



Corruption



1. Obtaining gratification other than legal remuneration by the ps:- Accepts or obtains or agrees to accept or attempt to obtain ---is punishable with imprisonment for not less than six months—may be extended up to 5 years.(Section 7 of the P.C.Act-1988)

- Taking gratification by corrupt or illegal means to influence the public servant(Sec.8 of the PC Act-1988)
- Taking gratification for exercise of personal influence with ps(sec.9 of the Act)
- Punishment for abetment by public servant of offences of sections 8 or 9 of the Act.(Sec.10)

- Public servant obtaining valuable thing without consideration or inadequate-(Sec.11)
- Punishment for abetment of offences defined in sec. 7 or 11 (sec.12 of the Act.)
- Criminal misconduct by a Public servant:-
 - Sec.13(1)(a):-Habitually committing offence of sec.7
 - Sec 13(1)(b):-habitually committing offence of sec.11

- Sec.13(1)(c):-Dishonest misappropriation
- Sec.13(1)(d)(i):-By corrupt or illegal means obtaining for him self or others any pecuniary advantage,
- Sec.13(1)(d)(ii):-obtaining pecuniary advantage by abuse of official position
- Sec.13(1)(d)(iii):-While holding office as a P.S. obtains valuable thing or (P.A) without public interest

- Possession of Assets disproportionate to the known sources of income by the public servant in his name or in the name of others during the period of his office.
- Sec.13(2):-The punishment for criminal misconduct is imprisonment for a term not less than one year which may be extended to 7 years.

Conduct rules governing personal conduct

- **Maintenance of absolute integrity at all times.**
- **Maintaining devotion to duty at all times.**
- **Avoiding ‘unbecoming conduct’**
- **Unauthorized communication of official information.**

Conduct rules relating to personal morality

- **Prohibition of acceptance of dowry and Bigamy**
- **No consumption of drugs and intoxicating liquor.**
- **No nepotism and follow small family norms.**

Conduct rules relating to integrity

- **Includes honesty of thought, word and deed and financial probity.**
- **Non acceptance of gifts and free services;**

- **Restrictions on investments, lending and borrowing**
- **prohibition of private trade or employment;**
- **Insolvency and indebtedness.**

Eight steps of Preventive Vigilance.

- **First** – realize that cumbersome procedures are the main source of corruption. Identify these blocks in rules, regulations, procedures and systems to locate the avenues for corruption.

- **Second** – modify/eliminate these blocks and simplify procedures, codify them in manuals to remove discretionary decision - making.

- **Third** – identify green pastures in the organization and drive out the fat cows grazing there for too long.
- **Fourth** – weed out parasites.

- **Fifth** – prepare an agreed list of personnel with reputation for lack of integrity; keep them under surveillance and pay greater attention to the scrutiny of their annual property returns.

- **Sixth** – Ensure that dishonest employees do not harass the Public by visiting ‘pressure points’ frequently.

- **Seventh** – Insist on regular and surprise inspections by departmental heads and audit teams and study their inspection reports and locate irregularities.
- **Eighth** – Carry out surprise vigilance inspections in association with supervisory technical staff.

Punitive Vigilance

- **When lack of integrity on the part of any employee comes to notice, punitive vigilance machinery comes into action.**

How do we get information about corruption in an organization?

- **The sources of information are petitions; complaints;**
- **inspection/audit reports; CBI traps and reports and own vigilance efforts**
- **Effective vigilance action adopts the strategies of Education; Counseling; Visibility, Apprehension and Punishment.**

Thanking you

- **K.Sampath Kumar,**
Joint Director,
Anti-Corruption Bureau
A.P., Hyderabad