

Public Movement against Corruption*

It is a matter of great satisfaction for me and India Rejuvenation Initiative (IRI) to see enlightened and concerned citizens representing cross sections of the society present here in the commercial Capital of India and participating in Second Workshop of a series which is being organized for forging a public movement against corruption.

Report of a study conducted by Centre for Media Studies and issued by Transparency International India¹ projects a very dismal picture of probity in public life and of falling standards of ethics and morality in governance.

Measured on Corruption Perception Index wherein more than 150 countries of the world are considered, India was placed at 92 in the year 2005; it rose to 70 in the year 2006 but it has once again marched ahead in corruption and slid down to position 72 in the year 2007.

The study within India covered only eleven public services which are: Police (Crime/Traffic), Judiciary (Lower Courts), Land Administration, Municipal Services, Govt. Hospitals, Electricity (Consumers), PDS (Ration Card/Supplies), Income Tax (Individual Assesses), Water Supply, Schools (upto 12th) and Rural Financial Institutions (Farmers). Results of the study are eye openers.

Common citizens of the country pay a bribe of more than 21,000 crores of rupees in a year while availing one or more of the said eleven public services. This estimate is of monetary value of petty corruption. It does not include contractors or large scale transactions involving procurement, tenders etc. or the dealings of corporate or large business. It also does not include welfare and other Govt. programmes for the rural population or vulnerable sections. So also the figure does not take into consideration, the value of 'corrupt practices' wherein money as such is not paid. As high as 62% of the

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¹ India Corruption Study, 2005, To Improve Governance (Vol. I-Key Highlights), Transparency International India, June 30, 2005

citizens have had the first hand experience of paying bribe or ‘using a contact’ to get a job done in public office. Three-fourth of citizens think that the level of corruption in public services is regularly increasing. Corruption is so well rooted and recognized that one-third of the citizens think that ‘both the officials concerned and the users’ of these eleven services know how much is to be paid as ‘extra’ to get a job done or attended to.

According to the survey carried out, the most corrupt out of the eleven services are the Police, the Land Administration and the Judiciary (Lower Courts). The survey revealed that an overwhelming 80% of those who had interacted with the department had paid bribes and in spite of having paid the bribe, three-fourths of them were not happy with the services. In Judiciary (Lower Courts), of those who paid bribe, 41% had paid to influence judgment, 31% to speed up or delay the judgment, 28% to get routine jobs like listening of case or to get copy of the documents. In Land Administration, nearly half of the bribery is paid for property transaction related issues (valuation of property, payment to registrars etc), 36% paid to get property documents or for mutation and 12% for clearing or settling tax dues. In Municipal Services, bribes were paid for approval or modifications of building plans and tax related issues. Income Tax Department turned out to be less corrupt compared to the three services referred to herein before might be because the survey was limited to individual assesses.

In the context of the eleven services in the list of twenty States of India placed on Corruption Perception Index, Bihar and Jammu & Kashmir turned out to be ranking at the top of the list while Kerala, Himachal Pradesh and Gujarat have turned out to be the least corrupt States.

People are vocal about corruption. There are seven key factors responsible for wide spread corruption in the services. These are:-

- Lack of transparency and accountability in the system,
- Lack of effective corruption reporting mechanisms,
- Lack of honesty in the officials in the Government,
- Acceptance of Bribe as a way of life, custom and culture,
- Ineffective judiciary,

- Poor economic policies,
- Inadequate training and orientation of Government officials.

It is interesting to note some of the observations made by Sh. U.S. Misra, Director, Central Bureau of Investigation² based on his near three decades of experience in tackling corruption in public service. He says that corruption is the most insidious and dangerous enemy of an empowered nation because it is invisible. It is like diabetes: once it afflicts, there is no final cure, only enduring control thereafter. It eats into the vitals of the society making good governance almost impossible, thwarting economic progress and hurting the interest of the poor and the under privileged. From several archetypal examples Sh. Misra has drawn a few conclusions about corruption which are note worthy. They are:-

- It's a low-risk, high-gain activity.
- It's not restricted to a single institution, region, area or country; it is a global pandemic.
- It is extensively prevalent in the private and public sector, both.
- Railing and passing laws against corruption do not make it fade or die; it remains, although it may change its forms and regions of infestation.
- Most people are actually opposed to corruption only so long as they do not stand to benefit by it.
- There is negligible social stigma attached to the archetypal upper world 'suite crimes' of corruption like 'contract-fixing', 'policy-fixing', 'legislation-fixing' etc. than to archetypal underworld 'street crimes' like 'contract-killing', 'theft' etc.
- The network of dishonest and corrupt public servants is more extensive and more formidable than that of the honest public servants.
- Efficiency is valued more than ethics or in other words, ends justify the means.
- There are no formulae or quick-fix solutions for curbing corruption, least of all the laws, and one may do well to bear in mind the experience of imperial Rome which had so many laws against corruption but was finally ruined only by corruption.

² (National Clean-up Begins with the Bureaucracy, India Empowered, pp. 84-89)

- It remains the sworn enemy of integrity, which is imperative for the survival of a country in the long term for as that grand patriarch of democracy Edmund Burke once wrote, 'In a state long corrupt, liberty cannot survive'.
- Investigating and prosecuting corruption is more difficult than being honest in public service.
- It is almost an ineradicable phenomenon that can best be controlled following a cumulative convergence of individual, social and political interests/ inclinations.

Corruption is the enemy of the nation and of its people both. Corruption hurts governance and growth. It not only eats into the vitals of society but also creates a brooding sense of injustice. The reputation of being a corrupt country deters both foreign and domestic investors. Corruption seriously disrupts anti-poverty programmes, making the poor its worst victim. The liberalization has not cured, much less eliminated, the corruption. Rather, it has migrated to more sophisticated areas such as siphoning off government funds or bribes for contracts and necessary approvals. Despite liberalization vast sums of money are still needed to grease India's political machine. Politics, instead of being a vocation, has become the most lucrative profession.

The poor man, hapless and helpless, the man in the street, the 'little man' whom the Constitution declares to be the master of democracy feels suffocated. He has no choice of his own but to live with corruption. We all feel that we have become prisoners in a bad system. We have come to such a stage where we feel to be totally at the end of a blind alley. Most people genuinely wish to get rid of corruption but they are unable to find or forge a coalition of the willing persons to limit or terminate corruption. This is a very dangerous predicament for a citizen. The cancer of corruption, if not prevented from spreading its tentacles would become not only a torment to individual citizen but also a threat to the survival of democracy itself.

The solution suggested by Shri. U. S. Misra is worth being quoted in his own potent expression. He says, 'the society has to generate sustained measures for spreading awareness against corruption and for educating the people. There has to be an ideological attack on corruption in which the intellectuals and media can play a significant role. Let

the corrupt officials be despised, ostracized - let them not handle important portfolios. Many beneficiaries of corruption, according to one estimate are only about 5 percent of the population. Hence, we can mobilize the might of the remaining, the 95 percent, in this fight’.

What is the solution?

We have to adopt a multi-pronged therapy.

A few important measures which could dramatically improve the state of affairs suggested by Central Vigilance Commission and as summarized by Shri. P. Shankar, CVC,³ are:

- The vigilance set-up should be made independent and powerful, which includes ensuring autonomy and independence of the state Anti Corruption Bureau.
- Rooting out delay on the part of officials in dealing with cases of public importance.
- Minimizing discretion, if not eliminated.
- Elimination of personal contact of the common citizens with bureaucracy.
- Appointment of empowered ombudsmen in all departments and organizations with significant public contact so as to improve redressal of grievances.
- Effective use of right to information and creating public awareness to use this right as the most potent tool to eliminate corruption and improve governance.
- Making more transparent and time bound the procedures for purchases by Govt. Departments and Public Sector Enterprises as public procurement is perhaps the largest source of the corruption and leakage of public revenues.
- Ministerial/ Departmental interference in the day-to-day functioning of public sector enterprises needs to be checked.
- Action against public servants identified by the vigilance as responsible for specific misconduct needs to be severe and swift. There should be no delay and penalties should be stringent.

³ (***Make Corruption of Thing of the Past, India Empowered, at pp. 144-147***)

According to Sh. P. Shankar, NGOs have a great role to play in making institutions like the CVC or the Information Commission really useful and effective in tackling the problems faced by the common man. Citizen's charters are invaluable in making public servants accountable but all citizen's charters need to be re-drafted with sharper focus on deliverables and also making them more customer-centric.

Fourth Report of Second Administrative Reforms Commission, entitled 'Ethics in Governance' and released in January 2007, is a document which every enlightened citizen of this country should read. It recognises that Corruption is an important manifestation of failure of ethics. Anti - Corruption measures are seen as mere posturing without any real intention to bring the corrupt to book. The report having analysed the working of Legislature, Bureaucracy and Judiciary suggests various systemic reforms to be introduced at all the levels. The Report also emphasises upon the need to protect the honest, international co-operation and cleansing the politics. We need to create a pressure on the Government of the day to accept the Report and implement the recommendations without any loss of time.

According to Dr. A.P.J. Kalam⁴, we would always find a few corruption free good human beings and pockets of corruption-free-societies. They have to be identified and brought together. He also emphasised on the need for imbibing value system from childhood. We need to create an environment of mission oriented learning with value system in schools. It is essential in the schools and colleges to arrange lecture by a great teacher of the institution once in a week for one hour on India's civilizational heritage. This class can be called as a Moral Science class. The youth will learn to love their country which learning will be an important component for promoting a transparent corruption-free-society.

Conscience is the light of soul that burns within the chambers of our psychological heart. A virtuous and courageous person can alone use the instrument of conscience.

⁴ (Effect of Corruption in Good Governance and Human Rights, 09.05.2006). Inaugural speech at the Conference organized by NHRC

Shri Prakash Singh, Former DGP, founder member of IRI has been repeatedly writing in his articles that one of the causes of today's malaise is that we have marginalized our own Saints, thinkers, philosophers and greatmen and are failing to see their all time relevance.

Mahatma Gandhi, the Father of the Nation, is no more physically with us but let us listen to his words- the dictates of wisdom - and be guided by them. He said- 'you must be the change your wish to see in the world'. 'As human beings, our greatness lies not so much in being able to remake the world- that is the myth of the atomic age- as in being able to remake ourselves'. And, Plato said- 'the punishment suffered by the wise who refuse to take part in government, is to suffer under the government of bad men'.

IRI is a purely non-political and social forum. Same conscientious individuals who feel pained but at the same time inspired not to sit back have come together under the banner of IRI.

What do we propose to do? Why this Seminar, the second in the series?

- (i) We wish to expand. Like minded persons who wish to join the battle against Corruption, already engaged or inclined to be engaged, must come together. United we stand; divided we fall. Let us forge a peoples movement, a powerful non-violent movement, but akin to war against Corruption.
- (ii) We wish media to be our most potent instrument of battle. We believe that media has powerful impact in creating public opinion, exerting pressure on Government to do what it should and exposing the corrupt while high lighting the ideals and values. Media, conscious of its role as fourth pillar of democracy, has to act as an educator, motivator and light-house illuminating the path of those who wish to build a Corruption free India.
- (iii) The Founding Fathers of Constitution were great visionaries. They have devised institutions and mechanism which will take care of democracy and democratic values. Some of these are the Judiciary, CAG, CBI, CVC, Election Commission, Information Commission and so on. Of recent origin is an

unfortunate trend noticeable- a consistent disguised effort to weaken these institutions by interfering with their independence and standards. We have to create a powerful public opinion to see that each institution discharges its functions with independence and promptitude and displays total professionalism in its working. We must see that only a right person is appointed at the right place. Any other move we will oppose.

- (iv) We need to involve the youth-the future of our nation in building a Corruption free India. Each one of us should avail every possible opportunity of meeting the youth, preferably in educational institutions and persuade them to commit that they shall neither indulge in corruption nor tolerate corruption anywhere and anytime and that in their lives they shall live by values.

Lets us have free, frank and open discussions. The hopes of IRI are riveted on collective thinking, mass appeal and your guidance, support and involvement in our humble effort in national interest. Let each one of us do his best to fight against Corruption. Our efforts cannot go a waste. *Allard Lowenstein* has said it well – "The question should be, is it worth trying to do, not can it be done. Fighting against Corruption is not an easy job. But the battle shall have to be fought in the interest of the nation. Let each one of us take a vow -

I am only one
But still I am one
I cannot do everything
But still I can do something
But because I cannot do everything
I will not refuse to do something I can
