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## Corruption and Development: A Socio-Legal Synopsis

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### Abstract

*Crime is an ever ending matter in this world; it is dynamic and has diverse causes, consequences, impacts and effects (Umarhathab and Jailapdeen, 2012). Among them economic crimes are common and prevalent in corner of life. Within economic crimes corruption tops and continues to retain its position because it is now inevitable in any public administration. Corruption is considered a strong constraint on growth and development (Kochanova, 2015). While the discipline of economics considers corruption as a factor that greases the economic development and acts necessarily as complementary to the development (Meon & Sekkat, 2005). More the development higher the corruption is witnessed across the world economy. This creates a huge gap in living conditions of the classes of society. While this paper has three vital areas to cover namely **corruption vs development, corruption vs public system and why this condition in public system?** These factors will be discussed in the lights of criminal justice response to this ever ending menace. While every citizen hates corruption being not-corrupt, will be a daydream in India. Since independence the Indian public administration has been addressing corruption here and there while results remains mostly unachievable- as well not satisfying the citizens. When country like India are still in the path developing for several decades. The new small nations are successful in curbing menace. At this juncture this paper will advocate the problem in addressing the corruption and its counter measures and recommends best practices from the most corruption less nations.*

**Keywords:** *Corruption, Development, Life style, CJS Response*

## **Introduction**

In India, the epidemic of corruption is spreading cancerous in every public space(s). The act of corruption starts even before the birth, from the mother's womb with an un-required medication for the goodness of the baby. The endemic act continues until the death at hospital again with unrequited medication. Contractors and builders are constructing weak and low standard roads, bridges and houses mostly because they have invested on business with additional levy of corruption which needs to recover only through their projects. Students are engaged in mass copying while teachers and question setters or examiners indulge in leaking out question papers. While India is developing at a faster rate the developing economy is still a developing for several decades. The public systems in India are inactive, ill-equipped and insensitive to public needs blaming one other for their dubious position. There several factors that need to be address towards the under developed nature of the country, chief among them is corruption.

In developing countries factors such as population growth, urbanization, industrialization, modernization and poverty are deemed to be among the major factors influencing crime rates. This position has been consequently expressed by several United Nations congresses on the prevention of crime and the treatment of offenders (United Nations- Economic Commission for Africa, 1992-04). Development remains priority of any economy, while it should be accepted that when economy booms the inevitable effects does occur, corruption is one among them. India being an under development economy for several decades is no exception from corruption. Corruption in India is peculiar from any other country. The corruption India ranges from fodder scam until the missile scam. It is hard write that Indian's face more corruption than any other country in the world.

## **Corruption versus Developments in India**

There is no doubt that India is for better in many developments in comparison to that of our parallel economies. The concept of development in India is remarkable in

## **Corruption versus Public System**

numerous areas. Major developments India has achieved in terms of housing, roadways, railways, industries, shipping, airways, electricity, include fish farms, offices, storage and distribution centres, housing estates, renewable, waste management or disposal facilities, printing, transportation, fish farming- inland and sea, mineral extraction sites, telecommunication, rocket launching, education, agriculture, forest management, import and exports, and many other others.

The Indian cities are filled with building blocks and villages with traditional look and concentrates on agriculture. The development is smelled in remote villages with electricity, water, mobile communication and etc. The modernization of justice system is no exception to these developments. During these development prospects India evident the development of corruption at a rapid pace in par with. Ultimately every Indian have appreciated the growth of the economy, on the other hand corruption has went unchecked. The prospects have claimed several lacunas in establishing a corrupt free society, almost all the government in India has failed to mitigate the incidence of corruption.

The public systems just are ideal until a serious corruption or default is set in motion. There are public office were nothing moves without corruption. These offices are well known to every citizens but government will to attend to it is bleak. For instance, the regional transport offices in India is full of corrupt except very little. In this office anything and everything moves with money. The fact is known to every citizen, how, who, when, where to approach is a million dollar question. Anybody who possesses a driving license would appreciate this statement. Most of the Indians pay at least little to get there license. Even registration of new vehicles is possible only with money.

Last 15 years “corruption cases did not even constitute 1 % of the total number of crimes registered in the country” (Bhatnagar, 2016). The Indian Penal Code 1860 lists offences of bribery involving public servants and the offence of bribing voters during elections with prison terms of between three months and three years and, the Prevention of Corruption Act 1988 also covers all levels of government across the country. The state of Jammu and Kashmir has its own special law against graft in Ranbir Penal code. It is

really sad that a little information about the impact of these was available in the public domain in a consolidated manner

### **Why this Condition in Public System?**

The very many credit should be given to vigilance and Anti-corruption agencies. No vigilance or informed vigilance is the major cause. If at all anybody gives a complaint then victim will be tried of the Criminal Justice processes. Ultimately the punishment for the offender will be nothing more than Regular Departmental Action (RDA), Transfer of the office or fined for the action. The available statistics is evident; National Crimes Record Bureau report for the year 2015- a total of **12524** were arrested in Cases Registered and Persons Arrested under the Prevention of Corruption Act and **2904** arrested were Public Servants Involved in Corruption Cases (Cases Investigated by the CBI). RDA was sanctioned to 770, Persons reported for suitable action by department 228 and Gazetted officers Group 'A' & 'B'- 1474, Non-Gazetted officers 3621 including Pvt. persons involved were 1261. The major reasons that can be cited are

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- The strength of vigilance and anti-corruption agency does not match the public system of India.
- Vigilance and anti-corruption are not an autonomous body
- Punishment does not fit the crime of corruption.
- Vigilance and anti-corruption office should be separated
- Recruitment and eligibility of officer are in-appropriate
- Placement of the officer on non-regular basis.
- Most of the officer in the system are unconcerned of the job nature.
- Disinterest of reporter
- Need separate court and officers to deal with this greed crime
- No check on the performance of the official
- No-Statistics are published
- No protection for the whistle blowers
- Administrative rules are unclear

- Protection of officer
- Risk and Appreciation of the officials
- Lacks transparency in the system

### **Conclusion**

The public system in India is in need of more patriotic officer. The way things are executed is going unchecked in several occasions. Doctors prescribe unnecessary medicines and pathology examinations for commissions. In this case who will address the issue? There is need for severe check over the issue by the Medical Council of India. A constant awareness or practical session is required in medical practices. Accordingly punishment and mechanism should be evolved. It is very rare to see a space where no corruption. Scams in banks, financial institutions, sports, defence department, religious places, and government projects are the order of the day. Which agency will do the cleansing? It is high that academic should address the lacunas and recommend good practices to the government. Failing which will make India- sub continent to be ever developing country/ economy in this world. In view of emerging scams and rackets in India, that

UGC Approval Number 63012 will eat up the sovereignty of the country. The issue of corruption has become biggest threat to the social and economic development of India. There is tremendous loss of national wealth and social wellbeing of the country. In order to cure society from this deadly social pathology, every citizen should clean at least them. We should clean ourselves to make better India. I believe sense of anti-corruption starts from home with the individual that could undo the causes, consequences and remain the cure for corrupt practices.

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