

CRITICAL ANALYSIS OF DIFFERENT ASPECTS OF CORRUPTION

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1.0 Introduction

Corruption is broadly measured to be the illegal gain via public position. However, defining corruption is an imperative in the perspective of international efforts to diminish its influence on public life in several ways. But that is not an easy task. Corruption is a social, legal, economic and political concept enmeshed in ambiguity and consequently encouraging controversy. The ambiguity and controversy result from the fact that a number of competing approaches to understanding corruption is available. Naturally, definitions of corruption focus on one of numerous aspects of the phenomenon. Meaning and definition of corruption can be traced under the following heads:

a. **Different Approaches.**

The moralists viewed that "corruption as an immoral and unethical phenomenon that contains a set of moral aberrations from moral standards of society, causing loss of respect for and confidence in duly constituted authority." One of the well-known proponents of this view, Nye, portrays corruption as "a behaviour that deviates from the formal duties of a public role (elective or appointive) because of private-regarding (personal, close family, private clique) wealth or status gains, or violates rules against the exercise of certain types of private-regarding influence."

But this way of defining corruption suffers from a number of limitations. It tends to individualize a societal phenomenon and attempts to dichotomize as to what is good and what is bad. In the process societal contexts are ignored and the gap between formal norms and the underlying practice-girded norms are not analyzed.

The two moderately modern views, i.e., social censure and social construction reality, view corruption radically differently from the other two approaches, i.e. moralists and functionalists. Both the approaches tend to look at corruption from a broad societal perspective. The proponents of social censure believe that in understanding corruption one should take into consideration the capacity of the State to produce a particular form of social relations and shift the theoretical emphasis to the interplay of law,

ideologies and political economy. On the other hand, the structural functional approaches analyze the corruption as a "dysfunction" that is caused by internal political, economic and administrative and cultural factors.

Scholars further break down the theory of corruption into various subcategories into five groups. In line with social censure and social construction reality view, these categories are based on the subject matter which provide prominent platform for conceptual analysis of corruption. They are public-interest-centred, market-centred, public-office-centred, public-opinion-centred and legalistic. Proponents of the public-interest-centred approach believe that corruption is in some way injurious to or destructive of public interest. Market-centred enthusiast Van Klaveren suggests that "A corrupt civil servant regards his public office as business, the income of which he will... seek to maximize. The office then becomes a "maximizing unit." The size of his income depends... upon the market situation and his talents finding the point of maximal gain on the public's demand curve."

Public-office-centred protagonists stress the fact that misuse by incumbents of public office for private gain is corruption. Those who believe in public-opinion-centred definitions of corruption emphasize the perspectives of public opinion about the conduct of politicians, government and probity of public servants. Others have suggested looking at corruption purely in terms of legal criteria in view of the problems inherent in determining rules and norms which govern public interest, behaviour and authority.

Conceptual definitions entail two characters: they must be broad enough to permit cross-cultural assessment yet accurate enough to be empirically useful. Meeting both objectives has established controversial with regards to the notion of corruption. In view of the large number of approaches and views on corruption it is not easy to agree on an unanimous definition of the term. The five approaches, as discussed above, have determined the nature and basis of corruption. Though the approaches pitch some light on corrupt activities, they do not clarify

the meaning of corruption to any satisfaction.

The shorter definition of corruption includes "abuse of authority, bribery, favouritism, extortion, fraud, patronage, theft, deceit, malfeasance and illegality". The broader definition of corruption refers to "use of one's official position for personal and group gain and that includes unethical actions like bribery, nepotism, patronage, conflict of interest, divided loyalty, influence-peddling, moonlighting, misuse or stealing of government property, selling of favours, receiving kickbacks, embezzlement, fraud, extortion, misappropriation, under- or over-invoicing, court tempering, phony travel and administrative documents and use of regulation as bureaucratic capital.

b. Dictionary and Encyclopaedia Meaning.

Concise Oxford English Dictionary gives hereafter mentioned overlook on corruption as (1) the action of corrupting or the state of being corrupted, (2) the process of decay. The dictionary further define corrupt act to mean (1) willing to act dishonestly in return for money or personal gain, (2) made unreliable by errors or alternations (3) rotten or putrid.

The Dictionary of English Law define bribe to mean "a gift to any person in office or holding a position of trust with the object of inducing him to disregard his official duty or betray his trust for the benefit of the giver."

According to Black's Law dictionary, corruption is "depravity, perversion or taint; an impairment of integrity, virtue or moral principle; especially the impairment of a public officials duties by bribery."

According to Law lexicon A public servant said to commit an offence of criminal misconduct in the discharge of his duty if he by corrupt or illegal means or by otherwise abusing his position as a public servant obtains for himself or for any other person any valuable thing or pecuniary advantage.

Encyclopaedia of Social Science, define corruption to mean bribery as follows, "Bribery is the practice of tendering and accepting private advantage as reward for the violation of duty, bribery also involves an intension to influence and to be influenced in a sense incompatible with good faith and passes by degrees of favours in which the offering and receiving shows, but a vague desire to keep on good terms and receiving entails no more than per functionary thanks."⁴⁴

New Popular Encyclopaedia states corruption as "Reward given to a public officer or functionary, to a public officer or functionary to induce him to violates his official duty for the benefit or in compliance with the wishes of the party by whom or

on whose behalf the bribe is given or promised, its applicable alike both to the receiving and the giving of reward."

c. Statutory Meaning.

The Bird view of the aforementioned definitions attempt to define corruption in its conventional manner. Along with these definitions we come across certain legislative definition of corruption. They tried to define the term corruption in its functional way. For example, Section 171 of Indian Penal Code, Section 123(1) of Representation of Peoples Act, 1951, Section 8-12 of Prevention of Corruption Act, Section 18 of Departmental Enquires (enforcement of attendance of witness and Production of documents) Act, 1972. While interpreting statutory definition of Corruption it has been said that "Corruption connotes allowing decisions and actions of a person to be influenced not by rights or wrongs of accused, but by the prospective of monetary gains or other selfish considerations."

1.1 REASONS OF CORRUPTION.

Generally the cause's explanations of the occurrence of corrupt activity are usually found in the interaction of individual and social structural factors. The extensive and comprehensive existing literature on corruption has identified multiple causes and sources such as human nature, psycho cultural ambivalence towards behavioural norms, the transition from colonial status to self- government, socioeconomic inequalities, and the vagaries of organizational arrangements and procedures. Scholars have also drawn connections between the existence of corruption and the process of modernization.

a. Political Causes.

Want of Political Will against Corruption: It is a vital starting point for sustainable and effectual anti-corruption strategies and programs. Without it, governments' statements to reform civil service, strengthen transparency and accountability and reinvent the relationship between government and private industry remain mere rhetoric. Reform efforts are oftentimes unsuccessful due to the combined influence of inadequate strategies, political resistance, failure to sustain long-term reform efforts and the lack of knowledge about appropriate tools to establish systemic change.

Political System: Political system and its organization can be a major source of corruption. If it is based primarily on patron-client relationships and the distribution of patronage, political parties may become major sources of corruption. This condition

is often accompanied by weak campaign finance laws, with a low level of disclosure demanded of campaign contributors and political candidates.

For example, The 2009 Global corruption barometer report reveals that the political parties are perceived to be the most corrupt institution by Indians. According to report, a global public opinion survey released by Transparency International found that 58 percent Indian respondents identified politicians to be the single most corrupt individuals.

Political Leadership: The political leadership plays an important role in promoting change. To effectively shape that role, it is necessary to move beyond the subjective and qualitative analyses that describe corruption as a mere moral failing of politicians, bureaucrats and businessmen. One of the root causes for rampant existence of corruption in India is political situation prevail in India and leaders leading the same situation in India. Immoral politics, self-aggrandizement, and violation of Constitutional norm for political power, political survival at any cost these principles closely associated with Indian politics. The same attitudes, behaviour of our rulers result in rampant corruption in India and posed serious threat to use external and internal resources for development in effective manner.

Gradually political leaders boosting corruption in two ways firstly political leaders himself indulging in corruption which highly contrary to their Constitutional function, secondly their illegal relationship with bureaucratic pertaining to corruption cases. The Indian political leaders and political parties are also taking advantages of deficiencies in various laws. From the politicians point of view the main interpretation of the Statutes is that what has not been prohibited to mean permitted.

The structural and systematic links between corruption and corrupt political leadership is well established by the Augustine Ruzindana in his work. He asserts that the view of new leadership regarding the evils of corruption led the administration to include the elimination of corruption abuse of powers as one of its primary objectives right from the start this is important because corruption cannot exist without the connivance even if only passive- of the political leadership. By tolerating or even encouraging corruption, for example or by lacking a strong will to punish those who are corrupt within its own group, the political leadership will faster corruption, and it will become intolerable. The backing and the political will of the leadership are required for any anti-corruption strategy to succeed.

b. Administrative Causes.

Over Centralized Government: Executive dominance manifests itself in two ways: first, in relations with other branches of government, particularly the Judiciary and Parliament; and second, in relations between the Central government and other levels of government, particularly at the local level. Many parliamentarians saw it as being especially important to devolve power and resources outwards and downwards, though it was acknowledged that this could result in short term increases in corruption where local accountability systems are weak.

Cumbersome Rules and Regulations: Where government imposes a large number of rules and regulations, there is greater opportunity for public officials to exploit or subvert them. This is particularly the case where public officials have unaccountable control over the provision of a public service or the application of regulations and fees. Bureaucratic corruption has been described as a function of the size of the rewards and penalties under an official's control, the discretion of the official in their allocation, and the accountability of officials for decisions and actions taken. As discretion increases and accountability declines, the potential for corruption grows.

In this regard, it is asserted by the B.C Mathur that A close look at the problem in administrative cutting edge will revealed that more than anything else, it is archaic and cumbersome rules and procedure that are responsible for the halting progress. More often than not, the good intention of the administrators gets lost in the maze forms and precedents. Besides, the apathetic and indifferent attitudes of the employees towards the public, excessive control and centralization of the authority with in departments, lack of communication between levels of administration about the difficulties of common man and the slow process of decision making cause no less damage to the nebulous relationship between the public and administration.

The gravity of the problem of the cumbersome rule and regulations result in the corrupt activities is aptly pointed out by P.C Jain, Chairman Commission on Review of Administrative Laws, in his preface to report that "There is a perception among many people that despite a fairly extensive State intervention and a regulatory regime in our country there is no real deterrence and effective enforcement for the benefit of society in general and the average citizen in particular. Be that as it may, it can hardly be disputed

that multiplicity and complexity of laws, rules, regulations and procedures and lack of adequate information about these, is one of the major reasons for their misuse by officers and staff, particularly at the cutting-edge level, resulting in delays, harassment and corruption on a massive scale. The cost of all these consequences to the society and to the country's growth is enormous."

c. Social Causes.

Public Attitudes towards Corruption: The public attitude towards the corrupt administration or attitude of corrupt official plays a decisive role in creating a transparent, accountable and responsible public service regime. As an effective anti-corruption strategy, citizen must have the ability to learn about their government's activities and take action accordingly. In this backdrop it is asserted that "Corruption levels are linked to the strength of civil liberties, particularly the level of freedom of speech and expression, the ability of individuals to form non-governmental organizations, and the level of structured, active political competition. Countries where civil liberties have been suppressed because of conflict may be particularly susceptible to corruption."

Public Perception Regarding Fight against Corruption: The level of knowledge on anticorruption policies plays a massive role in prevention of corruption. The Indian awareness on anticorruption strategies is very negligible. The purpose of such information access is clear to safeguard against corruption. Supporting this notion, United Nations asserts that "Political leaders who find themselves under intensive, regular public scrutiny are more inclined to act honestly, ethically and in the public interest - and less inclined to sell out the public interest for their own." According to Abdurraheem, tolerance of people towards corruption, complete lack of intense public outcry against corruption allows corruption reign over people. The author further asserted that vast seize of population coupled with widespread illiteracy and the poor economic infrastructure lead to endemic corruption in public life.

Ethical Values for the Public Servants: To make the anti-corruption program practical and workable. It is imperative that anti-corruption and ethical values are given due cognizance at the time of development of framework like code of conduct or development and communication of such a policy document . At a broad level, coverage of the said issues will send a clear message on high standards of ethical conduct, expected behaviour and action contemplated for non-

compliance by officers/employees besides defining clearly what actions and behaviours constitute bribery and corruption. Further, communication of these as best practices would serve to create consistency in purpose and approach across all regulators. According to Abdurraheem corruption is caused as well as increased because of the change in the value system and ethical qualities of men who administer. The old ideals of morality, service and honesty are regarded as anachronistic.

Weak Role of Civil Society and Media: The role of media and civil society have remarkable role in curbing the existing corruption and preventing the future occurrence of the problem. The legitimate role of media and watchdog supervision of civil society can to the maximum extent handicap the expansion of the corruption. In this connection it has rightly been pointed out that "The weaknesses in State institutions are often compounded by the weakness of civil society and the media. Instead of vigorous, independent spheres of influence able to hold government accountable, civil society organizations are often dependent on or closely allied with government. Like watchdog agencies, media is often dependent on if not under the direct control of the executive."

Unfortunately, there is a lack of active civil society and impartial and committed media in India. The studies show that as many as 8 percent of the respondents in India consider that corruption in the media affects the lives of the people. The media, while not being perceived as clean, scored best with just over 40 percent of respondents labelling the sector as corrupt, globally.

Psychological Reasons: The problem of corruption has close link with psychological aspect of human being, especially with psychology of corrupt officials and it can strongly affect the level of the corruption of the particular State. Corruption is an antisocial activity, which is learnt through nastiest parenting.

Wladimir Eliasberg rightly viewed that "Social psychology of corruption yields an aspect which is somewhat surprising to the man in the street. In big as well as in small corruption the one who is bribed rarely succumbs to mere greed."

It is also pointed out that all institutional arrangements, designed through they are key to facilitate attainment of certain goals are finally mediated through the actions of individual. This is true as much as in relation to the system of public administration as others. Bureaucracy behaviour is

an important determinant of the output which any public administration system is expected to yield.

d. Economic Causes.

Low Salaries: It is quiet correct to assume that the low level salaries of the public servants might push them to invoke the corrupt means to address their needs. The same has been well established in the good number of scholar works. If the public servants unable to meet their minimal living cost at the existing salaries, the bribe act as incentives to compensate their monetary desires. The poor monetary and low level of economic condition of the public servant tempts him to capitalize the corrupt activities to equate his financial condition with his need. Low salaries seem to encourage corruption. The relationship between salary levels and corruption is complex.

The Economic Development: The path of the economic progress of the particular nation certainly decides the level of corruption in the system. The economic development and incidence of corruption have fixed co-relation and there are good numbers of evidences to show this notion. For Example, Lapalombara Joseph presented the interrelationship between corruption and economic development in following words "the larger the government, as measured by it share of GDP, the higher the level of expected corruption. A large government share of GDP could indicate a large bureaucracy and a lot of regulation and red tape. It might also be expected that the larger the share of national income that passes through government hands, the greater opportunity for malfeasance."

The International Trade: The large scale international trade is regarded as the major source of grand corruption. These activities can act as incentives for high level officials and policy makers to gain proceeds of corruption. The multinational companies involving in the economic activities are to be paid bribe either to get permission to start business or to retain existing business. There may be possibilities, even after the establishment of business; they are likely to offer bribes to conduct their business without any interference by the State agencies.

The links between corruption and international trade can be traced with the following words of Angel Gurria, Secretary General of the Organization of Economic Co-operation and Development (OECD), "all of stand to benefit from the global economy where bribery and corruption have been ruled out. Corporations want to seek business opportunities based on the price, quality and pertinence of their

goods and services, instead of having to look over their shoulders to check if their competitors are offering bribe to get the contract. Tax payers want to assume that their taxes are reaching the people they were designed to hold and not being siphoned off into secret bank accounts."

The Economic Liberalization: The productivity and efficiency of the economy of the nation linked with the healthy liberal economic policy of the nation and as explained above the rate of growth of economy is positively related with the problem of corruption. The liberal economic activities of the nation have been identified as a boosting factor for the problem of corruption. The major activities of liberalization such privatization of State enterprise, liberalization of trade, deregulating industry and commerce can generate incentives for the bribe by the interested entities in the liberalization process.

The Experience of Privatization: One of the major complaint of the developing and under developed countries is the susceptibly of privatization to the corruption. While transferring the State assets to the private entities in the name of privatization, the corruption might have act as devaluating fact for public assets. On account of unholy relationship with politicians/bureaucrats with private entities, the process of privatization sells State assets to the political and economic elite at below market prices in a non-transparent and corrupt manner. This kind of legalization of illegal activities, downsizing the State ability to prevent corruption enhances new opportunities for corruption.

e. Legal Causes.

The legal structure of society forms an important pillar to fight against corruption. If corruption is to be cured, the need for a strong legal framework against the same is almost axiomatic. In India, the legal framework for curbing and controlling corruption is primarily based on statutory and common law. While existing legislations and executive orders have gone a long way towards reducing corruption levels in India, there still remain some areas that require change.

Nature of Prosecution and Punishments: The prosecution and punishment system of the particular nation plays a decisive role in curbing corruption. The current Indian criminal justice system consist four important components, namely, the Investigating Agency (Police), the Judiciary, the Prosecution Wing and the Prison and Correctional Services. Among these four components the police are the primary investigative unit in India. Unfortunately, these authorities themselves are suffering from the problem

of corruption. This is a major cause behind the boosting of problem of corruption in India.

Mr. Soh Mee Hean, the director of Corrupt Practices Investigation Bureau, Singapore, opined in this regard that the Court must be prepared to punish corruption offenders heavily if it is to make corruption a low gain high pain activity. If evidence is presented but, the Court does not convict the offender, he walks free to enjoy his ill-gotten gains. If the Court convicts, but the sentence passed is very light, there is also no deterrent effect and others may also end up committing similar offences. If the Court takes too long to clear the case, again there is no deterrent effect as the corrupt offenders may drag the case out and in the meantime continue to enjoy his corrupt proceeds. Justice must be served without undue delay. The rights of accused persons to a fair trial must of course be preserved but we should not allow a situation to develop where the accused persons can keep prolonging the court case by making various applications and submitting various excuses. A long delay before the Court case is concluded will blunt the deterrence against corruption offences.

Effective Prosecuting and Law Enforcement Agency: The effective laws depend on the credibility and ability of the police and judiciary to act against corrupt practices. In situations where these conditions are not met, corruption is liable to spread rapidly.

Standard of Public Prosecutors and Judges: The role of the criminal justice system is crucial in the fight against corruption. Successful detection, investigation, prosecution, adjudication and punishment of corrupt offenders contribute greatly to the prevention and eradication of corruption. But these are not easy tasks to accomplish in India. The prosecuting authorities themselves are under the clutch of mistakes and wrongs. The Indian prosecuting institutions are utterly failed to ensure and maintain the integrity and necessary independence of criminal justice personnel, as a prerequisite to fulfilling their great responsibilities. As rightly remarked by

Bowen L.J., "Judges like Caesar's wife, should be above the suspicion," the judges should be maintained the dignity associate with their business.

IMPACTS OF CORRUPTION.

Corruption either it may be political or administrative, symptom for good governance and severe hazard to State and its overall growth. Practice of corruption and survival of corrupt officials or public servants in the administration is a threat to the society and it is a serious obstruction for proper execution of

governments and implementation of laws.

Corruption eats away at the foundations of trust between people and their rulers. It exemplifies the two key weaknesses of the development State: the unholy marriage of political and economic power whereby money buys influence and power attacks, money and the softness of the State, to use economist Gunnar Myrdal's term- it is inability to apply and enforce its own laws and regulations..... It is a symptom of government incompetence and in itself further undermines government's ability to rule.

Corruption tends to flourish and to be functional, where institutions are weak and inflexible. Corruption also tends to flourish because it is self-serving. Its dysfunctions breed and feed upon economic wastefulness, investment distortions, administrative anarchy, political misrule, and social disintegration. Most types of corruption have multiple public consequences, so one should expect to find a miscellany of patterns that are functional for economic growth but dysfunctional for administrative order; or functional for one aspect of social integration but not for another; or functional for meeting a factory payroll but self-aggrandizing too.

1.4. A. Social Impacts

The problem of corruption on society is vigorous and it is a vital fact polluting the environment of the society. On account of poor and deviated government expenditure on socio-economic policies structured for marginalized section of the society, would further move towards side-line of the society and it may result in inequalities, unfairness in the enjoyment of the basic rights of the individual.

The multidimensional impact of corruption on social as well on economy of the nation is well demonstrated by the study of World Bank and United Nations. This research work pointed out that the problem of corruption result in rapid economic and social change, strong kinship and ethnic ties, new institutions, overlapping and sometimes conflicting views about what is proper public behaviour, governmental monopoly over economic activities, political softness, widespread poverty and socio-economic inequalities, ignorance, lack of knowledge about individual entitlements, communal bonds, ambivalence towards legitimacy of governmental organizations, asymmetric relationship favouring those in control of State power, economic shortages in which officials assume extraordinary control over goods and services, greed, patronage and systematic maladministration.

In a number of countries studied, corruption has

led to smuggling, black market economies, mass starvation, imposition of martial law, and the complete disintegration of economy and society, in general.

The Post-functionalists have made an attempt to trace out the dysfunctional consequences for the economy and society generally. They maintain that "corruption wastes revenues and resources that might be utilized elsewhere, erodes the trust and loyalty granted to political leaders by their followers, and solidifies inequities in the apportionment of goods in favour of certain strata of society."

1.4. B. Economic Impacts

There is no general agreement among economists regarding impact of corruption on economy. Even though in general corruption has disastrous impact on economy of the nation of the Economist viewed that corruption is grease for economic development and some of the economists denied the former and favoured negative impact of corruption.

Findings of Paolo Mauro, in his work on 'Corruption and Growth' that corruption is strongly negatively associated with the investment rate, regardless of the amount of red tape. In alternative model specifications, the corruption and bureaucratic efficiency indices are significantly and robustly negatively associated with investment even controlling for other determinants of investment, including the political stability index. There is evidence that institutional inefficiency causes low investment.

The study further analyzes the relationship between institutional efficiency and economic growth. The bureaucratic efficiency index is massively and magnificently associated with low growth, even controlling for other determinants of growth. Again, there is evidence that institutional inefficiency causes low growth. The main channel through which bad institutions affect the growth rate is by lowering the investment rate.

In line with the negative impact of corruption on investment and low economic growth, the corruption can also affect the government expenditure earmarked for socio-economic development of the poor section of the society. For example Paolo Mauro in his 'Corruption and the Composition of Government Expenditure' asserts that a possible interpretation of the observed correlation between corruption and government expenditure composition is that corrupt governments find it easier to collect bribes on some expenditure items than on others. A potential policy implication might be that it would be desirable to encourage governments to improve the composition

of their expenditure by increasing the share of those spending categories that are less susceptible to corruption.

Well known economist, Professor Gunnar Myrdal, in 1972 in his 'Asian Drama: An Enquiry into the Poverty of Nations' viewed that "Corrupt practices are highly detrimental to any efforts to achieve modernization ideals. The prevalence of corruption raises strong obstacles and inhibitions to development. The corruption that is spurred by fragmentation of loyalties acts against efforts to consolidate the nation."

Succinctly, corruption is a serious economic issue as it adversely affects the country's economic development and achievement of developmental goals. It promotes inefficiencies in utilization of resources, distorts the markets, compromises quality, destroys the environment and of late has become a serious threat to national security. It adds to the deprivation of the poor and weaker sections of the economy.

1.4. C. Political Impact.

The impact of corruption on political system is heinous and the same is well established by the various scholar literatures. Michael Johnston, in his analysis on corruption and Sustainable democracy viewed that corruption is not something that happens to a society like a natural disaster. It is the doing of real people and groups they trade in influence within a particular climate of opportunities, resources and constraints. Sometimes these actions and choices shake the whole governments and regimes, but more often they affect in more specific ways- way that reflect the nature and continuing development of the societies in which they occur. Much depends upon relationship between State and society and on the ways wealth and power are held and used.

Besides, Huntington argued that "where political opportunities exceeds the economic, people are likely to sue power to enrich themselves; where economic opportunities exceed the political, people will tend to use wealth to buy political power, particularly combination of imbalance among these forces give rise to characteristic corruption problems that differ in their nature and political implications and point to political and economic reforms that can aid both democratization and anti-corruption goal."

Further, it is asserted by the Thompson that "goodness" refers to a healthy process in which freely chosen representatives openly debate important issues and must answer to their constituencies for the decisions they make. He argues that corruption is bad not because money and benefits change hands

but because it bypasses representation, debate and choice.

In addition to this, the preamble of the various international Conventions also demonstrates the disaster impact of corruption on politics. In sum, the problem of corruption is a threat to democracy, rule of law and good governance which ultimately result in injustice and disregard of equality. The corruption which create a rampant political corruption, expose the socio-economic policy of State to crumble under its own weight.

The above consistent finding indicates that there are the close linkages between corruption and social, economic and political development of the nation. The chine linked issues of the corruption have multiplied the tensions and created socio-economic and political crises. The results presented above demonstrate that all the Government activities are vulnerable to the corruption and ultimate victims of this menace are poor, unprivileged and marginal section of the society.

It helps the rich to become richer and hinder the poor to become poorer. The deleterious impacts of the corruption affect the economy by influencing the economic activities such investment, public expenditure, Government revenue, human development, public finance management system, low level economic growth and unequal of distribution of the resources. In the similar way, in the political arena, it can shake the fundamental democratic principles such as openness, fairness, justness and equitableness. It can also undermine the rule of law, legitimacy of the governance and public faith at government. At the end, on account of its inseparable relation with economy and politics, the corruption can reduces the possibilities of the society to enjoy the benefits of the State at legitimate way. In ultimate analysis we can invariably say that, the problem of corruption is anti-poor, ant-economic development, anti-democracy and ant-social order.

1.5. DIFFERENT CATEGORIES OF CORRUPTION.

As explicated in the previous discussion corruption not only restricted to the financial consideration it may be in the form of favoritism, personation, gratification, undue influence, misuse or abuse of power either for personal gain or for others. This kind of multiple personality of corruption is problematic to put the concept of corruption under particular head. For the analytical and practical purpose of this research work the kinds of corruption can put under following heads; (1) Political corruption; (2) Administrative corruption; (3) Petty and Grand

Corruption.

1.5. A. Political Corruption.

Political corruption is the misuse of public power of the politicians for unlawful gain to which they are not entitled. By deviating their duties or powers, rights and obligation, if the elected representative indulge in the corrupt practices it comes under the purview of political corruption. Normally these kinds of corruption come to picture while formulating the policies of the State. These are the corrupt activities associated with the activities of the politicians. Political corruption occurs when governmental power is abused for legitimate private, group, sectional advantage. This is the trade of influence and authority by political leaders and may extend to granting favours irregularities in campaign financing and electoral fund. It is an effort to secure wealth for private benefit at public expense.

United States Institute of Peace asserts that political corruption takes place at the highest levels of political authority can influence policy to give businesses unfettered access to natural resources, or help pass laws or regulations that are in the interest of those who are willing to pay. In unstable countries, another form of grand corruption occurs when politicians buy votes in order to get elected and, once in office, engage in corrupt practices to cement their rule. And, even in stable democracies, it is not uncommon for legislators to use their positions of power to reward their financial supporters with favours, the awarding of contracts, or the drafting of new laws.

1.5. B. Administrative Corruption.

Administrative corruption or bureaucratic corruption is corrupt activities of the officials appointed by the State for administration of the State affair. Here the bureaucrats attempts to gain pecuniary or similar benefit by bending or circumventing the established rules and norms. Normally, this kind of corruption is common at planning and implementation of policies. These are the corrupt activities linked with the activities of bureaucrats. Traditionally, the concept was used to denote the practice of buying favour from bureaucrats who formulate and implement governments' economic and political policies. The concept however transcends the buying of favour; it refers to the violation of public duty by bureaucrats or public officials.

It involves appointed bureaucrats and public administration staff at the Central or sub-national levels. In simple terms, it comprises corrupt acts

among those who implement the rules made by top officials. This includes interaction with private agents, such as demanding extra payment for providing government services, speed money to expedite bureaucratic procedures, or bribes to allow private actions that violate rules and regulations. It also includes interaction within the public bureaucracy, such as bribes or kickbacks to obtain posts or secure promotion, or mutual exchanges of favours. This type of corruption is often referred to as petty corruption, which reflects the small payments often involved, though in specific cases and in aggregate the sums may be large.

The difference between political corruption and administrative corruption is structurally differentiated by Mukherji in the following words. Political corruption in a democratic context refers to the problem of agency between citizen and elected officials and the way it is affected by the institutions that define the electoral process, such as division of powers between different branches of and levels of government, the role of legal system, media and civil society in influencing public policy and its implementation. In short it deals with the policy formulation process and high level corruption of politicians. On the other hand, bureaucratic corruption is concerned with problem of policy implementation and how it can stymie by poor information and co-ordination system, corruption among government bureaucrats and employees. This is otherwise known as petty corruption.

The above discussion provides a look at the compartmentalization of administrative as well as political corruption. The foregoing analysis made it clear that political corruption take place at policy formulation by the politicians, on the other hand the administrative corruption take place at implementation of the policies by the bureaucracy. The political corruption is usually lies at the helm of State affair and administrative corruption has its root in administrative authorities who are subordinate to the former. However, these kind of corrupt activities are very sensitive to departmentalize as they are closely associated with each other. Therefore, while drawing a line between these kind of corrupts activities, careful attention is to be devoted by the Courts. Otherwise, the politicians who possess a significant strength in protecting their corrupt activities might have twisted their activities as administrative corruption and the liability might be imposed on bureaucrat.

1.5. C. Petty Corruption and Grand Corruption.

Petty corruption is a form of corruption that is

common and more visible to citizens in their everyday lives manifested by bribes that citizen must pay government officials to receives to which they are entitled. Petty corruption is the collision of public officials with a member of the public to subvert the system over relatively small transactions. Petty corruption disproportionately hurts the poorest members of society, who may experience requests for bribes regularly in their encounters with public administration and services like hospitals, schools, local licensing authorities, police, taxing authorities and so on. on the other hand, the grand corruption is the subversion of the system by senior government officials, ministers and head of the States. Normally, the grand corruption is very systematic and structural in the business of political leaders and business men.

The various sources on kinds of corruption clearly indicate that administrative or bureaucratic corruption is well connected with petty corruption cases and political corruption or corruption of high level officials collided with politicians coming under the head of grand corruption. However, this kind of classification may prove its inefficiency pertaining to the corruption at Grama Panchayath level corruption as the corrupt activities are very low in amount; however they done by elected representatives. Grand corruption involves high-ranking public officials or politicians who influence policies and rules. Nonetheless, both corruptions, irrespective of the form of corruption can lead the State to growing economic and social inequalities. The petty corruption incur by bureaucrats or administrators has immediate effect on corruption, on the other hand the impact of grand corruption caused by the politicians and high level officials may reach poor section of the at late.

1.6.GRAVITY OF PROBLEM OF CORRUTION.

It is well established principle that democracy and transparent and accountable governance and administration in all sectors of society are indispensable foundations for the realization of social and people-centred sustainable development. It has widely been recognized that governments in all countries should promote and protect all human rights and fundamental freedoms, including the right to development, bearing in mind the interdependent and mutually reinforcing relationship between democracy, development and respect for human rights, and should make public institutions more responsive to people's needs . Unfortunately, the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and

values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law.

The problem of corruption is a serious obstacle for all these efforts of the government. The above documentation of global concerns presents the gravity of the problem to an important degree.

It is pointed out by the Daniel Kaufmann in the last 15 years back that "In recent years, an explosion of papers, conferences, and newspaper articles has covered this topic. Many writings suggest that corruption has acquired epidemic proportions in a vast number of countries. Civic society is clamouring to address the issue in many places. Nongovernmental organizations such as Transparency International provide Web sites full of information on cross-country corruption indices." The Kaufmann assertion is much more cemented in these days as the issue of corruption in recent days gained significant place in the media, good number of Conferences and seminars. It is a big challenge for researcher and policy makers to come out with potential tools against to this disease.

1.6. A. Gravity at Global Level.

Corruption is a serious economic, social, political and moral blight, especially in many emerging countries. It is a problem that affects companies in particular, especially in international commerce, finance and technology transfer. And it is becoming an international phenomenon in scope, substance and consequences. That is why, in recent years, there has been a proliferation of international efforts to tackle the problem of corruption. One such international cooperative initiative is the United Nations Convention against Corruption, signed in 2003, which came into force in December 2005.

The preamble of the United Nation against Corruption asserts the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law. Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Convention) outlined that bribery is a widespread phenomenon in international business transactions, including trade and investment, which raises serious moral and political concerns, undermines good governance and economic development, and distorts international competitive conditions.

The social, economic and political impacts of

corruption as outlined in the above conventions shows the gravity of the problem and urgency to address the issue. As the problem endangers good government, efficient public administration and sound corporate governance, in its ultimate level threatens fundamental human rights and subverts the institutions that guarantee stability, security and sustainable development.

1.6. B. Gravity of the Problem in India.

India is big democratic country. Democratic governance is based on the will of the people and is the form of governance best suited to allowing all people to live in dignity and freedom. This is also emphasised by the Millennium Declaration, in which the international community undertakes to promote democracy worldwide. Democracy requires a "rule of law" framework in order to govern the interaction and co-existence of all citizens. By guaranteeing civil rights, the rule of law also creates the basic conditions in which individuals can pursue their own personal development as they choose.

The rampant corruption in India posed a challenging threat to this democratic principle of Rule of Law and the development of citizens of the Nation. Expressing the gravity of the problem Prime Minister of India displayed that "An impression has gone round that we are a scam-driven country and nothing good is happening in our country, that we are weakening the self-confidence of the people of India. I do not think that is in the interest of anyone in our country....This sort of atmosphere is not good. It saps our own self-confidence. It also spoils the image of India."

The Corruption Perception Index (CPI) measured by Transparency International in 2012 reflects the prevalent norm of corrupted practices in India. India with its CPI score of 3.1/10 is ranked as 95th out of 182 countries where the 1st country is supposed to have the lowest overall corruption.

According to Trace International Report the number of reported bribe demands originating from government officials in India was 91%. The greatest sources of bribe demands, in order of descending frequency, were from national level government officials (33%), the police (30%), State/provincial officials and employees (16%), and city officials (10%). A further analysis of the specific Indian ministries requesting bribes at the national level shows that 13% of those demands originated from the national office of Customs and 9% each were from the national offices of Taxation and Water. Bribe demands were also reported being made from

individuals affiliated with the Justice System, Visas & Immigration, Mines & Minerals, Construction, Defence, Energy, Foreign Affairs, Forestry, Health Services, Information/Communication and Land. Although some movements of eliminating corruption by Indian government have been attempted, the results were far from achieving success.

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The nexus between corrupt politicians and corrupt bureaucrats has been clearly proved in recent years by scams like the Animal Husbandry (fodder) scam in Bihar (in which the former Chief Minister, some of his ministers, legislators of the ruling and opposition parties and several senior bureaucrats were charge sheeted by the C.B.I.), Coal scam in Tamil Nadu (involving the then C.M. Ms. Jayalalitha), Urea scam (involving the son and a relative of the former Prime Minister NarasimhaRao), Telecom scam (involving the Union Telecom minister Sukh ram) etc. Since the corruption flows down from the top it is not easy to stop it or limit it, and it has a devastating effect on the administration and the society in general. Recently Madhukoda's case and Telecom Minister A Raja's case are major political scandals of the country.

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Pertaining to the low salaries as the causes for corruption, *Pieter Bottelier*, Senior Advisor, to the World Bank, East Asia and Pacific Region, asserted that "The motivation to remain honest may be weakened by low civil service salaries, promotion of staff unconnected to performance, dysfunctional government budgets, loss of organizational purpose, bad example by senior officials' political leaders, or long established patron-client relationships, in which the sharing of bribes or the exchange of favours has become entrenched." *Pieter Bottelier*. "Corruption and Development." Paper presented in Interantional Symposium on the Prevention and Control of Financial Fraud. held in Beijing, 19-22 October 1998.

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