Public Policy Making: Issues and Challenges of Good Governance and Corruption

Abstract

Today world is facing extraordinary challenges. Policymakers are attempting to develop institutions that are able to cope with rapid changes in demographics, the environment, and the economy. Policymakers are part of the system in which governments operate. Numerous external and internal pressures continuously attack this structure. Exogenous changes or fresh knowledge caused policies to be reversed or revised more frequently than necessary. In India, policymakers are confronted with an increasing number of issues caused by various types of complexity. In this complex environment the demand for good policy making is steadily increasing. The objective of this paper is to place various facets and dimensions of good governance and corruption in the public domain, along with their complex relationship with policy making and administrative regimes in the country. The paper also discusses the framework, public policy alternatives and methods that the government of India has pursued to address these issues, with a focus on recent initiatives and developments. During the discussions, the author agreed two- way relationship between good governance and corruption. Bad governance breeds corruption and corruption in turn, making difficult to implement or enforce good governance concepts and methods. Corruption appears to be most directly linked to violations of the ideals of transparency, accountability, and rule of law. The author found that it's tempting to rely too heavily on legislation and top-down policymaking to enhance policy and implementation. The inflexibility that results in wasted resources and opportunities produces policies that are unresponsive to social realities, erodes the credibility of good governance efforts, and can raise corruption incentives. As a result, rather than relying solely on restrictions, policies that improve the space for debate and collaboration, foster innovation, and seek desirable results with positive incentives are required. To sum up, it is argued that good administration is only possible when corruption is eliminated from society. Individuals who are currently garnering the most attention, such as corrupt politicians, businesspeople, and judges, should be socially shunned and blacklisted for rest of their lives. They should be barred from serving in our holy, self-governing country. Only then would effective administration be possible, and the general populace will enjoy the taste of life, freedom, and independence, allowing India to prosper and easily turn into a developed country. In order to accomplish these desired social changes, enacting strong legislation with severe penalties and its rigorous execution is the need of the hour. The study is expected to contribute to the ongoing debate on the link between good governance and corruption, as well as to the development of a broad political consensus on how to confront it in the future.

INTRODUCTION

Over the past decades, many reforms in government have been aimed at increasing efficiency, effectiveness and value for money with very little focus on the actual policy process and the way it affects the ability of policy makers to meet the needs of constituents in an increasingly complex, uncertain and unpredictable world. However, if this core process were to be modernized, it would yield considerable economic and social benefits, including enhanced productivity, openness, transparency and participation, as well as actionable and interoperable policy intelligence (Geurts, 2011).

The public policy making structure refers to the various branches of government and the individuals and entities within each branch that play a role in making and implementing policy decisions. The making of public policy for a country as large, populous and diverse as India is intrinsically a more complex task than in a smaller political unit. This makes a study of the institutions which make policy all the more important (Agarwal & Somanathan, 2005). Policy making is not, by and large, simply a matter of problem solving, of taking some common goal and seeking the "best" or most cost effective "solution". It is rather a matter of choice in which resources are limited and in which goals and objectives differ and cannot easily be weighed against each other. Hence policy making is a matter of conflict (Simeon, 1976).

Policies can be regarded as political, management, financial and administrative mechanisms that are arranged to achieve explicit goals. Policies may apply to government, to private sector organisations and groups, and to individuals (Guerts, 2011). Public policy is what

government's do, why they do it, and what difference it makes on society. David Easton defines public policy as "the authoritative allocation of values for the whole society." The agency which can authoritatively act on the whole society is government. The study of public policy, its formulation, implementation, and impact is critical since its importance is growing in both developed and developing countries. Its importance is magnified in developing countries, because it is expected to execute a variety of functions through its executive agency, the government.

One of the most important functions of government is to make public policy decisions. A perfect policy is definitely necessary for proper societal management. If public policy goes in the wrong direction, it has far-reaching effects for society as a whole. Public policy making is a difficult and dynamic process. Policy making entails a number of steps. It involves a number of sub-structures, the extent of which is determined by the circumstances and society ideals. Making public policy is a continual process that necessitates a constant flow of resources and motivation. Gerston (1997) suggests that an issue will appear and remain on the public policy agenda when it meets one or more of three criteria. It must have sufficient scope (a significant number of people or communities are affected), intensity (the magnitude of the impact is high) and/or time (it has been an issue over a long period).

A public policy may be either positive or negative. Some form of overt governmental action may deal with a problem on which action is demanded (positive), or governmental official may decide to do nothing on some matter on which government involvement was sought (negative." Public policies are designed to accomplish specified goals or produce definite result, although these are not always achieved

Review of Literature

Social science and the task of improving policy making were at the heart of the work of Herold Lasswell, a founding father of public policy as a field of study. Lasswell believed that the policy science movement from its very beginning was concerned about the relationship between knowledge, policy making and power. Laswell also believed that democratisation was an ongoing process and that the particular challenge facing modern democracies was how to ensure that policy making could be informed by a new kind of interaction between knowledge producers and users (Torgerson, 1985). There is very little and not enough evidence that policy making has, in Britain, America or elsewhere, been informed by the kind of relationship envisaged by Lasswell (Fischer, 1998). "A policy is a powerful course of action designed and implemented with the objective of shaping future outcomes in ways that will be more desirable than would otherwise be expected (Anderson, 1979). One way of describing a "good" policy making process is one that "is committed to producing a high quality decision- not any particular decision" and that "invests any decision made with a high degree of legitimacy, power and accuracy" (Moore, 1998).

Public policy is a complicated process involving many people with various jobs, interests, and resources. The study of public policy is concerned with who receives what, why, and how it affects people. What governments choose to do or not do is known as public policy; it can be seen in the actions of government officials and agencies; and it defines the government's interaction with its environment. A policy is a purposive course of action to address a problem or concern. Government people or agencies formulate public policy. Policies, not independent or discrete decisions, are courses of action taken over time by government leaders. Policies emerge in response to demands made by other actors on government. Policy can be either positive or negative in that government can choose to act, or choose not to act; government can either prohibit or compel its citizens to act. Policy is based on law and is authoritative and legally coercive.

Public Policy analysis, therefore, has been variously defined by scholars. Eneanya, Belo, and Anifowose (2010), says it is any type of analysis that generates and presents information in such a way as to improve the basis for policy-makers to exercise their judgment. On his part Chandler and Plano, (1988) posit that policy analysis involves "systematic and data-based alternative to intuitive judgments about the effects of policy or policy options". Ikelegbe (1994:5), defines it as the study of public policy's causes, procedures, development, execution, and consequences. Policy analysis, according to Dye (1976), is "finding out what governments do, why they do it, and what difference it makes." In a similar context, Lowi and Ginsburg define public policy as "a publicly proclaimed objective backed by a sanction, which can be a reward or a punishment" in Fischer, Miller, and Sidney (2007). A public policy can take the shape of "a law, a rule, a statute, an edict, a regulation, or an order" as a course of action (or inactivity). The origins of the policy focus are commonly traced to Harold Lasswell's publications, who is widely regarded as the pioneer of policy sciences. Lasswell (Laswell, 1951) envisioned a multidisciplinary business capable of managing post-World War II industrial civilizations' political decision-making processes. He demanded that the function of "knowledge in and of the policy process" be investigated. Rein & Schon in their paper defines public policy as, the study of how societies learn (fail to learn) about those problems they define as being public and how they seek to solve (fail to solve) their problems. The aim of government should not be to control and direct, but to facilitate the growth of individuals, organisations and communities that are capable of managing their own continuing transformations (Rein & Schon, 1996). Policy making therefore, nearly always means trade-offs, the giving of something to get something else, losses to one group or section in exchange for (hopefully larger) gains for another (Agarwal & Somnathan, 2005). The period from 1997 has been repeated efforts to define and rationalise policy making.

These efforts to improve policy making have varied in scale and focus, and have frequently overlapped or seemed to merge with one another (Hallsworth, et al., 2011).

Public policy is crucial in a growing country like India because it is the springboard for progress. According to records, India has implemented well-articulated developmental, economic, and social policies over the years in order to put the country on the path to significant national progress. However, public policies are frequently formulated without difficulty, but the issue of proper execution remains an open subject.

Objectives of the Study:

The following are the objectives of the study:

1. To study how public policy is formulated and implemented in India.
2. To analyse the current issues and challenges which India's policy-making structures have been facing in dealing with good governance and corruption.
3. To suggest the appropriate measures for improving public policy making in context of good governance and corruption.

Public Policy Making: Who is Involved

Institutions involved in public policy making range from agencies in all branches of Government, the executive, the legislative, and the judiciary to a host of non-governmental institutions, associations, interest groups, political parties, academic bodies and individuals. In the executive branch of Government, the policies are given concrete shape and direction by the Prime Minister and his/her Cabinet. They are assisted in this function by the various Standing Committees of the Cabinet, and the Prime Minister's Secretariat composed of personal advisers. Although the Prime Minister's Secretariat does not make any original proposals in policy matters, it exercises a great deal of influence in moulding them through

the preparation of briefs and analysis and shifting the information for the decisions of the Prime Minister. The interplay between the Prime Minister and Cabinet colleagues, the use of Committee structure in the Cabinet, and the interaction between the staff of the Cabinet Secretariat, Prime Minister's Secretariat and the Secretariat of the different ministries determines the final outcomes of public policies through the executive branch of the Government.

The Policy Maker

Policymakers are actively involved in either making or influencing policy decisions. A policy maker is someone who has the authority to influence or determine policies and practises on a global, national, regional, or local scale. A wide number of actors play a role in the formulation of public policy. Actors can be politicians, civil servants, lobbyists, advisors, domain experts, auditors, etc. They can design policies, codify and formalize policies, and assess or approve policies.

Policy Making Process

The main process of policy making consists of four phases; initiation, formulation, implementation and evaluation. The process starts by setting an agenda based on an issue or previous decision and ends by handing over the implemented policy to an execution and enforcement layer. It includes identifying the problem, formulating a solution, identifying different alternatives, selecting from those alternatives on the basis of their impact and laying them down in some type of statement.

Policy objectives can be communicated and formalised in the form of policy declarations, initiatives, or projects aimed at resolving an issue. Laws, regulations, protocols, directives, and budgetary measures are all examples of policy implementations. Evaluation and verification are an integral part of the policy making process. Many of the consultation

activities are intended not only to obtain political support, but also to obtain feedback on the expected impact and effects.

Public Policy Making: Issues and Challenges to Governance

The Context of Governance

Governance refers to processes – how things are done, not just what is done. Governance refers to the nature of rules that regulate the public realm – the space where state and economic and societal actors interact to make decisions.

Governance refers to the systems and practices that governments use to set policy priorities and agenda implement policies and obtain knowledge about their impacts and effectiveness (Hjelt et. al, 2008). Good governance ensures that the poor and other disadvantaged groups are included in decision-making about providing services that affect their lives and about the objectives of the resulting policies and programmes. Their inclusion and involvement also empowers them to become agents of their own development and to participate in other relevant areas (Sheng, Carrillo, et al., 2007). Given the state of India's economic development, good governance is absolutely critical to give us a competitive edge and sustain growth. It is becoming increasingly evident that it is impossible to separate good governance and sustainable development.

Public policy is an attempt to bridge the gap between a situation and a norm. There is no right answer to the challenges they face, there is only a right answer in a given period of time and in a given context. Policymakers' decisions and responses should be guided by a set of

guiding principles known as the principles of good governance. Good governance is a concept that defines the principles, tactics, and standards used by government agencies to encourage interaction and the building of political will in response to societal and technological changes.

According to the United Nations (UN), good governance is based on eight qualities as depicted in below figure-1. These UN principles of good governance have an impact on every manifestation of public sector policy making and execution, regardless of the domain or target group. They require consistency and coherence in policy making and implementation. And at the same time, they require participation, involvement and transparent decision-making in order to bring government closer to citizens and to realize clear and applicable laws and regulations.

Figure 01: PRINCIPLES OF GOOD GOVERNANCE

Source: https://www.unescap.org/sites/default/files/good-governance.pdf

Good governance refers to the ability to deliver goods to the stakeholders. Good governance enhances the ability of the people to gain better and dignified life, greater options to choose from and ensuring transparency in administration. Good governance thus helps create an environment in which sustained economic growth becomes achievable. Citizens can optimise their returns on investment when conditions are conducive to effective government (Singh, 2008). Good governance doesn't happen by chance. Citizens must demand it, and the nation

state must feed it explicitly and purposefully. In the words of Pt. Jawaharlal Nehru, "Good governance must aim at expansion in social opportunities and removal of poverty." It is, therefore, necessary that the citizens are allowed to participate freely, openly and fully in the political process. The citizens must have the right to compete for office, form political party and enjoy fundamental rights and civil liberty. Good Governance has always been associated with political leadership, enlightened policy making along with the concept of transparency and accountability. It aims in expanding the social opportunities and envisages the removal of poverty (Singh, 2008). It ensures that corruption is minimised, minorities' perspectives are considered, and the voices of society's most vulnerable are heard in decision-making. It is also relevant to society's current and future requirements.

The challenges to such governance are many folds and are diverse in nature. They arise from changed allocation of public funds, delay in production of records, noncompliance with regulatory provisions, limited database facility and instances of irregularities and fraud. All such challenges point us to the problem of the lack of effectiveness and accountability in the delivery of services which hampers the sustainable growth of human kind.

Major Challenges to Good Governance

Administrative Responses

The Indian administrative environment is characterized by a small number of effective public service delivery innovations and methods, as well as a big number of dismal performances. The widespread lack of accountability procedures is a roadblock to improving services in general. The bureaucratic intricacies and processes make it difficult for citizens and civil society to traverse the system in order to receive timely and high-quality services. Apart from fostering corruption, the lack of openness and secrecy connected with the administrative system since colonial times has also resulted in injustice and favoritism. The frequent transfer of top civil workers has played a significant role in service delivery issues. For instance, a

District Magistrate's typical tenure is less than one year in various states. Similarly, projects for development also suffered as a result of frequent changes in project directors. These changes have tended to create a tense social and political balance, which must be addressed collaboratively and collectively at all levels of government apparatus, the politicians, bureaucrats, non-governmental organizations, and the media**.**

Capacity Building

Capacity building at all levels of an organisation is widely perceived as the most important approach to achieve quality of services and customer's satisfaction. Capacity building in the public sector is primarily reliant on the civil servant's professionalism. The low degree of professional quality of public officials employed in districts and rural areas is becoming more widely recognised. Both the supervisor as well as the manager show resistance to the capacity-building programme. Change is something that most people dislike. There's also a misconception that increasing capacity means taking on more work. Supervisors and managers are also opposed to staff capacity building because they believe it will reduce their own authority.

The most crucial element in capacity building is leadership. Good leadership aimed at improving of organizational culture is integral to capacity building. Capacity building demands staff to behave responsibly and produce desired and agreed upon results. It means a collegiate effort in which an individual or an organization could be made accountable and responsible for any action that they take. To create an environment conducive to capacity growth, access to information, involvement, innovation, and responsibility are required. Information is traditionally the domain of higher-level bureaucrats. This system must be disrupted in order to help people to obtain the information they require to do their tasks. Staff members should be encouraged to actively participate in the group's task.

Criminalisation of Politics

The criminalization of politics as well as the unholy alliance of politicians, civil servants and corporate interests is wreaking havoc on public policy development and governance. The political class as a whole is losing popularity.

The more insidious threat to India's democratic government is the influx of criminals and musclemen into state legislatures and the national legislature in large numbers. A political culture is emerging in which membership in state legislatures and Parliament is considered as a means of obtaining private advantage and profit. Such forces have also made their way into the Council of Ministers, and in an era of coalition politics, a Prime Minister or Chief Minister cannot take forceful action for fear of the government collapsing. Simple living and selfless dedication to public causes are gradually fading Gandhian values. The adage that "whatever high you are, the law is above you" is being challenged.

Corruption

The high level of corruption in India is commonly regarded as a major impediment to improving government quality. While human greed is undoubtedly a driving force, it is institutional incentives and a weak enforcement mechanism that is the root causes of corruption. Those who are corrupt have contributed to India's soaring graft rate. The government's monopoly as a service and control structure provider, a poorly framed legal framework marked with scarcity of information have contributed to increasing menace of corruption. In India, people' rights have created incentives for corruption. In terms of client public puzzle, corruption is relatively inherent, tormented by obscure regulations and procedures, and undue delay in the resolution of public affairs. Laconically, corruption not only prevents the benefits of globalisation from reaching ordinary people, but it also obstructs openness, accessibility, and accountability, muddles norms and procedures, and spreads mindless control and bad commitments at all levels. Hence, there is foremost need to check

corruption at all levels through raising public consciousness and strong commitments not to make dishonest compromises which would put down the moral values and ethics of life.

Culture of Violence or Violation of Human Rights

Illegal use of force is regarded as a law and order issue. When viewed through the lens of good governance principles, however, it becomes clear that peace and order are the first step toward growth. Strikes, riots, and terror attacks are all examples of this destructive culture of violence. If the government is relieved of concerns about threats to public safety and security in terms of life and property, it may focus on economic, social, and political progress.

Terrorism is also the most serious danger to the rule of law since it aims to replace or subvert the law. No businessman would want to invest in a region where there is a high level of violence and terrorist activity. In the long run, this has a negative influence on employment, health, education, and the supply of other services to the people. When individuals live in the shadow of violence and terrorism, their social lives grind to a halt, and they become nearly house prisoners or suffer from other forms of mental agonies. The question of human rights is also brought up. Terrorists rarely respect the common man's human rights. However, when the government uses lethal force to combat terrorism, state police may violate the human rights of ordinary civilians. Dealing with this threat demands a clear vision, courage, and understanding, as well as engagement with lawbreakers, settlement of genuine concerns, and cooperation of neighbours and international governments in the battle against terrorism.

Improving Good Governance: The Way Forward

It is commonly recognised that successful governance is dependent not only on sound policy advice, but also on the processes and incentives for developing and implementing good policies. There has to be greater accountability of Politicians to the citizen, autonomy for

service providers, and greater ability of citizens to hold service providers accountable for the services they deliver. The elements of reform should comprise:

1. By decentralising provision of public services, the government can unbundle responsibilities across tiers of government to create checks and balances. This would, to a substantial degree, correct the existing distortions and make officials answerable and accountable to the people. This has ramifications for the devolution of political and financial powers from the national government. Therefore, devolving as much authority as possible to local and regional levels of government improves the system's ability to encourage citizenship and empower citizens to make better decisions. Officers at the local level have more initiative in execution under the watchful eyes of those who are directly impacted.

2. The private sector to provide public services in wide-ranging areas such as health, primary education, building infrastructure, water supply and inner-city transport would solve several important problems. It would enable the government to fulfil its obligations to supply core services, which are badly served.

3. Strengthening relations with citizens, their involvement and participation at all stages of planning, implementation and monitoring is a pre-requisite for good governance. It allows government to tap new sources of policy – relevant ideas, information and resources when making decisions. People must feel a sense of ownership over these plans/programs and be willing to participate in and even contribute to them.

4. A primary area for strengthening governance will be the removal of superfluous procedural rules and regulations that hinder entrepreneurial vitality, create corruption, and hurt the ordinary man. Through a complex structure of delegation of authority, the arbitrary exercise of various government functions vested in a number of bureaucrats. The fact that the laws and regulations are rarely transparent adds to the problem. To address

this problem, it is necessary to rationalise such rules, notify them in a comprehensive and transparent manner, assign responsibilities, determine accountability of each functionary, clearly lay out time limits for making decisions, and provide administrative and legal recourse in cases of malafide dilatoriness.

5. Relax regulations in order to remove obstacles to economic participation. Transparency, public consultation and participation are more important than ever to improve policy and reinforce democracy and stability, promoting open and transparent government, while guaranteeing security, privacy and civil liberties is a major challenge of our time and at the same time, success lies in its balanced implementation only.

6. Accountability of politicians and civil servants to ensure that the power given to them through the laws and regulations they implement, resources they control and the organizations they manage is used appropriately and in accordance with the public interest. Social audit of official working would be another way of developing accountability and answerability to the people. Policy implementation is ultimately the responsibility of the permanent executive. It is critical to have a responsive civil service that is professional, energetic, and responsive to the requirements of the public.

7. State-sponsored development programmes must strive to reduce poverty while also increasing worker productivity. Poor people must be personally involved in these efforts.

8. Women have a crucial role in good governance. As their representation in democratic institutions has risen, the Indian polity has become more stable. Women can contribute long-term, constructive, and inventive solutions. Women should be more involved in economic programmes since they provide expendable providers, educators, carers, and leaders.

9. Build infrastructure to ensure that organizational capacity is available to handle the growing needs for services, increasing demands for better and more responsive services, and creating conditions for economic progress and social cohesion.

10. Reform public management techniques to address budget shortfalls, external competitiveness pressures (globalisation), antiquated work procedures, excessive centralization, inflexibility, inefficiency, and a perceived lack of public faith in government.

The path breaking Right to Information Act, 2005 which has now become a pioneer tool to the citizens of India for promoting, protecting and defending their rights to know, must be enacted expeditiously and implemented in letter and spirit in controlling corruption and delays in the implementation of government sponsored programmes and in the functioning of public authorities. Owing to the fact that Right to Information brings accessibility to the administration, providing citizens with a critical tool for learning about what the government does and how well it does it. The Act should be used as a powerful tool in the correction of public policies with the use of public feedback, as these policies are designed for the ultimate benefit of the people.

Public Policy Making: Issues and Challenges to Corruption

Corruption: An Introductory Perspective

Corruption is the most widespread endemic in India, and it must be addressed immediately and sensibly. There isn't a single office both in the public sector and private sector that isn't affected by this disease. It's impossible to say how much the economy has suffered as a result of this. Though most of us are concerned, we, the people of India, should not be found wanting when the time comes to act. "Corruption threatens the integrity of markets, undermines fair competition, distorts resource allocation, destroys public trust and undermines the rule of law" (G-20 Summit, Seoul).

In many developing countries, public sector corruption is a key barrier to effective service delivery. By sweeping into all facets of life, from starting a new business to getting a passport or seeing a doctor, corruption can obstruct the equitable distribution of commodities and services to its population. It can take various forms, from bureaucrats requesting bribes from citizens to do basic functions, to hospital personnel stealing drugs intended for the needy, to officials taking compensation for jobs that they perform poorly or do not complete.

Fighting corruption has emerged as a key development issue in India in recent years. More and more policymakers, businesses and civil society organisations have began to confront the issue openly (Hanna et al., 2011). At the same time the general level of understanding about corruption has risen markedly. Until recently, it was not uncommon to hear someone discuss anti-corruption strictly in law enforcement terms. By contrast, most people working in the field today acknowledge that public education and prevention are equally important. The field has also come to appreciate how critical the role of civil society is far effective and sustained reform (Abdulraheem, 2009).

N. Nittal, former Central Vigilance Commissioner (CVC) wrote: "…nearly half of those who avail services of most often visited public departments of government in the country had the first hand experience of giving bribe at one time or the other. In fact, as high as two thirds of people think that corruption in these offices is real. However, one third think corruption is more exaggerated. And yet, 80 per cent of people are passive and hardly 20 per cent had ever complained about such corruption to any. It is interesting that while 50 per cent of people reported that they had bribed, only 20 per cent took the trouble of complaining. This also highlights the need for sensitizing the public about the danger of corruption."

Empirical evidence suggests that high levels of corruption are associated with lower levels of investment. Entrepreneurs will allocate their scarce time and money on bribing rather than

production as a result of corruption, which increases transaction costs and uncertainty. By distorting the rule of law and eroding the institutional framework on which economic growth is based, it stifles the development of a healthy marketplace and imbalances economic and social progress. Corruption is a double jeopardy for the poor, who are hardest hit by economic decline, are most reliant on the provision of public services and are least capable of paying the extra costs associated with bribery, fraud and the misappropriation of economic privilege.

Broadly speaking, there are two forms of corruption, administrative corruption and political corruption. By definition, the former alters the implementation of policies, such as getting a license even if you don't qualify for it, while as political corruption influences the formulation of laws, regulations, and policies, such as revoking all licenses, and gaining the sole right to operate some public utility with monopoly. As elucidated by Warren (2004) "Bureaucratic corruption" involves the violation of first-order norms (the written rules and laws that are the product of politicians' decision making), whereas "political corruption" committed by policymakers entails the violation of more nebulous second-order norms (the often unwritten guidelines determining how politicians should make decisions, such as impartiality and fairness.

Current Status of Corruption in India

According to the United Nations, every year, an estimated USD 1 trillion is paid in bribes and USD 2.6 trillion is stolen through corruption. Together, this sum represents 5% of annual global GDP. Further, in developing countries, funds lost to corruption are estimated to be ten times the amount of the overall Official Development Assistance (OECD, 2015). Loss of public finances due to misallocations or greater expenses, as well as low quality goods, services, and works, are all direct consequences of corruption. In the case of public works procurement, those who pay the bribes try to recover their money by inflating prices,

charging for work not completed, failing to satisfy contract specifications, lowering the quality of work, or using inferior materials. In a similar vein, Corruption affects a person even if he doesn't come into direct contact with it. Furthermore, it makes the business environment less attractive to foreign investment.

Corruption continues to be a major problem in the world's largest democratic country like India resulting in substantial risk for the businesses. In 2020, India ranked 86 out of 180 countries in the Corruption Perception Index of Transparency International, an annual assessment by Transparency International that ranks 180 countries and territories worldwide on perceived public sector corruption (See Table A).

TABLE A
CORRUPTION PERCEPTION INDEX 2019 and 2020

RANK	**COUNTRY**	**SCORE**
1 [1]	New Zeeland	88 [87]
1 [1]	Denmark	88 [87]
3 [3]	Finland	85 [86]
3 [4]	Switzerland	85 [85]
3 [4]	Singapore	85 [85]
3 [4]	Sweden	85 [85]
7 [7]	Norway	84 [84]
25 [23]	USA	67 [69]
78 [80]	China	42 [41]
86 [80]	**India**	**40 [41]**

Source: Corruption Perception Index, 2020 by Transparency International (TI).
Note :(i) 180 countries/territories were represented across the world.
(ii)The index which ranks 180 countries/territories by their perceived levels of public sector corruption according to experts and businesspeople, uses a scale of zero to 100, where 0 is highly corrupt and 100 is very clean.
(iii): Figures in parenthesis indicates ranks and scores of 2019.

A depicted by the Table A, India dropped eight spots to No. 86, which it now shares with Morocco, Turkey, Timor-Leste and Trinadad and Tobaga, all of which received the same score of 40.

The country has steadily slipped since ranking 72 out of 179 in 2007, when the report debuted. Several recent high-profile scandals have underscored the extent of the problem. The global corporate community was said to be shocked and scandalized on 7th of January 2009, when the chairman of Satyam, Byrraju Ramalinga Raju, resigned, confessed that he had manipulated the accounts of Rs 7,000 crore in several forms. In a similar context, in 2010, The Commonwealth Games, which cost about eighteen times its budget estimate, were accused of massive misallocation of finances. Two top Congress Party members and other government officials resigned after reports of substandard infrastructure and financial irregularities involving contracts arose. The total misappropriation of funds, according to the Central Vigilance Commission, is estimated to be around $1.8 billion (Wikipedia).

Soon after, another scandal rocked the political scene of India during the second term of United Progressive Alliance (UPA), when the Comptroller and Auditor General of India in a report quantified and pegged the scam loss to Rs. 1.76 lakh crores that the scandal took its own definitive shape and moniker- the 2G Scam. During the affair, outraged opposition parties shut down parliament for three weeks and prompted massive protests in Delhi.

Public anger escalated when the 2012 "Coalgate" scandal, in which an estimated USD 34 billion was lost, implicated the prime minister himself. The issue has received massive media reaction and public outrage. During the monsoon session of the Parliament, the BJP's leader Hansraj Ahir protested the Government's handling of the issue demanding the

resignation of the prime minister and refused to have a debate in the Parliament. The deadlock resulted in Parliament functioning only seven of the twenty days of the session. The story did not end here. The country had been a witness to several national level scams by the public officials. In recent times, Nirav Modi, who was declared a 'fugitive economic offender' in December, 2019, and his uncle Mehul Choksi were accused of committing a Rs 14,000 crore scam by obtaining credit facilities fraudulently from the PNB (The Economic Times, Aug 27, 2021). In a similar vein, The Reserve Bank of India in its annual report for the year 2019-20 revealed that Bank frauds, in value terms involving an amount of Rs 1 lakh and above, have more than doubled in 2019-20 to Rs 1.85 trillion from Rs 71,543 crore in 2018-19, up 159 per cent. In volume terms, however, the total fraud cases have jumped 28 per cent to 8,707 in 2019-20 from 6,799 in 2018-19 (Business Standard Aug 25, 2020). Other recent surveys also reveal that, globally, corruption has worsened in the last two years. Add to this, the state of economy also plays an important role in corruption. Inequality in wealth distribution, exploitation by employers, and low wages and salaries provide ideal breeding ground for corruption. A license-permit regime or scarcity of basic commodities adds fuel to the fire. India is a textbook example of how license-permit Raj can vitiate political as well as economic atmosphere of the nation.

The major scams that have been committed in last five decades seem to be a direct result of deficit in governance by our corrupt politicians and bureaucrats. Table-B detailed below provides a list of recent financial scandals committed in India since 2009. As per various estimates, the total monetary worth of scams committed since 1992 in India is estimated to be one lakh billion. There must have also taken place other scandals probably of smaller magnitude but have gone unnoticed.

TABLE B: LATEST FINANCIAL SCAMS (INR in Crores)

YEAR	SCAM	Quantum of money involved
2009	Satyam Scam	14,000
2009	2G Spectrum Scam	1,76,000
2010	Illegal Money in Swiss Bank	71,00,000
2010	Orissa Mine Scam	7,000
2010	IPL Scam	1700
2010	Commonwealth Games Scam	70, 000
2011	Reddy Brothers Illegal Mining Scam	16,085
2012	Colgate Scam	1,86,000
2016	Vijay Mallya Scam	9,000
2018	Nirav Modi PNB Bank Fraud	11,400

Source: http://www.dnaindia.com

http://www.finance.yahoo.com

http://www.gqindia.com

Corruption: Issues and Challenges

Despite adequate laws to fight corruption in the public sector, it is still one of the biggest menaces Indian society must deal with. The Indian criminal justice system has been facing many problems and challenges in its fight against corruption, some of which are highlighted below.

Lack of Competent Leadership and Management

Departments are malfunctioning due to a lack of competent administration and bad organisation. This results in a lack of coordination and control between departments and levels of the organisation. Corruption is a result of this unrestrained and unmanaged government. Mismanagement is also caused by the appointment of ineffective and incapable

managers and executives at various levels of the hierarchy. To be more specific, the only reason for erroneous appointment is corruption. As a result, corruption breeds corruption.

Socio Economic Gap

When comparing India and the countries surrounding it on the index to the top 10 (least corrupt) countries, it becomes clear that the former group contains countries with significant socio economic inequalities, while the latter group contains countries with a high degree of social and economic justice. In this regard, Singapore ranks in the top ten least corrupt countries among European and European-settler countries. In a nutshell, corruption is proportional to a country's socio-economic divide. As revealed from the existing literature, cultural and historical variables also influence socio-economic divide and as alluded by Khair (2019) higher the socio-economic differences, greater the temptation to commit fraud. Take for instance, a country where a bribe of Rs. 5000 is little to the wealthy, it is simple for the wealthy to provide such a bribe. However, if a poor man's monthly income in the same country is Rs.5000, it is difficult for him to resist a bribe of that amount. This results in a progressive loss of morality and ethics on both sides: some people find it simple to spend money to get things done, while others find it difficult to refuse that money. On both sides, there is a growing sense of disdain for the system and for one another. Because of such individual acts of corruption, the system is considered as fully corrupt.

Inherent Delays in the Criminal Justice System

In India, certain authorities work tirelessly to combat corruption. There are also a number of anti-corruption laws in place. Some officers from these authorities succumb to the temptation of unlawful commissions, allowing corrupt individuals to go unpunished. Laconically, the criminal justice system has grown excruciatingly slow, and punishments are not meted out quickly enough. Upon receiving reports from the investigating agencies seeking approval for

a prosecution, the concerned authorities often take considerable time to grant such permission. Also, permission is sometimes denied on political and other grounds.

Lack of Values

Corruption has become accepted in the social psychology and behaviour of modern India. Bribery, nepotism, and favouritism are examples of social evils that have become accepted in society. People frequently contact someone they know for favours that they are not legally entitled to. Jumping traffic lights or lines, or receiving benefits owing to no fault of one's own, has become part of the societal ethos. In Indian society, a person who has amassed fortune through unethical means is frequently granted the same, if not better, prestige as a person of brilliance.

In the end, the corrupt politician or corrupt administrator is a public construct and a concrete representation of the mentally corrupt men on the street, whose approbation allows corruption to grow with impunity. It's no wonder, then, that corrupt political figures occasionally stride majestically to the court and welcome their fans as if they were receiving a prize for public service.

Hostile witnesses

The prosecution must establish its case beyond a reasonable doubt in order to convict a corrupt public official. According to the Indian Evidence Act, which governs evidence in India, this is a stringent legal necessity. Even in circumstances of corruption, there is no exception to this rule. To prove its case beyond a reasonable doubt, the prosecution has to depend extensively on witness evidence. Witnesses, on the other hand, frequently refuse to support the prosecution case due to the other side's influence, allurement, and intimidation. There is no witness protection mechanism in place, and there are no measures for swift and

efficient action against hostile witnesses. As a result, witnesses are frequently uncooperative, spoiling the prosecution's case.

Poor Economic Stability

In India, the economic crises and price increases are major causes of corruption. This results in job losses and a shift in people's lifestyles. It instils a sense of insecurity in the minds of the public, particularly the impoverished. Most people are unable to cope with this dreadful condition, and in order to stay employed and maintain a respectable quality of living, they resort to illegal and immoral acts. Because of their previous experiences, they refuse to work hard again and instead take a variety of irregular shortcuts to achieve their objectives.

Tackling the Menace of Corruption: The Way Forward

Many people think that only government has responsibility for eliminating corruption and often blames government, however in view of the level of corruption and the existing framework that we have in India, it is very clear that government alone cannot stop corruption. Corruption can never be removed or even decreased if the Indian people and civil society institutions remain apathetic and hopeless in their fight against it. Therefore, it is the responsibility and duty of every Indian to fight corruption and take steps to promote honesty and integrity, as well as to contribute to the movement of honesty in India. India's citizens must encourage excellence and educate their children about the true meaning of success. People in the 21st century have the knowledge and established mechanisms to combat corruption. They also have the ability to use media and technology to reach millions of people in a matter of seconds. In this light, the following steps will go a long way in strengthening governance, reducing corruption and building confidence of ordinary people in the system:

Political Commitment

Despite having elaborate and multi-layered apparatus to control corruption, India is hardly making any progress to curb corruption owing to the fact of lack of political commitment on the part of political leadership. The institutional measures which are put in place to combat corruption can be useful only if correctives come from the political class which is the final legislative and executive authority in a parliamentary democracy.

Politicians must first address corruption inside their own ranks by establishing political party finance and parliamentary code of conduct. Political parties have become a possible source of corruption in many systems, compromising the legitimacy and integrity of political parties' democracy. Parliamentarians must also follow ethical guidelines, which include ethical frameworks that cover everything from conflicts of interest to voting.

Simplification of Processes and Procedures

To reduce or curb corruption, it is necessary to eliminate delays. In this context, it is essential that office procedures and the procedure for disciplinary proceedings needs much simplification. Instead of the current system, in which official files are passed through numerous offices before a decision is made, a new clear and straightforward decision-making pattern must be developed. The mechanism for 'vigilance clearance' should be clearly specified in circumstances of promotion. To weed out the corrupt, the rule that individuals whose performance isn't up to par and who are involved in any act of nepotism, favouritism, or corruption can retire after 50 years should be applied. Latest management techniques and methods need to be incorporated into the functioning of all public services and public sector projects so that their efficiency and productivity keeps up with their social obligation.

Role of Judiciary

When we consider how to improve democratic corruption control, we frequently focus on reforms in accountability institutions. The recent literature indicates that, at the current stage

of reform and democratization around the globe, accountability institutions must undergo a strengthening process in order to improve economic performance, promote fiscal responsibility and fight corruption (Siavelis, 2000). Therefore, as alluded, in this direction, the judiciary can play a vital role in the fight against corruption. In order to ensure that political and administrative power is used only in accordance with the law, officers involved in wrong doing or misuse of authority should be held accountable. To be more specific, one of the ways that the judiciary can win in the fight against corruption is by showing its independence in the dispensation of justice. The judiciary must appear to be both independent and reliant. Judges should rule in accordance with the law in all matters before them. Judges should make decisions based on the evidence and the law, rather than being influenced by other external factors. Examples of countries like Kenya and China where courts can impose the maximum allowable sentence and where people found guilty of corruption are described as "greedy" and "contemptuous of rules and laws" should be expeditiously followed while dealing with corruption cases. The corruption can only be rooted out provided the judiciary shows impartiality, integrity equality, competence and diligence. More importantly, to address this acute problem of corruption, judicial vacancies which are pilling since years needs to be filled up urgently and appropriate premises and support staff must be provided.

Civil Participation

The Right to Information Act, 2005 permits Indian residents to request government information, which must be made available to the public unless it is a confidential piece of information. People will respond and extend their full participation in resolving this issue if they are convinced that there is a strong attempt to protest against corrupt politicians. Only the people of India have the power to end corruption in the country! As a result, people's participation is unavoidable. Corruption, no matter how deep-seated, may be successfully

removed through public participation and awareness. Individual actions can help to rid the country of corruption, but if the problem is to be tackled at its root, people's participation becomes imperative. Therefore, to address this issue, the central government must take up the responsibility of interacting with civil society and must be engaged constructively with Individuals and the media in order to get the support and buy-in for the necessary reforms. Laconically, the government must collaborate and work together to help achieve a corruption-free India.

Inclusion of private Sector under Anti-Corruption Laws

In India the Prevention of Corruption Act 1988 is the landmark law which deals with offences relating to corruption. The law was essentially enacted to take care of corruption cases in the public sector and by public servants which is only one part of the issue. However, bribery is also rampant in the private sector. To be more specific, the problem of corruption in the private sector is increasing at an alarming rate owing to its great expansion after the liberalisation of the economy in early 1990s. The Prevention of Bribery in Private Sector Bill 2018, which seeks to provide a legislative framework to resolve the issue of corruption in private sector, needs to be implemented in letter and spirit.

Monitoring and Evaluation

Without independent outsider's monitoring, some international, regional and local anticorruption action plans can easily become an additional paper work or a lip service and can hardly make any real differences. As monitoring and evaluating the performance of anti-corruption agencies is one among the defined roles of anti-corruption Civil Society Organisations (CSOs), therefore, in this perspective, the active involvement of CSOs becomes imperative in both formulating and implementing anti-corruption strategies, which are expected to yield positive results in the coming years.

System Based Policy Driven Governance

In order to transform the entire ecosystem of public services through the use of information technology, a strong electronic ID system needs to be devised. The Digital India Campaign which aimed to streamline existing schemes should be expeditiously implemented which would allow poor citizens to avoid intermediaries and receive aid directly through a bank account. In order to allow for greater transparency, everything ranging from land records to death certificate and from contract biding to grievance redressal mechanism needs to be strengthened.

Watch Dog Agencies

Watchdog agencies like Central Vigilance Commission (CVC) and Central Bureau of Investigation (CBI) can thrive or flourish only when the political milieu is filled with honest individuals, civil personnel are free from governmental interventions and stronger incentives are given to prevent corruption. Otherwise, organisations like CVC will be of no service or would be misused for political benefit. Therefore, to improve the CBI's efficacy, it should be separated from the police and constituted as a separate entity committed entirely to fighting corruption. The Indian Constitution should be modified to allow the CBI to probe corruption charges at the state level without the interference of the state's Chief Minister.

Use of Technology

Technology can also support in the reduction of corruption. As pointed out by Berkeley Busssell, that technology's most important contribution has been granting citizens greater access to information. Some combination of administrative reforms and local-level technology initiatives can be taken up to help bring corruption to light. For example, digital devices like CCTV cameras and e-recorders must be put at government offices where bribes are frequently taken and given. People may also take the initiative to use their phones to record any corrupt practises in their neighbourhood and the same needs to be shared with the local police station.

In addition to the ongoing initiatives, the following steps will go a long way in strengthening governance and building confidence of common people in the system:

▪ Money stashed in the Swiss banks is enormous – of the size of USD 19 – 20 trillion. Not taking immediate steps to bring this money back into the country is unpardonable. If used properly, this money can provide tremendous relief to the poor Indian community and speed up infrastructural and other developments in the country.

▪ Corruption needs to be nailed at the bottom level every day. New leadership against corruption needs to be built. Experience with e-governance in the state of Bihar, which has helped achieve impressive improvements in the delivery of public services is a great example of how things can be done correctly.

▪ Education from early childhood is needed to help people and society to unshackle them from the mind-set that accepts and feeds corruption. Similarly, Public education will be an integral part of any effort to deepen the rule of law, and to improve transparency and accountability.

▪ Government officials across the entire public service sector should be better paid to reduce the incidences of bribe taking.

Concluding Remarks

A plethora of literature has revealed the negative consequences of bad governance, primarily in the form of corruption. In other words, corruption is a threat to good governance. If appropriate governance principles and processes are not in place, corruption is more likely to occur. Corruption, in turn, can make it difficult to implement or enforce good governance concepts and processes. Corruption appears to be most directly linked to violations of the ideals of transparency, accountability, and the rule of law.

To sum up, it is said that good governance is only possible when corruption is eradicated from society. Corrupt individuals, corrupt politicians, corrupt executives, and corrupt judges, who are currently receiving the most attention should be socially boycotted and blacklisted for the rest of their lives. They should not be permitted to serve in our holy, self-governing nation. Then only good governance will be possible, and the general public will enjoy the taste of life, freedom, and independence and India will continue to flourish and be easily transformed into a developed nation. All of these social changes can be achieved by establishing strong legislation with serious penalties and enforcing it properly. The fight against corruption is, therefore, not an easy one. We need to join forces against this enemy, with all resources at our disposal to achieve better and more effective results. Countries like Kenya and China can be seen as a watershed in the resolve of the international community to fight corruption. Though, it is pertinent to mention here that major attempts have been made in India to improve policy-making from a range of perspectives, including process, structures, and politics. These efforts, however, have been hampered by a widening gap between theory and practise. Either they proposed unrealistic policy-making models or they failed to provide the necessary support to make desired practises a reality. In this context, therefore, building a robust process which can handle such problems and pressures is the key to improving policy-making. Such a procedure would be realistic enough to be implemented in the actual world.

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