
Journey of Indian Democracy after Independence and Corruption in Public Life: A Critical Study

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Abstract:

India succeeded to achieve freedom from the clutches of British Imperialism after a long fight back. After independence the journey of planned development started with an enthusiastic note in India in every field. Although the progressed was slow but the country maintained pace with global changing scenario. The early political leadership was determined for a world class infrastructure in India but it was very challenging because the foreign rulers left the country in a very worst state of affairs. The leadership of the country was in an enthusiastic mood to shape the dreams of freedom-fighters but the partition proved very painful and it took several years for returning of normalcy in public life. Ideals and values of freedom movement were guiding spirit for Indian people to move in a right direction and make Indian democracy self-reliant. The government was working in a phased manner through Planning Commission of India and its five-year Plans for fast development of India.

The governments did a lot in political, economic, social and welfare sectors to eradicate purity. The green revolution and establishment of major projects were main achievements of this era. There were some up and downs but the journey on democracy has been remarkable in India. But after a few years Indian democracy faced challenge of corruption in public life. The Government of India also prepared itself to check the menace of corruption in public life. Many legislations were introduced in parliament and strict Laws came into force from time to time but the graph of corruption did not come down rather it increased year by year as lots of scams came to light. The World Economic Forum Survey ranked India 45th out of 49 countries on the honesty of its officials. Transparency International — a Berlin-based NGO working against corruption has reported that India is the ‘**Most Corrupt Country in Asia-Pacific Region**’, and seven out of 10 people in India pay bribe to access public services. Ever since India received its independence, several corruption scandals have broken out in the country causing heavy loss to the central and state governments.

Key Words:

Constitution, Corruption , Country, Democracy , Development, Government , Indian ,Life, Movements , Measures , Public, Political , Practices, Public , Society.

Introduction:

India was freed on 15th August, 1947 after a continuous British rule of 190 years. The Constituent Assembly completed the work of making of Indian Constitution on 26th November, 1949 after long deliberations. The constitution of India drew heavily from the American Constitution, the Irish Constitution, and, of course, from British Common Law. The foremost feature was that the Chairman of Drafting Committee, Dr. Bhimrao Ambedkar, was an untouchable. He held a doctorate in law from Columbia University and proved well-suited for the task. The Constitution created a bicameral legislature, an independent judiciary, a federal state with significant powers located at the Centre. The constitution of India came into force w.e.f. 26th January, 1950. India emerged as a Parliamentary Democracy in the world community. With the pace of time liberal and democratic institutions emerged in India and flourished with full swing, although these liberal ideas were inherited from British and European traditions. If we examine the panoply of former British colonies, the case of India is exceptional for its liberal and democratic institutions. The vast majority of British colonies either did not emerge as democratic states or quickly succumbed to the temptations of authoritarian rule. Consider states such as Kenya in East Africa, Malaysia, or even Sri Lanka, which remains nominally a democratic state but, in reality, has become an ethnocracy, privileging the majority community. India's twin, Pakistan, has undergone long periods of military rule and has not seen democratic consolidation even when brief democratic openings have appeared.

After independence congress party emerged as a mini-parliament. In 1952, you have the spectacle of the world's largest election. While many things haven't worked out in India, the national election held every five years works well. It is the world's largest exercise of democracy. Pt. Jawaharlal Nehru and Lal Bahadur Shastri lead the nation in tough times. The Chinese aggression of 1962 and the Wars of 1965 and 1971 with Pakistan tried to derail our economy but the India succeeded to recover and learnt a lot from these events. The Indian democracy faced tough challenge during Emergency in 1977 but the roots of democracy in the country were very deep and the political situation improved very soon. Electronic ballot boxes

are uniform across the nation. Because of this exercise of adult franchise, at municipal, local and national levels, we are witnessing what a friend, Christophe Jaffrelot, who is one of France's leading political scientists working on contemporary India, calls "India's silent revolution." We are witnessing a revolution through the ballot box, where the poor and the dispossessed have come to understand the power of the ballot. After 1980 a rising trend of corruption in public life was noticed in India. We will study major scams and anti-corruption movements.

Objectives of the study:

The major objectives behind writing this Research Papers are as under:

- (1) To describe the journey of Indian Democracy after Independence.
- (2) To study the democratic values evolved in India
- (3) A brief survey of major events after independence.
- (4) To study development of India as a Democratic country.
- (5) To study the rise of corruption in public life
- (6) To study major anti-corruption movements in India.
- (7) To suggest the measures to check corruption in public life.

Scope of the Study:

The research paper will focus on the study of Indian democracy, continuity, changes and challenges observed in democratic institutions and values, rise of corruption in public life, major anti-corruption movements in India, steps taken by the government to check corruption and suggestions to improve transparency in public life.

Major Anti-Corruption Movements in India:

The graph of corruption increased in public life in India after 1980. The corruption was observed in government offices and private sector as well. Many scams were exposed after 1980 in the country involving leading politicians and even governments. The major scams that rocked the politics and public life in India were Bofors Guns Scam, The Coalgate Scam, Telgi Scam, 2G Spectrum Case, Satyam Computers Scam, Commonwealth Games Scam etc. These scams rocked the political life of the country. Political stability of the country was at stake due to

Bofors Scam. Increasing corruption at various levels was opposed from various individuals and non-governmental organizations. The 2011 anti-corruption movement was a unique type of demonstrations and protests across India intended to establish strong legislation and enforcement against perceived political corruption. The movement was named among the "Top 10 News Stories of 2011" by the Time Magazine. The movement gained momentum from April 5th, 2011, when anti-corruption activist Anna Hazare began a hunger strike at the Jantar Mantar in New Delhi. The chief legislative aim of the movement was to alleviate corruption in the government through introduction of the Jan Lokpal Bill. Delhi chief minister Arvind Kejriwal is product of this anti-corruption movement. Another movement was organized by Baba Ramdev. This movement was for repatriation of black money from Swiss and other foreign banks. The grievances of mass protesters included legal and political issues, including political corruption and other forms of corruption. The movement was primarily one of non-violent civil resistance, featuring demonstrations, marches, acts of civil disobedience, hunger strikes, marches and rallies, as well as the use of social media to organize, communicate and raise awareness. The protests were non-political and most protesters were hostile to attempts made by political parties to use them to strengthen their own political agendas. The protesters were full of emotions and the spirit of nationalism was their guiding sole aim.

Measures Taken by the Government to Curb Corruption:

Legislations:

The Prevention of Corruption Act, 1988 (Amended in 2008) is a specialized law aimed at curbing corruption in India. It criminalizes corruption in the form of attempted corruption, active and passive bribery, extortion, abuse of office and money laundering. Public servant involvement in private sector activities is also restricted by law. The government has also paved way for easier prosecution and more severe punishment and placing the responsibility on the accused to prove they are not guilty. The Prevention of Money Laundering Act, 2002 is an act of the Parliament of India enacted by the NDA government to prevent money-laundering and to provide for confiscation of property derived from money-laundering. This act and the Rules notified there under came into force with effect from July 1, 2005.

The Right to Information Act, 2005 has played a central role in the fight against corruption in India. The RTI Act stipulates that citizens have the right to access government documents within 30 days from the filing of the request. Thereby, a mechanism of control of public spending has been granted to ordinary citizens. Read more about the RTI Act and different views about its implementation in the Transparency Reviews regularly published by the Centre for Media Studies. India has signed and ratified the UN Convention against Corruption.

Central anti-corruption institutions:

Office of the Ombudsman:

According to Global Integrity 2011, the Central Vigilance Commission is the ombudsman body for the central government. The C.V.C. is an independent watchdog agency with a mandate to undertake inquiries or investigations of transactions involving certain categories of public servants and has supervisory powers over the Central Bureau of Investigation. The CVC does not have direct powers to investigate. The C.V.C. Act, 2003 gives the C.V.C. powers to inquire into alleged offences committed by officials under the Prevention of Corruption Act 1988. The CVC is mandated to deal strictly with public sector corruption at the federal level, as opposed to state level. The CVC has a whistleblower online complaint mechanism on its website; however, it requires citizens to first register before they can lodge a complaint. The independence of the CVC has been questioned; for example, Global Integrity 2011 reports that the process of appointment to the agency does not always support its independence, since merit is not necessarily a criterion to obtain senior positions. A February 2014 article in Economic Times reports that out of the 36101 reports of corruption in 2013, approximately 1300 of them were sent for investigation or factual report. However, the government does not always act on the CVC's findings. An April 2011 news article by BBC News points out that between 2005 and 2009, only 6% of cases in which the CVC found that corruption had been authorized were prosecuted by the government.

Central Bureau of Investigation:

The C.B.I. functions under the Ministry of Personnel, Public Grievances & Pensions. The CBI consists of three divisions: the Anti-Corruption Division, the Special Crimes Division, and the

Economic Offences Division. These units have the power to investigate cases of alleged corruption in all branches of the central government, ministries, public sector entities and Union Territories. The CBI does not have the power to investigate cases in the states without the permission of the respective state governments. However, the Supreme and High Courts can instruct the CBI to conduct investigations. The CBI has a whistleblower/complaint mechanism on its website, where corruption can be reported. The Human Rights Report 2013 notes that the CBI registered 583 cases of corruption in 2012. However, CBI's independency has been questioned, and according to Commonwealth Human Rights Initiative 2011, the CBI's record is not very impressive, especially in cases related to ruling party politicians or powerful individuals who can influence the ruling party's fortunes. The report further notes that there is some evidence to support allegations that the CBI has become a tool in the hands of the ruling party to harass and intimidate political opponents and to favor supporters of the ruling party. In addition, the CBI is not free from corruption scandals itself.

Office of the Comptroller & Auditor General:

The C.A.G. of India is the supreme audit authority in the country. The office of CAG is located in New Delhi, but Accountant Generals (AGs) offices can be found in all state headquarters (AGs are independent of state governments and are accountable only to the CAG). Public expenses management reportedly suffers from poor monitoring, poor targeting, and corrupt practices. According to the UNODC 2013 report, the Public Procurement Bill 2012 gives CAG power to audit the accounts of public-private partnership (PPP) projects, which is seen as the government's effort to improve compliance between the UNCAC (United Nations Convention against Corruption) and domestic laws in India. According to Global Integrity 2011, the CAG does not have power to initiate investigations; however, there have been discussions about amending the CAG Act of 1971 to give more power of enforcement to the CAG. Furthermore, the appointments to this agency do not always support its independence from the executive branch. There have been allegations of corruption and conflicts of interest against CAG's audit staff, according to Global Integrity 2011. On the positive side, CAG's office publishes audit reports regularly on its website, with free public access.

Independent Election Commission:

The Election Commission of India is a self-governing constitutional body which governs the election process in India. The commission was set up on 25th January, 1950. The Election Commission of India administers the election process from the President of India to the State Legislative Assembly and local bodies.

As per Article 324 of the Indian constitution, Election Commission has the supervisory and directional control of the election of Parliament and State Legislatures to the office of the President and the Vice-President of India. During the general elections bureaucracy of the country works under the direct control of Election Commission. Election Commission works hard during elections to enforce Model Code of Conduct for free and fair elections. The commission works heavily against the use of black money and muscle power for influencing upon the voters. Lots of countries send their observers to see the process of elections of largest Democracy of the world.

The Supreme Court of India:

Transformation Index reports that the Supreme Court enjoys a high degree of recognition in India. The Transformation Index 2012 notes that judges have displayed unprecedented activism in response to public interest litigation over official corruption, environmental issues and other matters. This expanded role has received considerable public support. The Supreme Court has been taking corruption seriously in recent years, both in general and political domains. Central Information Commission (CIC): The CIC delivers decisions instructing the government, courts, universities, police, development NGOs and ministries on how to share information of public interest. State information commissions have also been opened, thus giving practical shape to the Right to Information Act 2005 (RTI Act), though they have not been immune from criticism. According to the Human Rights Report 2013, there are concerns that public authorities remain unable to adequately implement the RTI Act.

E-Governance:

A wide range of public services have been digitized, considerably increasing the speed of

government services and removing some of the direct contact points with public officials. The National Portal of India lists all these services and thus serves as an ideal entry point for companies wishing to do business in India. The United Nations' E-Government Survey 2012 states that e-government development in India is at the formative stage due to India's large size and population. The same report also praises the development of India Development Gateway, which seeks to share knowledge with rural communities. The customs service is increasingly integrated into the e-governance project of the Government of India. Under the e-governance project, many of the possibilities for extraction of bribes related to trade across borders have been removed.

As we see sufficient laws and institutions have come out with the passage of time as per the demands of circumstances. But still the menace of corruption is still a big challenge for the democratic institutions and values of the countries. It must be addressed with the strong will power of the policy-makers. There is an urgent need of the hour to work upon this problem to save the ideals of freedom-fighters and democratic values of the country.

Suggestions to check corrupt practices in Indian context:

- (a) A strict law against corruption is the need of the hour with no loopholes.
- (b) A massive awareness campaign through Central and State Public Relations Departments.
- (c) The trial in corruption cases must be time bound so that others take a lesson.
- (d) The politicians and bureaucrats who face corruption charges, their powers must be withdrawn immediately.
- (e) The system of taking prior sanction to prosecute a person who is facing corruption charges must be done away.
- (f) At last, a strong Legislation with strong will power is needed across partylines.

Conclusion:

As described in detail the journey of Indian democracy has been remarkable as compared to other developed countries getting freedom after 2nd world war. The Constituent Assembly of India after long deliberations cleared the way for a Parliamentary Democracy in India. The

Constitution created a bicameral legislature, an independent judiciary, a federated state with significant powers located at the Centre. Democratic and liberal institutions in India have gained strength continuously since independence despite some challenges. The democracy of India is now regarded as largest democracy of the world.

The increasing evil of corruption is a big challenge for the democratic institutions and values of the countries. It has hampered the development of country and at one time political stability was also at stake during Bofors Guns Bribery Scam. The problem of corruption must be addressed with the strong will power of the policy-makers. There is an urgent need of the hour to work upon this problem to save the ideals of freedom-fighters and democratic values of the country.

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