

Anti-Graft Policy & Its Impetus Excursion

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Abstract

The article is all about anti-graft policy and its effect on India. The study provides useful inside regarding anti-graft policy in an important context. It suggest many possibilities for improve endeavors. In this study used only theoretical data and could possible, have added a few more such as personal need for structure, personal, fear of invalidity and need to evaluate future research in this direction could possible include, additional variable and could also asses moderating effects of related issues. When and how did corruption become the most urgent crises facing the nation? This question is yet to be addressed adequately in the ongoing data base on corruption in India.

Keywords: *Corruption, Anti-graft policy, Anti-graft policy in India, Anti-graft policy in Odisha, Effect on organizational culture*

I. INTRODUCTION

The anti-graft policy is a policy or law to keep every agency and every office or our government faithful otherwise we can also say it is aland keep fit in policy and principal. "A public office is a public trust." It is a law to suppress, remove, bind or be changing the staff or our governmental officers who abuse, stealing

and using influence for self interest with the trunk, wealth, power of the people. The anti-graft law is aimed at curbing corruption bribe taking at different levels of government and bureaucracy. The bill also envisages the creation of similar anti-graft institutions at the state level behaviors that leads to graft includes bribery and dishonest dealing in the

performance of public or official act. The law creates an ombudsman that has the authority to investigate and prosecute politicians and civil servants for corruption. The Prime Minister's office also comes under its purview, a major change over the 2011 draft which kept the PM out of the purview of any watchdog. The anti-graft law is aimed at curbing corruption and bribe taking at different levels of government and bureaucracy. The bill also envisages the creation of similar anti-graft institutions at the state level. One significant achievement of the new constitutional structure is the inclusion of the main investigating agency, Central Bureau of Investigation (CBI), under the supervision of the ombudsman.

The new authority has the power to monitor all cases referred by it to the CBI. Those who finance election campaigns expect some of their monies to win them leeway and favor, which leads to wheeling and dealing and lays the groundwork for scandals and graft. Unless there is public funding for election campaigns, corruption will remain an inbuilt problem in the system.

Only time will tell how effective the anti-graft bill is going to be in curbing

corruption in public life. The legislation, however, demonstrates the intent of the people to deal with the debilitating influence of graft in the growth of the country.

STRATEGIC OBJECTIVES

- 1) To create a strong anti-corruption culture that permeates throughout the whole society.
- 2) To create an awareness among the people about the anti-graft policy.
- 3) It gives the idea about anti-graft policy how it implemented in India.
- 4) It represents the political leaders view about the anti-graft policy in India.

ANTI-GRAFT LAW AND ITS IMPLEMENTATION

The first direct and consolidated law on corruption was the prevention of corruption act (PCA), 1947, enacted to supplement the Indian penal code (IPC) 1988; a new PCA was passed repealing the 1947 act and criminal law Amendment act 1952. As per section (7), a "public servant taking gratification other than legal remuneration in respect of an

official act.”Section (8) is about “taking gratification in order by corrupt or illegal means, to influence public servant.”Section (9) “taking gratification for exercise as personal influence with public servant.”section (11) “obtaining valuable things , without considering from person concerned on proceeding or business transacted by such public servant.” May attract up to seven years in jail and fine.

The policy under anti-graft:-

- **Section 1:** statement of policy.
- **Section 2:** Definition and term.
- **Section 3:** corrupt parities of public officers.
- **Section 4:** Prohibition on private individual.
- **Section 5:** Prohibition on certain relatives.
- **Section 6:** Prohibition on member of congress.
- **Section 7:** Statement of assets and motilities.
- **Section 8:** Dismissal due to unexplained wealth.
- **Section 9:** Penalties for violations.
- **Section 10:** Competent court.
- **Section 11:** Prescription of offenses.
- **Section 12:** Termination of office.

- **Section 13:** Suspension and loss of benefits.
- **Section 14:** Exception.
- **Section 15:** Sperability clause.
- **Section 16:** Affectivity.

ANTI-GRAFT POLICY IN INDIA

A Lokpal bill was first introduced in the Lok Sabha in 1968. And the subsequently nine other attempts at passes where made before its successful adoption in 2013. The legislation seeks to establish the Lokpal with state law on the subject to be enacted by the respective state legislation with one year of the act’s entry in to the force. Congress party leading member Rahul Gandhi has urged the Loksabha “to consider and enact all six pending anti-corruption bills before its term expires.”

Right of citizens for time bound delivery of goods and services of the grievance bill 2011, whistle blowers protection bill 2010, and prevention of corruption bill 2013. According to 2016 results of corruption perception index of transparency international, India ranks 76th place out of 176 countries.



Figure: 1

(Source- tradingeconomics.com| Transparency International)

If we just glare at tradingeconomics.com Transparency International report we will be surprised to note that corruption in India is just bantam in 2006, but slowly with the passage of time it became massive in 2011-2012. No doubt it was at snob after 2014 but it was found it again raise its Beelzebub in 2016. So it's the right time for us to grab its neck else it can grasp the whole country & common man with our any clemency. Very interestingly according to the 2016 Corruption Perceptions Index reported by Transparency International India is the 79 least corrupt nations out of 175 countries. Corruption Rank in India averaged 75.32 from 1995 until 2016, reaching an all time high of 95 in 2011 and a record low of 35 in 1995. Corruption

Rank in India is expected to be 79.00 by the end of this quarter, according to Trading Economics global macro models and analysts expectations. In the long-term, the India Corruption Rank is projected to trend around 72.00 in 2020, according to our econometric models.

ANTI-GRAFT POLICY IN ODISHA

Supreme Court declares two laws passed by Odisha legislature to tackle corruption as constitutional. The Odisha law with offence under section-1(C) of the Prevention of Corruption Act 1988. In this case Anil R. Deva and Dipak Mishra dismissed appeals against the high court orders. Odisha CM Mr. Naveen Patnaik directed the administration to implement "zero tolerance policy" in true letter

and spirit against corruption in different social welfare scheme of state. Mr. Naven Patnaik also asked the official to focus on various rural housing schemes, Nirmaya Yojana and Janani Suraksha Yojana. Govt. has decided to form committees at block-district, state level where local vigilance official will be the member of the committee. Source said the vigilance department has already received 560 complaints against corruption in rural housing scheme. Honorable CM suggested better administration to ensure poor people not to be deprived of their right due to corruption.

After verifying the reports of the vigilance department will submit the report to the concerned department. CM directed constitute an over right committee headed by chief secretary in start to anti-graft program.

HOW DOES THE POLITICAL LEADERSHIP VIEW THE ACT?

Prime Minister Narendra Modi recently said that effort were on to ensure officers are free to make objective, honest decision. Finance minister said to a CBI program, that we need to revisit provisions of prevention of corruption act. The Chief Minister of Delhi, Arvind Kejriwal, who leads the

Aam Aadmi Party (AAP), is in trouble, meanwhile, after a sacked minister, Kapil Mishra, alleged he saw Kejriwal accepting Rs20 million in cash from another minister. AAP members think the BJP is using Mishra to destroy the party, which was founded in 2012 to fight corruption.

West Bengal chief minister Mamata Banerjee, who is chief of the Trinamool Congress (TMC) party and another vocal opponent of Modi, is likewise on the back foot after a news portal, Narada News, released video of sting operations in which they snared a TMC lawmaker into accepting a bribe and caught a former party general secretary asking reporters for a stake in the firm they were posing as representatives of. Jitendra Singh, minister of state for personnel, said that the purpose behind mandating prosecution sanction for government officers under the anti-graft law was to protect honest officers and to ensure that bureaucracy, “an essential tool of good governance,” continued to work without any fear or favor. “We have decided to introduce the anti-corruption amendment Bill in the winter session of parliament starting on November 16. A provision for safeguarding all categories of government employees is being offered in the Bill. The

changes are to ensure that honest employees are not harassed,” he said.

CONCLUSION

Only time will tell how effective the anti-graft bills is going to be in curbing corruption in public life. The legislation however demonstrates the intent of the people to deal with the debilitating influence of graft in the growth of the country. In my opinion all law and policies which under anti-graft, it is not implemented properly.

The main reason is:

- Lack of information
- Coordination gap
- Illiterate
- Unemployment

The most important factor is lack of information, various act, and law are made by government under anti-graft policy has 16 section but 80% of people do not have clear knowledge about these policy. The actual reason is lack of education, illiteracy rate is growing high. So most of people are not getting sufficient information about anti-graft policy as many people could not properly read & others lack understanding. If I comment on govt. of India, the situation is like “The cat doesn’t mind the snake and the mouse

don’t fear the cat.” In India, there has been a substantial increase in penal actions against corrupt officials since Modi took office in 2014. However, besides such moves, Modi is also harnessing technology to make the governance system less corrupt. An example is railway tickets and the issuing of passports. Now that such items are dispensed online, corruption has been reduced. The more processes go online and become transparent; the greater will be the degree of honesty in the implementation of policies. The very fact that the BJP could not secure a majority in the Delhi Assembly elections, despite having predominant support among urban constituencies and the middle class, is a matter of concern for the right-wing opposition group. People’s trust in the party is low despite being in opposition for more than a decade. The party also hopes to derive some moral advantage by supporting the anti-corruption law. Corruption is one of the biggest global issues, ahead of extreme poverty, unemployment, the rising cost of food and energy, climate change, and terrorism. It is thought to be one of the principal causes of poverty around the globe. Its significance in the contemporary world cannot be overestimated.

It explores the phenomenon from several different perspectives, from the cultural differences affecting how corruption is defined, its impact, its various causes, and the possible remedies. outlines the key role the state has to play in managing corruption, using 'stick' (disincentive), 'carrot' (incentive), 'administrative and technical', and 'other' methods. The most obvious 'stick' states can use to reduce corruption is the legal system with high prosecution and conviction rates and severe penalties. Carrot measures include improving employees' working conditions and raising their salaries. Administrative methods include rotating officials from one office to another, better auditing, and norm setting. Increasing trust in society, gender balancing, and granting amnesties can also beuseful methods.

SUGGESTIONS

- Need of Proper communication of this policy within various levels of organization, various types of occupation covering almost all areas of India.
- Need of sufficient education because just making them know about the anti-graft policy will not solve the problem as most of them lack basic education its highly

required for them to make them understand about the policy, its norms, usage and implications.

- Need for strict intendance by the trusted government officials.
- Some promotional programs may be suggested by NGO and government for increasing proper communication & education in rural segment related to these policies.

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