ISSN (O): 2584-2196

INTERNATIONAL JOURNAL OF LEGAL AFFAIRS AND EXPLORATION

Volume 2| Issue 2

2024

ISSN (O): 2584-2196

CRITICALLY ANALYSIS THE NATIONAL LEGAL FRAME WORK REGARDING THE PREVENTION OF CORRUPTION IN INDIA AND ITS EFFICACY.

Dr. Jatin Sharma and Prof. (Dr) Manu Singh

Assistant professor, Department of law, Noida International University Noida

ABSTRACT

India has enacted several laws to prevent corruption at the national level, including the Prevention of Corruption Act, 1988, the Right to Information Act, 2005, the Whistle-blowers Protection Act, 2014, and the Lokpal and Lokayuktas Act, 2013. However, the implementation of these laws has been inadequate, leading to a high level of corruption in the country.

One of the major issues with the legal framework is the lack of accountability and enforcement. The enforcement agencies, such as the Central Bureau of Investigation (CBI), the Enforcement Directorate (ED), and the Anti-Corruption Bureau (ACB), are often accused of being biased and politically influenced. This has resulted in a lack of trust in these agencies, which has contributed to a low rate of prosecution and conviction of corrupt officials.

Another issue is the absence of transparency in the functioning of government departments and agencies. Despite the Right to Information Act, obtaining information from the government can be difficult, and officials often resist disclosing information. This lack of transparency makes it challenging to identify and prosecute cases of corruption.

Furthermore, the legal framework does not adequately protect whistle-blowers, who are often subject to retaliation from their employers and colleagues. The Whistle-blowers Protection Act, 2014, is supposed to protect whistle-blowers, but its implementation has been slow, and many cases of retaliation against whistle blowers have been reported.

Overall, the legal framework in India to prevent corruption is sound, but its implementation and enforcement need to be improved. The government needs to ensure that enforcement agencies are independent and impartial and that they have the necessary resources to investigate cases of corruption. Additionally, there must be greater transparency in government functioning, and whistle blowers must be protected. Without these measures, corruption will continue to be a major problem in India.

KEY WORDS: *Corruption, Transparency International, Scandals, Peddling influence, Bribe*

1. INTRODUCTION

India since its independence is facing an acute problem of corruption. Economic scandals came to light even in the early years of the freedom of India. Over the years, entire system seems to have become corrupt. Corruption-free governance has become one of the impossible tasks for the government. All the welfare schemes have either failed, or have not been able to produce desired result because of the massive corruption in the bureaucracy, ministry and even at the lower level. People seem to have accepted the corruption as a part of their daily lives. In several sectors, private investment has hampered because of the huge corruption in government. Corruption is prevalent so much in India that a 2005 study done by Transparency International (TI) in India found that more than 50 percent of the people had first-hand experience of paying bribe or peddling influence to get a job done in a public office. Taxes and bribes are common between state borders; Transparency International estimates that truckers pay annually $5 billion in bribes. Officials often steal state property. In Bihar, more than 80 per cent of the subsidized food aid to poor is stolen by the corrupt officials[1].

However, a study conducted by the Centre For Media studies (CMS) in 2010, found that rural households' experience of corruption in general is down by half, from 56 percent to 28 percent but service specific experience of corruption has shown a rise as compared to 2005. Similarly, difference between perception and experience about corruption in the four public services is narrowing down, ranges between 20 and 25 percentage points (2010) against 44 to 60 percentage points in 2005.With 95 percent of the households who are asked for bribes end up paying it. This brings out that grievance redressal system continues to be poor and lack of accountability of public service providers, despite all claims otherwise made by these agencies. As compared to 2005, lesser percentage of rural households interacted with PDS (from 70% in '05 to 42% in '10). As high as 6 percent rural households were deprived of service under PDS as they could not afford to pay bribe during that period. Though perception about corruption in school services has shown positive trend, 15 percent rural households paid bribe to avail school specific service up to the class 12th and another 5 percent could not avail the service during that period as they could not afford to pay bribe. Compared to other three services, Water Supply (Drinking and Irrigation) service attracted lesser percentage of the rural households (30%) during the previous one year. Of these rural households, one out of five was asked to pay bribe for reasons like to get irrigation water or to get a government-owned water source repaired. The perception about corruption in

hospital services has not changed significantly. But, around 20 percent paid bribe to avail service of government hospitals, while 5 percent were deprived as they did not pay bribe[2].

Thus, in India, people experience corruption at all levels from top to the bottom. Law Commission of India gave several suggestions time to time in order to curb corruption from the public life. Several committees established by the government at the different times recommended measures to tackle the menace. We have sufficient legal regime to eradicate corruption from the public life. In 1988, a new Act, named Prevention of Corruption Act was enacted replacing the old Act 1947.The object of this Act was to deal with the circumstances, contingencies and shortcomings which were noticed in the working and implementation of 1947 Act. The law relating to prevention of corruption was essentially made to deal with the public servants, as understood in the common parlance but specifically defined in the Act. Apart from this, several other statutes were enacted to deal with the massive corruption in the country. These are, the Commissions of Enquiry Act 1952, Food Safety and Standards Act, 2006, Foreign Exchange Management Act 1999, Prevention of Money Laundering (Amendment) Act 2012, The Central Vigilance Commission Act 2003, Right to Information Act 2005, Lokpal and Lokayuktas Act 2013 etc.

In this research paper, researcher highlights some relevant comments made by the Law Commission of India and several Committees about white-collar crimes in general and corruption in particular. Researcher also discusses two main statutes. These are Prevention of Corruption Act 1988 and Right to Information Act 2005. There is a plethora of case law to understand the criminal misconduct of the public servants as decided by the Supreme Court under the old and new Act.

2. PROBLEM

Corruption is a major issue in India, affecting almost all levels of government and society. India has ranked poorly on the Corruption Perception Index, and corruption scandals have frequently made headlines. The country's economic development has been hampered by corruption, which diverts resources away from public services and undermines the rule of law.

Corruption in India takes many forms, including bribery, embezzlement, nepotism, and cronyism. It is particularly prevalent in the political and bureaucratic spheres, where officials and politicians often demand bribes in exchange for services or contracts. The police force is also widely perceived to be corrupt, with officers often accepting bribes to turn a blind eye to criminal activity.

The roots of corruption in India are complex, with factors such as poverty, weak institutional capacity, and a lack of transparency contributing to the problem. The country has implemented a range of measures to address corruption, including the creation of anti-corruption agencies, the introduction of whistle-blower protection laws, and the implementation of e-governance initiatives. However, progress has been slow, and corruption remains a significant challenge for the country.

3. RESEARCH METHODS

This is qualitative research based upon doctrinal legal research methodology and comparative legal research methodology. It was carried out by looking different laws and regulations, case laws relating to the **analysis of the National legal frame work regarding the prevention of corruption in India and its efficacy**. In this research paper author has done the detailed analysis of provisions regarding the **prevention of corruption in India and their adequacy and need to bring more legislations in this regard.**

4. DISCUSSION

The Law Commission of India has issued numerous reports in this regard. Some of them are as follows:

The Government of India was conscious about the corruption in the bureaucracy and the ministries right since the independence of the country. It has made various attempts to deal with the menace. Various Law commissions were given the important task to suggest the robust laws. 29th Law commission report gave its suggestions on whether the socio-economic offences can be included in the Indian penal code, whereas the 47th report was concerned with trial and punishment of the Socio-economic offences. These reports have taken full account of the White-Collar Crimes in various countries and the India. Report of the Santhanam Committee was the earliest one, which is concerned with Prevention of Corruption and Setting up of Central Vigilance Commission. The mandate of the Vohra Committee report was to investigate nexus between criminals, bureaucrats and politicians in the country.

Committees broadly categorize these offences as follows:

a) Offences calculated to prevent or obstruct the economic development of the country and endanger its economic health;
b) Evasion and avoidance of taxes lawfully imposed;
c) Misuse of their position by public servants in making of contracts and disposal of public

property, issue of licenses and permits and similar other matters;

d) Delivery by individuals and industrial and commercial undertaking of goods not in accordance with agreed specifications in fulfilment of contracts entered into with public authorities;

e) Profiteering, black-marketing and hoarding;

f) Adulteration of foodstuffs and drugs;

g) Theft and misappropriation of public property and funds; and

h) Trafficking in licenses, permits, etc.'

The committee had recommended that these crimes should be brought within the structure of the IPC. This recommendation was rejected by the Government.

29th Report of the Law Commission of India:

29th law commission report is concerned with the socio-economic offences and white collar crimes. The important task before the commission was to examine whether the socio-economic offences can be brought within the structure of Indian penal code. While talking about the causes of the White Collar Crimes, it had remarked:

The 29th report of the Law Commission of India, titled "Law and the Media - Some Issues" was released in 1972. Here is a brief summary of the report:

The report examined the relationship between the media and the law, and the impact of media coverage on legal proceedings. It noted that while the media can play a positive role in promoting the rule of law by exposing corruption and promoting transparency, it can also have negative effects, such as prejudicing the outcome of trials and interfering with the administration of justice.

The report made several recommendations for addressing these issues, including the need for greater regulation of media coverage of legal proceedings. The report recommended that guidelines be developed for media coverage of trials, and that media outlets be required to follow these guidelines to ensure that their coverage does not prejudice the outcome of the trial.

The report also recommended that the media be required to disclose the sources of their information, and that they be held accountable for inaccuracies in their reporting. It recommended the establishment of a press council to oversee the regulation of media coverage, and the creation of a code of ethics for journalists.

Overall, the report highlighted the importance of balancing the right to a fair trial with the right to freedom of expression, and recommended measures to ensure that media coverage of legal proceedings does not undermine the administration of justice. While the report was issued over four decades ago, many of its recommendations remain relevant today as media continues to play an important role in shaping public opinion and influencing legal proceedings.

47th Report of the Law Commission of India:

As stated above, 47th Law Commission Report, 1972 dealt thoroughly the issues related to the trial and punishment of the socio-economic offences. It had occasion to summarize some of the salient features of the socio-economic offences. Some of those are given as follows:

a) *Motive of* the criminal is avarice or rapaciousness (not lust or hate).

b) *Background* of the crime is non-emotional (unlike murder, rape, defamation etc.). There is no emotional reaction as between the victim and the offender.

c) *The victim* is usually the State or a section of the public, particularly the consuming public *(i.e.* that portion of which consumes goods or services, buys shares or securities or other intangibles). Even where there is an individual victim, the more important element of the offence is harm to society.

d) Mode of operation of the offender is *fraud,* not force. Usually, the act is deliberate and willful.

e) Interest protected is two-fold—social interest in the *preservation of* the property or wealth or health of its individual members, and national resources, and the general *economic system* as a whole, from exploitation, or waste by individuals or groups.

f) Social interest in the *augmentation* of the wealth of the country by enforcing the laws relating to taxes and duties, foreign exchange, foreign commerce, industries and the like.

Vohra Committee Report 1993:

Government had established a Committee in 1993 under the chairmanship of Mr. N. N. Vohra, the former Union Home Secretary, to take stock of all available information about the activities of crime Syndicates/Mafia organizations which had developed links with and were being protected by Government functionaries and political personalities. Government has never made entire report public but some excerpts of the same are available in the public domain for our study.

This Committee noted down the observations of several agencies and observed that the activities of Memon Brothers and Dawood Ibrahim had progressed over the years, leading to the establishment of a powerful network. This could not have happened without these elements having been protected by the functionaries of the concerned Government departments, especially Customs, Income Tax, Police and others.

5. PREVENTION OF CORRUPTION ACT 1988: A BRIEF OVERVIEW

The Prevention of corruption Act, 1988 is the main statute enacted by the Parliament to combat corruption in India. This is one of the most exhaustive Acts to deal with problem of corruption, though with several shortcomings. Thus, the Prevention of Corruption Act 1988 came into force on September 9, 1988. This Act contains five chapters and thirty sections. The preamble of the Act states that it is enacted to consolidate and amend the law relating to the Prevention of Corruption Act and the matters connected therewith.

Supreme Court in *R.S Nayak v. A.R. Antulay*, observed that the Act has been consolidated with a view to broaden its coverage and plug certain legal loopholes which were earlier considered to be of advantage to the accused facing corruption charges. The Act is a Social Legislation and whenever a question of ambiguity arises, the court is entitled to ascertain the intension of the Legislature to remove the ambiguity by constructing the provisions of the Statute as a whole keeping in view what was the object when the statute was enacted.

In *State of M.P. v. M.V. Narasimhan*, the Supreme Court observed that the Act is a self- contained statute with its own provisions and has created a specific offence of Civil Misconduct which is quite different from offence of bribery as stated in Indian Penal Code.

The Act defines certain terms in order to remove the ambiguities. ” Public duty” means a duty in the discharge of which the State, the Public or the Community at large has an interest the Government or not.

In *A. R Puri v. State*[24], the court held that a contractor is not a Public Servant although his Contract may be with the Government and he is paid on the commission basis.

In State of Punjab v. Karnail Singh, the Supreme Court held that an Agricultural Development Bank which invested Rs. 50 lakhs as share capital in the Bank and the Bank was controlled by state Government comes under section 2 (c)(ix) of the Act, i.e., Government Company.

In *State of Maharashtra v. L.D. Kanchan and others*, the court observed that employee of a nationalized bank would be a public servant.

Again, in *M.P Kini v. State*, it was held by the court that every person in the service or pay of a nationalized bank established under a Central Act is a public Servant.

Appointment of Special Judges:

Chapter 2 of the Act makes the provision for the appointment of special judges. Both the Central Government and state government can appoint a judge and try any offence punishable under this Act. These special judges may try the cases arising out of conspiracy to commit or any attempt to commit or any abetment of any of the offences punishable under the Act. It has been further clarified that the offences as specified in sub section (1) of Section 3 can be tried by the special judge only.

Offences and Penalties:

Chapter 3 of the Act deals with Offences and Penalties. Public Servant taking gratification other than legal remuneration in respect of an official Act shall be punishable with imprisonment which shall be not less than three years but which may extend to seven years and shall also be liable to fine.

Criminal Misconduct by a Public Servant:

The Act also deals with criminal misconduct by a public servant. Punishment for criminal misconduct by a public servant shall be minimum of four years and may be extended to maximum of ten years and also fine.

In *A. Subair v. State of Kerala*, the supreme court held that the essential ingredient of the section 7 are (i) that the person accepting the gratification should be a public servant; (ii) That he should accept the gratification for himself and the gratification should be as a motive or reward for doing or forbearing to do any official act or for showing or for bearing to show, in the exercise of his official function, favors or disfavor to any person.

In *Subhash Parbat Sonvane* v. *State of Gujrat*, Supreme Court held that mere acceptance of money without there being any other evidence would not be sufficient for convicting the accused under Section 13(1) (d) (i).

Regarding the criminal misconduct by a public servant the Supreme Court in *M. Krishna Reddy v State Deputy Superintendent of Police, Hyderabad*[39], held that an analysis of Section 5(1)(e) of the Act, 1947 which corresponds to Section 13(1)(e) of the new Act of 1988 shows that it is not the mere acquisition of property that constitutes an offence under the provisions of the Act but it is the failure to satisfactorily account for such possession that makes the possession objectionable as offending the law to substantiate a charge under Section 3(1)(c) of the Act,

In *State of Maharashtra* v. *Pollonji Darabshaw Daruwalla*, Supreme Court observed that in order to establish that a public servant is in possession of pecuniary resources and property, disproportionate to his known sources of income, it is not imperative that the period of reckoning be spread out for the entire stretch of anterior service of the public servant. There can be no general rule or criterion, valid for all cases, in regard to the choice of the period for which accounts are taken to establish criminal misconduct under Section 5(1) (e) of the 'Act'.

In *P. Nallammal* v. *State Rep. by Inspector of Police*, the question was whether failure of public servant to account for excess wealth under Section 13 (1) (e) is unabettable offence? It was held by the Supreme Court that such offence is abettable within meaning of Section 107. Section 13 (1) does not contemplate assumption of unabettable offences.

In *B Noha* v. *State of Kerala And Anr*, Supreme Court held that when it is proved that there was voluntary and conscious acceptance of money by the accused, there is no further burden cast on the prosecution to prove by direct evidence, the demand or motive.

Investigation into the Corruption Cases:

Chapter 4 of the Act deals with Investigation into cases of corruption. Certain persons have specially been authorized to investigate the cases under the statute.

In *State of U.P.* v. *Bagawant Kishore*, it was observed by the court that Section 17 has been enacted for preventing harassment to a Government servant and with this object in view, investigation except with the previous permission of a Magistrate, is not permitted to be made by an officer of police below specified rank. These statutory safeguards must be strictly complied with, for they have concerned in public interest and are provided as a guarantee against frivolous and vexatious prosecution.

Sanction to Prosecute the Public Servants and Other Miscellaneous Provisions:

Chapter 5 of the Act deals with sanction to prosecute the public servants and other Miscellaneous Provisions. The Court shall not have the power to take cognizance of an offence punishable under Sections 7, 10, 11, 13 and 15 which are alleged to have been committed by a public servant, except with the previous sanction of the government.

In *Visakhapattanam* v. *Surya Sankaran Karri*, the court held that sanction granted by an officer not competent to do so is a nullity.

The Supreme Court in *Ramesh Lal Jain* v. *Naginder Singh Rana*, held that Grant or refusal of sanction must be preceded by application of mind on the part of appropriate authority.

Supreme Court in *Banshi Lal Yadav* v. *State of Bihar*, held that before presumption can be raised, the burden is on the prosecution to prove that the accused has accepted or obtained, or has agreed to accept or attempted to obtain, for himself any gratification other than legal remuneration etc.

However regarding the evidence of the passing of money as an illegal gratification, court observed in *Hazari Lal* v. *State*, that it is not necessary that the passing of money should be proved by direct evidence. It may also be proved by circumstantial evidence. Under Section 114 of the Evidence Act the Court may presume the existence of any fact which it thinks likely to have happened, regard being had to the common course of natural events, human conduct and public and private business, in their relation to facts of the particular case.

In *M. Narsinga Rao* v. *State of AP* , Supreme Court observed that the expressions may presume and shall presume are defined in Section 4 of the Evidence Act. The presumptions falling under the former category are compendiously known as factual presumptions or discretionary presumptions and those falling under the latter as legal presumptions or compulsory presumptions. When the expression shall be presumed is employed in Section 20 (1) of the Prevention of Corruption Act, 1988, it must have the same import of compulsion. When sub-section (1) of Section 20 of the Prevention of Corruption Act deals with legal presumption, it is to be understood as in terrorism, i.e., in tone of a command that it has to be presumed that the accused accepted the gratification as a motive or reward for doing or forbearing to do any official act, etc., if the condition envisaged in the former part of the section is satisfied.

In *Madhukar Bhaskarrao Joshi* v. *State of Maharashtra*[85], it was held by the Supreme Court that the premise to be established on the facts for drawing the presumption is that there was payment

or acceptance of gratification. Once the said premise is established the inference to be drawn is that the said gratification was accepted 'as motive or reward' for doing or forbearing to do any official act. So, the word 'gratification' need not be stretched to mean reward because reward is the outcome of the presumption which the court has to draw on the factual premises that there was payment of gratification.

Again, in *State of Maharashtra* v. *Rashid Babubhai Mulani*, Court held that the statutory presumption raised under Section 4 will not stand rebutted merely by offering an explanation under Section 313 of Cr.P.C. if such explanation does not find support from the evidence let in by the prosecution.

6. AMENDMENT TO THE PREVENTION OF CORRUPTION ACT, 1988

Government proposed amendments to Prevention of Corruption Act 1988 in 2013, which was again amended in 2014 because the amendments in the anti-corruption law were necessitated by India's ratification of the United Nations Convention Against Corruption (in short "UNCAC") in May 2011 and there is a need to bring domestic laws in line with international practices. Law Commission of India suggested further amendments in the Prevention of Corruption Bill 2013 in it's 254th report in February 2015. Section 7 of the Bill used the terms "requests any person for, obtains, agrees to receive, accepts or attempts to obtain" any "undue financial or other advantage" for the "improper performance" of a "relevant public function or activity". Law Commission of India in it's 254th report recommended that the phrase "requests for" should be deleted from section 7(1)(a), (b), (c), (d) and Explanation 1 of the 2013 Bill.

Law Commission of India also suggested the modification in Section 12 of the Prevention of Corruption Bill 2013 on the following line. Whoever abets any offence punishable under this Act, apart from any offence under section 15, whether or not that offence is committed in consequence of that abetment, shall be punishable with imprisonment for a term which shall be not less than three years but which may extend to seven years and shall also be liable to fine.

Right to Information:

Corruption is a disease that destroys entire social fabric of the nation. If not curb in time, it affects entire social structure of the nation. It also has a debilitating Effect on the economy of the country. As stated in this work, corruption is a violation of the basic human rights of the people to have corruption free governance. It is also a violation of the right to life of the citizens, though not

declared so by the courts in the country so far. Therefore, the Parliament enacted the Right to information Act in 2005 in order to provide access to information to the citizens of the country and in order to promote transparency, accountability and openness in the administration. Constitution of India provides Right to Freedom of Speech and Expression to all the citizens. This is one of the Fundamental Rights of the Citizens of India. But this right can only be exercised when the people in the country are well informed.

Right to Information Movement:

Far back in 1973, the Supreme Court of India recognized the Right to Information of the citizens for the first time in Bennett Coleman & Co. v Union of India. While taking into account the restriction of allotment of newsprint control order to a newspaper, Supreme Court held that such restriction had not only infringed newspaper's right to freedom of speech but readers right to read was also cut down.

The movement of Right to Information Act took birth in the villages in Rajasthan with Mazdor Kisan Shakti Sangathan (MKSS) movement to bring in transparency in village accounts *via* the demand for minimum wages in rural India. The MKSS movement was followed by National Campaign for People's Right to information, a coalition of journalists, lawyers, academics and NGOs. Soon this movement became the movement of India which led to the enactment of the Freedom of information Act of 2002 which was never enforced. This Act was repealed and substituted by Right to Information Act, 2005 which received the assent of the President on 21st June, 2005 and came into force on 12th October, 2005

Right to Information Act 2005: Introduction:

A statute is best understood if we know reasons for it and it is always safe to have eye on the object and purpose of statute. The Statement of Objects and Reasons of RTI Act reads follows:

In order to ensure greater and more effective access to information, the Government resolved that the Freedom of Information Act, 2002 enacted by the Parliament needs to be made more progressive, participatory and meaningful. The National Advisory Council deliberated on the issue and suggested certain important changes to be incorporated in the existing Act to ensure smoother and greater access to information.

The Right to Information Act was enacted to promote transparency and accountability in the working of every public authority in order to strengthen the core constitutional values of a

democratic republic. Transparency is also associated with prevention of corruption. Thus, one of the aim and purpose of Right to Information Act is to bring transparency by reducing corruption and assist in implementation of the Prevention of Corruption Act.

The Act has been hailed as the hallmark of democracy for the reasons that it purports to make disclosure of Government information as the norm and secrecy as the exception. Thus, Right to Information Act is a potent weapon to fight corruption, arbitrariness and misuse of power. The Act applies to the whole of India. The Act has six Chapters and two Schedules.

Right to Information has been defined under Section 2(j) of the Act to mean as follows:

"Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to-

a) inspection of work, documents, records;

b) taking notes, extracts, or certified copies of documents or records;

c) taking certified samples of material;

d) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device;"

7. CONCLUDING REMARKS

India is known as a highly corrupt nation in the world. It is poorly governed by the politicians. This may be the main reason for rampant and widespread corruption in Indian society. Despite having economic reforms, increased transparency, E-governance tools, corruption in public life continues to grow. Corruption and good governance go hand in hand, so controlling corruption is a tough task in India. Because corruption and bribery has affected our total political, administrative and economic systems like cancer disease.

Under the Prevention of Corruption Act, 1988, the punishment against the corruption of the public officials was not too stringent. Further, the conviction rate of corruption cases was very low. These anomalies pointed out by the vast available case law on the point which need to be corrected if the country wants to get rid of the menace. Parliament sought to increase the term of punishment and to bring it in the category of heinous crimes in the latest Prevention of Corruption

Amendment Act, 2015. This will deter the corrupt public officials and bureaucrats from accepting bribe in the course of their public duty.

Finally, if we want to use law for checking corruption, we should look at the basic motivation for corruption. It is greed. Greed flourishes when it is known that: even if one is caught, one can get away lightly; one can perhaps escape by engaging the best legal brains by using the same corrupt money itself; if one eventually goes to jail, the illegal wealth and property amassed by corrupt means can still be retained. Therefore the best method of checking corruption is to have a law, which will lead to confiscation of property of the corrupt public officials.

REFERENCES:

1) Abdulraheem, "*Corruption in India: An Overview, Causes, Consequences and Remedial Measures*", an unpublished article presented at the conference held on the Prevention of Corruption in November 2014

2)"India Corruption Study", published by CMS research house, 2010 Available at http://www.cmsindia.org visited on 20-5-2015 at 2.50 A.M.

3) N. Vittal, *Corruption in India: The Roadblock to National Prosperity* 82 (Academic Foundation, New Delhi, 2003).

4) S. Prabhu, "Corruption in India, Causes and Remedies" an unpublished article at the conference held in Delhi Judicial Academy in November 2014

5)Santhanam Committee Report on Prevention of Corruption, 1964.

6) 29th Law Commission Report, 1966

7) 47th Law Commission Report, 1972

8) Vohra Committee Report, 1993, pp. 2-4. *Available at* http://pages.rediff.com/vohra-report/956339 (accessed on 15-5-2015 at 3-40 A.M.)

9) The Prevention of Corruption Act 1947

10) The Constitution of India, 1950

11) The Prevention of Corruption Act, 1988

12) Right to Information Act , 2005

13) India Corruption Study", published by CMS research house, 2010 Available at: http://www.cmsindia.org visited on 20-5-2015 at 2.50 A.M.

14) See the object of the amended Prevention of Corruption Bill 2013 *Available at* http://164.100.47.5/newcommittee/reports/EnglishCommittees/Committee%20on%20Personnel,%20P ublicGrievances,%20Law%20and%20Justice/69.pdf (accessed on 5-5-2015 at 10-30 P.M.)

15) Prevention of Corruption Bill 2013

16) 254th report of Law Commission of India. pp. 7-27 *Available at* http://lawcommissionofindia.nic.in/reports/Report_No.254_Prevention_of_Corruption.pdf (accessed on 6-5-2015 at 2.10 A.M.)

17) Law Commission of India, Chapter 4 of the 254th Report on The Prevention of Corruption Bill, 2013, pp. 30-39 (February 2015).

18) The Prevention of Corruption Act, 1988

19) Prevention of Corruption Bill, 2013

20) *Available at* http://www.thehindu.com/news/national/cabinet-clears-amendments-to-anticorruption- act/article7154111.ece (visited on 7-5-2015 at 8.1 A.M.) Also see http://articles.economictimes. indiatimes.com/2015-05-03/news/61768132_1_corrupt-bureaucrats-sanction-policy-paralysis (visited on 7-5-2015 at 8.16 A.M.)

21) The Constitution of India, 1950, Art.19 (1) (a)

22) S. Prabu, "Corruption in India, Causes and Remedies" an unpublished article at the conference held in Delhi Judicial Academy in November 2014.

23) N. Vittal, *Corruption in India: The Roadblock to National Prosperity* 82 (Academic Foundation, New Delhi, 2003).