a substitute for the Institution of Ombudsman and on 30<sup>th</sup> December, 1963 our former Home Minister, late Gulzarilal Nanda expressed his view that such an old method cannot eradicate corruption. Ultimately the first Administrative Reforms Commission headed by late Morarji Desai was formed and the said Commission acknowledged the necessity of the creation of an Institution like Ombudsman in India as an integral part of good governance and recommended for the creation of Lokpal at the Centre and Lokayukta in the States.

Creation of such an institution is not only for the functioning as a watch-dog against corrupt practices and abuse of power for personal gains by the political executives and Ministers but also for dealing with the mal-administration of the bureaucrats, public servants and the high Government officials.

Our Hon'ble Prime Minister Dr. Manmohan Singh in his valedictory address at the 8<sup>th</sup> All India Conference of Lokayukta and Up-Lokayuktas held at Dehradun stressed the need of creation of the Institution of Lokayukta and to commend its excellent performance in some of the States by observing “Lokayuktas and Upa-Lokayuktas today are the institutional manifestations of the need to provide a quasi-judicial body which would act as a watch-dog to pin-point wrong doings of the administration, look into the complaints of the victims of corrupt elements and suggest measures to improve the effectiveness and efficiency of the Government. As part of their responsibilities, Lokayuktas have been unearthing corruption cases, recommending measures to redress grievances of people and above all, acting as a much needed safety valve to release the bottled up pressures of the aggrieved citizens, which if allowed to accumulate, would put a question mark on the credibility of the administrative apparatus. In many States, the work of Lokayuktas has brought to light the misdeeds of public functionaries and alerted them to discharge their responsibilities with care and sensitivity towards the people. The very existence of a Lokayukta would generate a feeling of assurance among the public that they have a mechanism to fall back upon when faced with corrupt public servants. Such a perception is an important factor in an accountable, clean and responsive administration.”

Now in almost 20 States the institution of Lokayuktas have been established, but in spite of the recommendation of the first Administrative Reforms Commission headed by Late Morarji Desai no Lokpal has been established at the centre as yet. In a number of States the institution of Lokayukta has made remarkable achievement against mal-administration and corrupt practices and abuse of power by public servants including the bureaucrats and high Government

officials. The institution of Lokayukta in the State and Lok Pal in the centre is a step to good governance as it can curb corruption, mal-administration, favouritism etc. Therefore, it can be said that such institutions in all points of view is a mechanism to eradicate corruption and if not minimize it. Such an institution is required to be made more powerful and more effective by amending the present Act.

Mr. Justice Ram Nandan Prasad