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Corruption in India: Historical Development in The Field of Anti-Corruption Laws

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ABSTRACT

One of the main features of the Indian economy is the existence of a “big” government. The Indian political system consists of the federal, state, and local governments, as well as a number of different local self-governance organizations. This implies that a single business entity might be governed by a multitude of federal, state, and local laws, such as those pertaining to registration and approvals needed to start and run a business, compliance, reporting requirements, inspections, and the exercise of discretion by different levels of government officials. Furthermore, government-owned businesses dominate a number of industries, including infrastructure and financial services. Any organization wishing to conduct business in India will inevitably have to deal with the government (in all of its manifestations) and government-owned businesses. Indian laws and regulations frequently provide government employees and agencies a great deal of discretion, which can make dealing with the government difficult and time-consuming. Even though there are many strict anti-corruption legislations in India, corruption is still widespread there. Nonetheless, a growing public discontent with corruption and its consequences for the Indian economy has been evident in recent years. Public opinion has been strongly against corruption over the past few years, and prominent cases of corruption have grown to be significant political issues. Transparency International reports that India’s ranking among 180 nations in the Corruption Perceptions Index (or “CPI”) has improved by one spot, to 85 (from 86 in the previous two years). The current Indian administration has also adopted a strict position on matters of corruption and has pushed for the passage of a number of laws intended to combat corruption in India, some of which are detailed below. Most significantly, over the past few years, enforcement agencies have changed their approach and begun vigorously enforcing anti-corruption laws in India against those who engage in corrupt activities as well as their advisors, auditors, and other agents who either condone or deny the existence of such practices. They have received support in their efforts from civil society and the judiciary, which has been actively involved in monitoring corruption cases.

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I. INTRODUCTION

The evil of corruption is not limited to the contemporary society. Since ancient times, it has posed a severe threat to society. The human race has evolved into one of the most advanced species of all living things in this Globe. It has attained the exceptional status of becoming civilized. In this sense, numerous developmental movements have occurred. Through numerous reformative phases, humanity has changed into a different entity. Men used to live like savages in the past. Then, after going through several stages, he became civilized and began to live in larger groupings than a family. He relied on his friends for both security and everyday necessities. The institution of society was created in this manner. Every person has an innate need to live in society in order to meet their needs and achieve security. However, moral values are deteriorating as a result of the avaricious behavior of some members of the populace. They use illegal and dishonest methods to satisfy their avarice. We refer to this deterioration of moral principles for one's own gain as corruption. This depravity poses a severe threat to our nation. The scope of this evil is due to numerous variables. Dr. Willium Gould has cited Pandit Jawaharlal Nehru in order to expound on the scope of corruption's wickedness. Corrupt practices are fostered by simply declaring from rooftops that everyone is corrupt. Individuals believe they live in a corrupt environment and end up becoming corrupted themselves.

Jawaharlal Nehru made these remarks soon after India gained its freedom from British domination. Dr. Gould's assessment suggests that these remarks appear especially fitting in light of the growing corruption epidemic that affects almost every social class. The empowering of society's weaker segments is essential to a nation's development. However, the irony is that the plans and advantages of laws intended to dishonest officials abuse the public's trust. They attempt to steal the benefits intended for the underprivileged. This kind of situation is prevalent. We hear about many cases of corruption in our daily lives. Furthermore, the Policies and natural resources that belong to taxpayers, all citizens, and naturally the entire country are set up for exploitation by dishonest politicians, bureaucrats, and businessmen with complicity. Some of the more recent instances of the current situation are the Coal-Blocks Distribution Scam, the 2-G Spectrum Scam, the Adarsh Housing Society Scam, the JBT Teachers Recruitment Scam, and the Commonwealth Games Scam, among others.

In addition to impeding the country's progress, corruption is the root cause of numerous other

issues. It has also had an impact on the average person's fundamental rights. Because of the unethical actions taken by avaricious politicians and bureaucrats, the average person has vanished from society. The State underutilizes his potential by treating him differently when it comes to obtaining positions that are appropriate for him given his qualifications. The negative effects of corruption extend far beyond positions in the government and have numerous additional grave implications.

The distribution of contracts and other social programmes featured a significant lopsided advantage in favor of those with connections to corrupt officials and the government. According to the renowned organization Transparency International, which gathers statistics on corruption, we perform poorly on their poll. In the organization's 2015 study, India ranked 76th on the Corruption Perception Index (CPI). This ranking is far from acceptable, and significant action will be done to eradicate this evil from society.² Countries such as Namibia (Rank-45), Saudi Arabia (Rank-48), Ghana (Rank-56), Bulgaria (Rank-69), and Mongolia (Rank-72) are far ahead of us. Given that we live in a democratic nation and that openness in public policy is the cornerstone of democracy, this is a really dangerous situation. The key characteristic of a totalitarian government, not the largest democracy in the world, is cronyism.

The evil of corruption is spreading due to a multitude of circumstances. The pre-independence era left us with its heritage. Even though we cannot be certain that corruption was exclusively a problem during British administration, it was most common during that time. Because the roots of corruption were so deep, it became increasingly difficult for the following generations to put an end to this evil. The lawmakers lacked the resolve to stop the corruption threat as well. They weren't prepared to embrace the constantly expanding Popular sentiment opposing the corruption. They have inherited a system that is unfriendly to openness. The Lokpal Act took approximately 67 years to pass because they were not prepared to comply with its obligations. Even after a new administration was formed following the general elections, Lokpal's and other staff members' appointments remain a pipe dream. 'License and Quota Raj' was the main factor supporting corruption's wickedness. Only those who had any connection to dishonest politicians or bureaucrats were granted licenses.

Democracy is one of the most prevalent types of government in use today. A progressive society is in need of a democratic system of administration. The eras of monarchy and dictatorship are over. Many nations in the modern world are aiming for democratic systems of governance. This is a result of the national populace's emphasis on freedom and human rights, which sets them apart from governments that are not democracies. The issue, however, is that a large number of countries have not actually embraced democracy. There aren't enough genuine democratic

values in the United States.

Among other things, one of the admirable objectives of a true democracy is social justice. For the purpose of equality and humanity, social justice is vital and relevant in today's society. Since everyone is created equal, they all have the same rights to a healthy life in a democracy. Not just for the citizens of democratic countries, but for all people worldwide, social justice is vital.

According to former UN Secretary General Mr. Kofi A. Annan, corruption is a sneaky scourge that has a variety of destructive repercussions on societies. It weakens democracy, the rule of law, causes human rights violations, skews markets, lowers standard of living, and fosters the growth of organized crime, terrorism, and other dangers to public safety.

The issue extends beyond these specific observations. There are numerous further related issues. Additionally. For instance, many illegal operations are funded in part by the money obtained through corrupt tactics. The proceeds of corrupt activities are being utilized to fund terrorism, drug trafficking, human trafficking, and other major crimes. Actions. Thus, we may conclude that corruption is a major element impeding the development of the country and that it is the mother of many other crimes. Therefore, containing the threat of this evil becomes crucial to achieving the country's overall growth. A multitude of factors determine the extent of corruption in a given state. An important contributing component is also how individuals feel about it. It is so deeply ingrained in Indian morals that the majority of people find it to be acceptable. Put another way, we could argue that people are deeply ingrained with the evil of corruption. In a similar vein, corruption is a global scourge that has spread throughout most of the world. Studies conducted in this regard⁴ also clearly support this position. The practice of corruption dates back to prebiblical and ancient times, and it has been documented in all of the ancient civilizations, including Greece, Rome, India, and China. However, in recent years, the public, legislators, and academics have become more interested in the topic of corruption—the misuse of public office for personal benefit. In this sense, the problem of corruption has grown to be of great significance for both international and development policy.

Despite the efforts of the legislation, there are more and more cases of corruption. The public's perception of corruption as a bad thing is solidifying. There seems to be less tolerance for corruption these days. Accusations of corruption have led to the overthrow of governments, the removal of well-known political figures from their official posts, and in certain situations, the replacement entire political classes in industrialized and developing nations. In China, numerous reforms were implemented, and in only one year, almost 1,82,000 officials faced

consequences. In the end, communities have realised how much bribery and corruption have damaged their stability and well-being. They are now against it and are becoming less tolerant of it. Consequently, the battle against corruption has been deemed the top priority by governments, the commercial sector, and civil society. We have seen several instances of Agitation and demonstrations against the corrupting force in the last few years. All of it is the outcome of civil society's efforts and the younger generation's altered perspective. In this situation, tolerance for corruption can be very beneficial. Since India is a developing country and the subject of this study, corruption is a genuine and visible problem there. The corruption virus has spread widely throughout the underdeveloped world. They typically appear in the lower echelons of global corruption indices. India is among a group of nations with a high index of corruption, according to Transparency International. Even though the nation's performance improved in 2014 and 2015, much more has to be done.

II. AN ANALYSIS OF THE CONCEPTS – ETHICS AND MORALS IN RELATION WITH CORRUPTION

Like every other human action in society, corruption is evaluated in light of specific moral principles. These are guidelines for appropriate conduct predicated on particular ethical precepts held by a community or set of individuals, on what is right and wrong or what is good and what is bad. The reasonable query would be, "On the basis of which standards society does so?" when society labels a particular human activity as inappropriate, wicked, or evil.

This inquiry leads us to the famous British debate over the Wolfenden Report between Professor H.L.A. Hart (Professor of Jurisprudence at Oxford University, 1952–1968) and Lord Patrick Devlin (Justice of the High Court, Queens Bench, 1948–1960 and Lord of Appeal, 1961–1964).²¹ The primary topic of discussion in argument 22 was the legal integration of ethics and morality into society. According to Lord Devlin's opinion²³, morality is a field that consists of private and public interests, which frequently clash. Our task is to find a way to appease both parties while allowing for the greatest amount of individual liberty while maintaining social cohesion. According to Lord Devlin, the law can now restrict an individual's behavior in order to protect society's integrity if that behavior is deemed harmful by the majority of people. This can be done by determining an act based on the opinions of laypeople rather than those with extensive knowledge of the law and justice system. As long as the average person on the street believes that an exercise is not genuine, honest, or devoid of prejudice, the foundation of a popular opinion is irrelevant.

Professor H.L.A. Hart disagreed with Lord Devlin's viewpoint.

In his view, the legislator should look into whether the widespread moral belief is the result of ignorance, misconception, or disarray. Additionally, he argued that moral differences are both public and private and that certain situations could lead to repugnancy. And discrimination, but if it's a private conduct, it can't be regulated by law based solely on the fact that it's offensive or intolerable because that could limit people's rights. Professor Hart has suggested two questions to determine the appropriate use of an

Moral or ethical dilemma involving any human deed, such as :

First and first, we ought to inquire as to whether an implementation that offends moral sensibilities is harmful regardless of how it affects the ethical code. Secondly, is it not appropriate to discuss the impact on the ethical code? Is it really the case that failing to apply this broad standard's interpretation to criminal law will jeopardize society's moral framework as a whole?

Thus, the legitimate application of moral principles will only make sense when the ethical principle is scrutinized and when violating it is likely to result in actual harm to society. Even though moral norms must be recognized and upheld by society and its members in order for them to be genuine, a majority's opinion can also lead to the majority oppressing them. An ethical norm can only be put into legal effect when breaking it would endanger society as a whole and its existence. The study of "morals" or "ethics" determines if an ethical norm is rational or irrational. Ultimately, the primary element underlying ethics is either rationality or irrationality. The normative study of ethics is to determine what should be the ethical standard or state of affairs, why it should be that way, and if not, why not. Ethics is the normative approach for examining moral measures. Morality and ethics provide a choice between the reasonable and the ludicrous, but the rationale for the right or wrong foundation is determined by a thorough examination of the vast body of ethics.

Moral standards and ethics are notions that are frequently used interchangeably, and the ideas in the Hart-Devlin conversation are no exception.

When corruption is related to human behavior, it is clear that corruption is immoral, wicked, and dishonest because it greatly benefits the private sector at the price of the public good. If corruption is not effectively regulated, it will cause chaos, fear, and political instability in society. Moreover, corruption subverts the ideals of natural justice and social equity and jeopardizes the goodwill that exists between businesses and employees. Stated differently, it undermines the fundamental integrity of commerce and industry. Additionally, it interferes with business's ability to fulfil the financial needs of the people. This Reason has strengthened public

opinion in favor of enacting robust anticorruption laws on a national and worldwide scale in order to protect society's financial interests. These laws ought to guard against a culture that prioritizes personal benefit over the interests of the general public. Apart from the situations that Abueva describes, corruption primarily takes the form of intricate schemes involving bribery (or any other term that is comparable), illegitimate payments, and other irrational behavior that benefits a select few at the expense of others or the general public.

III. CONSEQUENCES OF CORRUPTION

One of the main issues is corruption, which is thought to be detrimental to social and economic advancement. The connection between corruption and economic expansion has been the subject of several discussions.

When it comes to the impact of corruption on economic growth, different researchers have held differing opinions. Scholars such as Leff 91, Huntington 92, and Heckleman 93 have highlighted that corruption can boost corporate efficacy and hence foster economic growth by getting around ineffective regulations and bureaucratic red tape. However, the conditions in India might not be conducive to this capitalist strategy. As a Democratic and Socialist State, we must view these issues more broadly and take into account the interests of the working class and working people. If this strategy is used in a state with a labor excess like India, it might not work well. However, the majority of other academics contend that corruption lowers economic growth since it may jeopardize the increase in private investment and lessen investment incentives⁹⁴. Because corruption is bad and affects markets and resource allocation for a variety of reasons, it is likely to lower growth and economic efficiency⁹⁵. Furthermore, it pushes gifted individuals onto achievement- or rent-seeking endeavors⁹⁶. Mauro has the same opinion when He states that political instability, lack of transparency, and obstructions to investment channels are the key ways that it impedes financial growth⁹⁷. Furthermore, it fosters an atmosphere of disorder in the social and business spheres. It erodes working-class and corruption. If this kind of climate continues, these multinational corporations could seriously hurt the public or consumers. In an environment like this, multinational corporations often use the evil of corruption to increase profits at the expense of the general public. For their own personal gain, the avaricious bureaucrats might ignore the environmental standards. The public can also become perplexed about where to put their money. Studies that are pertinent, such as Mauro (1995), have demonstrated that public spending may increase as a result of corrupt politicians' actions at the expense of socio-welfare initiatives. This enormous sum of money is misdirected due to individual selfishness. This sum can be applied to a variety of additional socio-welfare

and developmental projects. However, dishonest businessmen attempt to circumvent laws and regulations by paying bribes to officials and bureaucrats. He also made the important observation⁹⁹ that the evil of corruption lowers public spending on education, which leads to ignorance in society and is a major contributing factor to corruption. The wickedness of corruption therefore completes a vicious loop. As we've just covered, corruption significantly messes with the distribution of income. It's made the income disparity bigger. Between the wealthy and the poor. As such, it is a fundamental cause of inequality. Several research also clearly demonstrate the same idea¹⁰⁰. However, Li and colleagues (2000) have Discovered that the relationship between income inequality and corruption is inversely U-shaped, meaning that inequality is high when corruption is intermediate¹⁰¹ but low when it is high. Thus, we can conclude that corruption widens the gap between the rich and the poor and has an impact on income inequality. We can see that corruption has multiple effects on the country and society, much like a disease. In addition to the socioeconomic ramifications, there are other factors as well, like environmental contamination. One of the main reasons for the global increase in pollution is corruption. Regarding precautions and safety when handling potential environmental contaminants, there are several laws, norms, and regulations. However, the government and industrialists disregard these rules in order to further their own interests. In regards to small amounts of bribery, the preventative authorities fail to take sufficient action and the protections are not properly administered. Pollution has significantly increased as a result of all of these factors. Research indicates that corruption negatively impacts the sustainability of the economy. Corruption has a profoundly detrimental impact on the environment and has an impact on environmental policy as well. It weakens strict regulations and lessens the impact of environmental initiatives. According to Pellegrini and Gerlagh, numerous studies have demonstrated the detrimental consequences of corrupt practices on a variety of issues, including investment, economic growth, human development, and environmental policies¹⁰³. The perpetrators are unafraid of environmental guidelines, rules, and regulations designed to preserve the environment because of widespread corruption. This leads us to the conclusion that corruption is a widespread and serious issue that has an impact on the social and economic fabric of our country. It is a wicked thing that is at the heart of a lot of the serious issues we are dealing with. We have to make best use of all our resources to fight with this evil so as to provide Natural justice to all as public welfare is the prime duty of State.

IV. HISTORICAL DEVELOPMENT IN THE FIELD OF ANTI-CORRUPTION LAW

The issue of corruption has existed for as long as civilization, as we have shown. Since the time of Kautilya and even earlier, humans have resorted to various means to rein in their perverse

conduct. There have been battles nonstop.

In opposition to the historical corruption. Even if we haven't been able to totally eradicate this evil, we still need to deal with this beast. For this reason, we also need to develop some new measures. The public has been calling for increased administration transparency for a long time. The following is a historical summary of the history of progress in India with regard to the prevention of corruption:

(A) The Regulating Act, 1773

To address the East India Company's financial difficulties, the Regulating Act of 1773, also referred to as the East India Company Act, was passed in 1773. The British government valued the corporation greatly since it possessed the

Monopoly on Indian business rights. Additionally, the majority of the company's stakeholders were capable individuals. The main causes of this financial disaster were incompetence and bribery. To address this, the Regulating Act of 1773 was passed. The Act gave the East India Company a framework for operating regulations without removing any of its authority. The Act forbade officials from accepting bribes from third parties or working on projects that would benefit them personally.

Prominent scholar Sh. M.P. Singh has also stated that corruption was one of the East India Company's main problems. There were clear signs of significant corruption at the time, as evidenced by the rising wealth of the Company's Servants and the Company's declining revenue. The company's employees attempted to use all legal and illegal methods at their disposal to amass enormous wealth, and upon returning to England, they led opulent lives that left the British public resentful and suspicious¹⁴⁸. The reality of obtaining The British public became aware of the Company's territorial holdings. Consequently, the House of Commons established a Select Committee and a Committee of Secrecy to examine the Company's operations. Numerous

Changes were made to the Company's Constitution and reforms were enacted. It was also suggested that the Supreme Court be established in Kolkata. For any civil or military officer, accepting a financial prize or advantage from a local prince or other authority meant they risked being removed from India and having to repay double the amount they had earned.

(B) The Pitt's India Act, 1784

The Pitt's India Act of 1784, sometimes referred to as the East India Company Act, 1784, had provisions aimed at regulating the embezzlement and unscrupulous activities of East India

Company employees. The company's employees were extremely Engaged in dishonest behavior. The officials would steal the funds and use them for their own gain. According to Prof. Kailash Rai, there was a lot of corruption among the company's employees. The Act established measures to prevent corruption and uphold discipline among the company's employees.

The employees of the corporation devised several ways to obtain perks that were not lawful. Taking gifts or presents from the locals was another common way to obtain money without authorization. The Act stipulated that any method of taking or acquiring a gift or present would be considered extortion, and the offender would face the appropriate penalties from the special court created under the Act for that reason. Prof. Kailash Rai has noted that the Act further stipulated that any agreement to accept or resign an office, as well as any disobedience to the Court of Directors' decisions, would be considered misdemeanors. In order to try cases of extortion and other misdemeanors, the Act established a Special Court of three judges, four peers, and six members of the House of Commons¹⁵⁰. Within two months of the directive, every East India Company executive was required to reveal every information of their property.

(C) The Indian Penal Code, 1860

Numerous causes contributed to the first failure of attempts to remove the evil of corruption. The law that was previously debated was insufficient to combat corruption. The introduction of the Indian Penal Code, 1860 addressed all Sort of offences successfully. It became operative on January 1st, 1862. Several laws pertaining to corruption were included in the Indian Penal Code; these are elaborated upon below.

The crimes pertaining to misconduct, corruption, and abuse of authority are covered in Sections 161–165 of Chapter IX of the Code. Receiving anything by a public official that is not their legitimate compensation is covered by Section-161 of the Code and is a crime. The act of accepting, obtaining, agreeing to accept, or attempting to get any pleasure for oneself or another via dishonest or unlawful means in order to influence a public official is covered by Section 162.

Similarly, Section 163 of the Code deals with the acts of performing corruption by inducing some individual by exerting the influence of some public worker. The Code's Section 164 addresses aiding and abetting offences under Sections 162 and 163.

A public official is punished under Section 165 if he accepts, acquires, consents to accept, or attempts to gain any valuable item for himself or another person without giving it any thought or with little thought. The Criminal Law Amendment Act of 1952 created a new section 165-A

to make it illegal to aid and abet Sections 161 and 165. Furthermore, the State administration was granted the authority to designate Special Judges for the purpose of trying cases pertaining to offences that fall under Sections 161 to 165-A or Section 5 of the 1947 Prevention of Corruption Act. The Indian Penal Code's Section 169 addresses the illegal purchase or bidding on real estate by governmental employees. The public servant faces a maximum two-year sentence in jail, a fine, or both. Should the property be acquired, it will be seized. Furthermore, Section 409 addresses criminal violations of faith shown by a public official. The punishment for the public worker will be a fine and life in jail, or up to ten years in prison. Therefore, the Penal Code was amended to include these clauses in order to address the following situations: Corruption and bribery among public employees.

(D) Criminal Law Amendment Ordinance, 1944

Due to the dishonest actions of public employees, the situation deteriorated throughout World War II. For this reason, the Criminal Law Amendment Ordinance, 1944 was created in order to prohibit the hiding or disposing of money or other property that was acquired.

By way of specific transgressions. The attachment of the wrongdoer's property is the Ordinance's primary characteristic. According to the Patna High Court's ruling in *State of Bihar v. Santo Kumar Mitra*¹⁵¹, the ordinance is still lawful. Sections 161 through 165-A of the Indian Penal Code are covered by the Ordinance. The Prevention of Corruption Act of 1947 and the Prevention of Corruption Act of 1988 were also included in the Ordinance's scope of application. The property can be attached, according to Section 3 of the Ordinance. The ordinance's most important clause allowed for the seizure of property, even from those who had transferred it after it had been acquired dishonestly.

(E) Anti-Corruption Laws (Amendment) Act, 1964

The Prevention of Corruption Act, 1947 was strengthened even further with the passage of the Anti-Corruption Laws (Amendment) Act, 1964 (No. 40 of 1964). The Code of Criminal Procedure, the Indian Penal Code, 1860, and other laws were amended by the Act. 1898, the Criminal Law Amendment Act of 1952, the Criminal Law Amendment Ordinance of 1944, the Prevention of Corruption Act of 1947, and the Delhi Special Police Establishment Act of 1946. Section 21 of Act 45 of 1860 (The Indian Penal Code) was expanded by the Act. Section 21 brought the judicial authorities carrying out their varied duties within its jurisdiction. The positions of "Officer of a Court of Justice" were also applied to the Liquidator, Receiver, and Commissioner.

Additionally, the ambiguity around Section 21's Clause (ix) was cleared out. Overall, the term

“public servant” was defined in such a way as to be comprehensive enough to meet any possible scenario. Moreover, the Indian Penal Code’s Sections 161, 162, and 163 were modified, and employees of —any local authority, corporation, or government company^{ll} were also rendered subject to those sections.

(F) The prevention of corruption act, 1988

The Indian Parliament approved the Prevention of Corruption Act, 1988, which was signed into law by the President on September 9, 1988, and published in the Indian Gazette on September 12, 1988. As is evident from the Declaration of Objects and Reasons: The Act was passed with the intention of strengthening and broadening the provisions of the current anti-corruption legislation in order to increase their efficacy.

These are the Act’s salient characteristics:

- a) The Prevention of Corruption Act of 1947 and the Criminal Law Amendment Act of 1952 were repealed by the Act. Furthermore, it has removed Sections 161 to 165-A from the Indian Penal Code and reinserted them into Chapter III of the Act.
- b) The Act has combined the anti-corruption provisions. The Act has extended the penalty that was stipulated in the earlier 1947 Act. Three years in prison was the maximum penalty allowed under the prior Act. However, it is now up to five years in prison under regular circumstances and seven years in prison for serious acts according to the Prevention of Corruption Act, 1988.
- c) The Act defines what a “public servant” is. The term is larger than what existed in the IPC.
- d) The Act introduces a new definition of “public duty.”
- e) Only Special Judges shall hear cases of corruption under the Act.
- f) Regularly hearing case procedures.
- g) Modification of the Code of Criminal Procedure to ensure a prompt trial in situations of corruption (exclusively for the purposes of this Act).
- h) The act shall supplement any other laws to clear up any ambiguity about The applicability of any law that is now in effect.
- i) The Act stipulates that no court may halt proceedings due to an error or irregularity in the sanction given, unless the court determines that this has led to a failure of justice.
- j) Other current Act of 1947 provisions have been preserved by virtue of Sections 17, 18,

20, and 24, respectively. These sections deal with investigations by officers holding the rank of Deputy Superintendent of Police, access to bank records, presumptions, and immunity from bribery.

(G)The Central Vigilance Commission Act, 2003

The Santhanam Committee was founded in 1962 in an effort to combat the corruption that was becoming more and more of a problem. This Committee conducted extensive research on the origins, spread, and countermeasures of this evil. In addition to other noteworthy precautions against the evil Of corruption; the Santhanam Committee suggested the creation of the Central Vigilance Commission. By virtue of Resolution No. 24/7/64-AVD, dated February 11, 1964, the Central Government established the Central Vigilance Commission based on the recommendations of the Santhanam Committee. It was suggested that the Commission have no reporting lines to any Departments or Ministries.

It was coupled with the Union Public Service Commission's autonomy and competences, as well as those of the Ministry of Home Affairs. It was stated that the President would appoint the Central Vigilance Commissioner by warrant under his hand and seal. Like a member of the Union Public Service Commission, his tenure was guaranteed. In 1977, the six-year tenure of his office was shortened to three years. The resolution of 1964 in 1995 was amended to remove the clause pertaining to appointments made under the President's warrant and seal. On the basis of demonstrated misconduct, the President may dismiss or suspend him from office at the Supreme Court's suggestion following the appropriate investigation.

The Central Vigilance Commission would be made up of no more than two Vigilance Commissioners and one Central Vigilance Commissioner serving as chairperson. A Secretary to the Commission shall be appointed by the national government under such terms and Circumstances as it sees proper. The Central Vigilance Commission's goal is to investigate, or order the investigation of, alleged offences committed by public employees of specific Central Government categories under the Prevention of Corruption Act, 1988, corporations created by or under the Central act, Government Companies, societies, and local authorities owned or controlled by the Central Government, as well as matters related to or incidental to any of these. Although the commission has done a great job in this area, much more has to be done to combat the pervasive evil of corruption.

(H)The Right To Information Act, 2005

It is a known fact that corruption arises in open organizations when there is a great deal of mystery. On June 15, 2005, the President of India signed into law the Right to Information Act,

2005, which established a system of openness and

Responsibility. Since informed citizens and information openness are essential to a democracy's ability to function, the Act aims to achieve these goals. It is imperative to limit corruption for this reason by improving the accountability of the government's apparatus.¹⁵⁹ There are several provisions in place.

Operational to achieve this admirable and crucial objective. The following are the main objectives of the Right to Information Act of 2005:

- i. To establish a practical system that would give the populace the Right to information;
- ii. defining and elucidating "public authority";
- iii. locating information under the control of public authorities;
- iv. promoting accountability, responsibility, and transparency in the operations of public authorities;
- v. establishing the Central and State Information Commissions; and
- vi. handling other pertinent and incidental matters.

V. CONCLUSION

This study provides new insight into the causes, consequences, and possible legislative remedies (like the 1988 Prevention of Corruption Act) for fighting corruption. The study identifies and investigates the effects of legal,

Economic and social variables that affect corruption. Second, although Chapter III solely discusses worldwide corruption issues, this study examines the many repercussions of corruption with a focus on India. In view of the paucity of literature on corruption in India, the study is considered significant. To sum up, it is expected that this research would greatly expand on our knowledge of the causes and consequences of corruption. A critical analysis of the Prevention of Corruption Act, 1988 can be useful in developing a framework that effectively fights corruption. In this section, we are summarizing the significant findings from our research. We may now conclude our investigation as we have finished reading through many chapters. It is now abundantly clear how one feels about the existence of this evil, how it has developed, affected, and reacted, as well as the advantages and disadvantages of the laws that deal with it human being. In *D.S. Nakara v. Union of India*⁴⁷³, the Honorable Supreme Court further declared that equality is a fundamental characteristic of a democratic nation. This time, the

Honorable court ruled that eliminating inequality in terms of wealth, social standing, and living conditions ought to be the main goal of a socialist state. A socialist state's primary goal is to provide its citizens with a decent standard of living and security from birth to death. Together with them, it envisaged an equal distribution of wealth and income. Every welfare state should priorities achieving this great goal of equality, giving everyone equal opportunity regardless of their social or financial status. Honorable Justice Dipak Misra assessed the corruption issue in *Yogendra Kumar Jaiswal etc. V. State of Bihar & Others*. Declared it a national terror for which the laws should be strictly and effectively enforced. The Court has noted that corruption is a self-infectious evil that is resistant to treatment. Because of the need for a different kind of control in light of this societal tragedy, the legislature drafts special legislation with strict guidelines.

In India, the fight against corruption has reached a revolutionary level, with several laws now in place and more on the horizon. The complementarity and consistency of these statutes Mutual provisions could prove to be a highly effective means of combating the scourge of corruption. The report might encourage different parties to effectively draft and implement new legal laws to combat the evil of corruption.

VI. REFERENCES

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