

**RECOMMENDATIONS TO ERADICATE CORRUPTION/ CRIMES.**

**BY**

**JUSTICE PRITAM PAL**

**(Former Judge, Punjab and Haryana High Court),**

**LOKAYUKTA, HARYANA**

**OUR  
LEGACY**

I feel proud to write that I was born in this holy land where saints, sadhus and teachers established great Vaidic ideologies, moral values, heritage, Indian culture, learnings, spiritual and moral values on the world stage. It was on the basis of these great values that India gained recognition as the World Guru. India became known as the *Sone KI Chidiya* (Golden Bird) as a result of its social, economic, practical superiority and qualities. There was a time when people from all over the world flocked to India to acquire purity of knowledge and philosophical education. (Manusmrity)

*Etet desh prashutashya, sakashaat agra janman*

*Swayan-swayan charitran shiksharen, prithivyang sarva  
maranva: (From Manusmrity)*

But today I feel very sad to say and write that these great Indian spiritual and moral values of life also began to change with the passage of time in India and there was a fall in the established social, economic and political values and standard over the years. We are witness to the present degrading social condition in India. Everyday some or the other event takes place that forces us to hang our head in shame. Human values are falling day by day. There is no fear of law and administration. These are a matter of serious concern to all of us. We can see how women are falling victims to sex and lust and how the young generation of the country is losing its way. Seeing the rampant corruption, scams and the heinous crimes like the gang rape, murder of Delhi's Nirbhaya-Damini on December 16, 2012 and large scale murder of girl child in the country, we feel as if our culture and tradition is suffering a great downfall. It is a challenge for all of us countrymen to find out the reasons and causes behind these disturbing happenings in order to be able to overcome them.

### **REASONS; BEHIND CORRUPTION AND CRIMES**

**DIS-  
APPEARANCE  
OF INDIAN  
TRADITIONAL  
EDUCATION  
AND  
CULTURE.**

As mentioned above, our education, culture and values of life held superiority in the world. The universe recognized India as the World Guru. In this connection I would like to quote a part of the statement given by Lord Macaulay in the British Parliament on February 2, 1835. "I have travelled across the length and breadth of India and I have not seen one person who is a thief or a beggar. Such wealth I have seen in the country, such high moral values and people of such caliber; that I do not think we would ever conquer this country, unless we break the very back bone of this nation, which is her spiritual and cultural heritage, and therefore I propose that we replace her old and ancient education system, her culture. if the Indians think that all that is foreign and English is good and greater than their own, they will lose their self-esteem, their native culture and they will become what we want them, a truly dominated nation".

This meant that the Indians had great moral values. Philosophy, religion and culture were the backbone of the country. It was impossible to win India without breaking this backbone. The foundation of the Indian education system was extremely strong,

based on moral and spiritual values and heritage. It was scientific, mature, full of values that taught self sacrifice for the good of others. No wonder the Indians were great and it was difficult to conquer them, unless the great Indian education system was damaged, destroyed and replaced by some other system. This would make Indians lose their self-esteem and they would be ready to be dominated by the West.

**DOMINANCE  
OF FOREIGN  
CULTURE,  
EDUCATION  
AND LEGAL  
PROCESS**

History is witness to the fact that whenever they got the opportunity, the foreigners continuously attacked our Indian education system and culture. Many laws were formulated to bring about a revolutionary change in our education system. English language was slowly promoted as a medium of Indian education. Indians were forced to learn English to be able to get petty government jobs like clerks and Babus. English was also promoted vigorously in Public Schools. Morning prayers and meetings in schools began to be based on western culture making children distance themselves from the native culture and human values. All such changes deeply influenced our thinking, food habits, living style, culture, character and moral values, making us lean towards

western culture and tradition and the result is obvious now. Today our children and youth are influenced by the western culture. It is common for our youth today to consume liquor, take drugs and many other intoxicants. These intoxicants had a direct adverse effect on our mind and our thinking became corrupted. As we become attached to bad habits, we lose our moral character and become criminal-minded and corrupt. We become attracted to a life of crime and our priceless and pure life degrades. This degradation starts polluting our neighbourhood, village, city, society and the atmosphere of the entire nation. The ill-effects of all these becomes visible on our relationships.

**DEGRADATION  
OF THOUGHTS  
AND CULTURE**

We see today in India how the respect and care towards parents and elderly by the younger generation and children is decreasing. The Marriage system, which was considered a holy bondage of our culture and tradition is also breaking down day by day. The courts today are flooded with cases of divorce, separation and maintenance allowance. Law makers are becoming law breakers. According to the report published in an English daily (Daily Post) on January 25, 2013, criminal cases are pending

against 1448 out of the 4835 sitting Members of Parliament (MPs) and Members of Legislative Assembly (MLAs). This means there are criminal cases pending against 1448 (31 per cent) of the MPs and MLAs, while as many as 641 are charged with serious cases of Rape, Robbery, Kidnapping, Murder and Extortion. But this is not the end. Many officials, top politicians and ministers are found involved in cases involving scams of millions and billions of rupees. Usage of money power and muscle power is increasing day by day. This is forcing honest and gentle people to stay away from politics. As the great philosopher Plato rightly said, ``Penalty for not participating in politics is that you end up being governed by your inferior.’’

**TWO ,  
RECENT  
EXAMPLES  
BEFORE ME**

In the present times a belief has developed among most of the people that unless you pay bribe, none of your work will materialize. I have myself realized that what to talk of general public, even well-to-do literate persons often come to me with complaints that their small works at lower levels are deliberately stalled for years together. I can give you example of two such recent complaints without naming anyone. A person named `B’

sold his plot and mortgaged the jewelleries of his wife to hand over Rs 14 lakh to his close relative to be able to make arrangements for sending his son abroad for a job. The son of this relative had already gone abroad. The relative had assured him of getting the work done, but in connivance with the police he robbed the entire money of `B`. In the end neither his son could go broad, nor did he get back his money. No enquiry was done by the police at first on complaint by `B`. Later after several months of persuasion the case was finally registered by the police and two people, who used to work as agents were challaned. However no action was taken against two other people who were real culprits. In fact these people were declared innocent at the time of presenting challan in the court.

When the complaint came to me I read the challan file on enquiry from the police and found out that on being paid bribe, the investigation officer had deliberately allowed to go scott free the two criminals who had cheated `B` of Rs 14 lakh. Going through all the facts and figures I observed that the complainant had not been able to pay bribe as a result of which both the main accused had

escaped punishment. But I would like to mention here that after serving notice when I called to my office for inquiry the investigation officer and the person who was abroad and on whose assurance Rs 14 lakh had been paid for sending `B's son abroad, it was reported that both of them were now dead. It is true, the corrupt and accused can dupe the law and court to escape punishment, but he cannot escape the justice of God.

The second instance relates to the Haryana Urban Development Authority (HUDA). A person named `B' complained that he had not been issued the completion certificate despite the fact that the building had been constructed two years ago. He had appealed under the prevalent law which had been accepted and it had been ordered to hand over the completion certificate at the earliest. However, despite the government order `B' had not been issued the completion certificate. `B' had taken a loan of crores of rupees from the bank for raising the building to start a resort there. He was paying lakhs of rupees per month even as interest to the bank for the huge loan. But the cause of the delay was obviously for not paying the bribe. `B' was under a lot of stress and strain as



a result of the repayment of bank loan and interest due to the delay in the certificate. He had become a blood sugar and hypertension patient as a result. Before the completion of the inquiry, the wife of 'B' came one day to tell me that as a result of all the tension pertaining to the case, her husband had died. My purpose of writing all this is to show the degradation of the thoughts and values of the officials and those in power today. How much insensitive they have become that even the just and right works cannot be done without paying bribes. Here the names of the culprits have not been written keeping the law in mind. What would be the end result of such happenings? The Hon'ble Supreme Court observed while delivering judgment in a case of Maharashtra State under Corruption Act 1988. "Corruption is the mother of all evils that affect governance, economy, institutions and people's will to do progress, and any soft approach in dealing with it will result in anarchy.

"Corruption mothers disorder, destroys societal will to progress, accelerates under served ambitions, kills the conscience, jettisons the glory of the institutions, paralysis the economic health

of a country, corrodes the sense of civility and mars the marrows of governance,” a Bench comprising of Hon’ble Justice K S Radhakrishnan and Hon’ble Justice Dipak Misra observed in a judgment.

“ It can be stated with absolute assurance that the tendency to abuse the official position has spread like an epidemic,” making people believe that “Unless bribe is given, the work will not be done,” the Bench lamented.

“To put it differently, giving bribe, whether in cash or In kind, may become the mantra of the people,” if the situation was allowed to continue, it noted while rejecting the plea of two government servants of Maharashtra for quashing a corruption case against them on the ground that their trial was going on for more than 26 years.....”

**DOWN FALL IN  
THE STANDARDS  
OF TEACHERS  
AND LEVEL IN  
EDUCATION**

It is a fact today that even our teachers these days are coming out on the streets in favour of their rights and demands. Many times on TV we even see police lathi charge on the teachers. On the other hand even the students of our schools and colleges adopt aggressive postures in favour of their rights and demands. As a

result of all these unrest, our country has started lagging behind other countries in basic moral and educational standards. In this connection I read the statement of our President Pranab Mukharjee issued in Sonapat, Haryana on March 22, 2013. According to the statement, "It is a matter of grave concern that despite having 659 degree awarding institutions and 33,023 colleges in the country, not a single university qualifies among the top 200 Universities of the world, according to an international survey." He further said, "India, which represents about 17 per cent of the global population, had filed only 2 per cent patent applications in 2011. In all India filed about 42,000 patent applications, whereas America and China filed more than 5 lakh applications." The above example shows how much we lag behind today in the educational standard. Besides we also feel lack of moral values and teaching commitments among the teachers. In the same way, we also find missing among the students the respect towards their teachers like the older times and the ideal pure relationship between the teachers and the students today. Moral values are falling today and this is creating an unfortunate and alarming situation for all of us. In reality it is the fall in such values which is creating a situation for evils like

corruption, anarchy and heinous crimes in the country. If the situation is not controlled soon the country will have to face serious consequences as the Supreme Court observed above.

### **REMEDIAL MEASURES**

As I mentioned in the beginning of this piece we all Indians inherited such great values and heritage which is slowly getting corroded. But there is no cause to get discouraged and lose hope. We can regain our great national culture and heritage and values again and control crime and the rising corruption, anarchy, and check fall in moral values in our society. This is my firm belief, thought and observation based on the 50 years of my experience. But to achieve this we will have to follow and adopt the below written suggestions in the form of **Five *Mool Mantras***. To succeed in this great mission the government and society will have to work together with a firm belief. Then no power in the world will be able to stop us from getting back our rich heritage of culture and high moral values as observed by Lord Macaulay in the British Parliament in 1835.

### **POLITICAL WILL AND PUBLIC OPINION**

First our leaders in the government and all the political parties should decide upon the necessary qualifications and character verification of the leaders to be elected to our Assemblies and Parliament. It is rather tragic that the qualification and character verification of people is done strictly for those people applying for even government jobs like peons and guards, but the same is not done for those people who govern this democratic country. I believe that if the leaders holding high posts are honest and of good character, they can change the corrupt government and administration through Good Governance. On the contrary if the leaders running the country are incompetent, corrupt and characterless you can as well imagine the fate of the country.

In 1949 when the makers of the Indian Constitution were giving it the final touches, Dr Ambedkar observed that there was something lacking in the document and started suggesting some amendments. Dr Rajendra Prasad, who later became the first President of the country told him, ``Dr Ambedkarji, merely setting aside the drawbacks of the Constitution will not solve the purpose of bringing about the necessary changes for the growth and progress

of the country. This will depend on the elected representatives of the assembly and the parliament who will frame the laws of the country. If the elected representatives are honest and of good character, the drawbacks in the Constitution will not pose any hindrance to the growth of the country, but if the elected representatives are dishonest and corrupt, then even the written Constitution of the country will not be able to help the countrymen.” My purpose of writing all this is only to suggest that all the political parties should join hands together to create a mechanism and public opinion so that the corrupt, dishonest and the wrong elements in the country are stopped from being elected to the top posts of the country as people’s representatives.

**SECOND  
BASIC  
MANTRA**

**THE AIM OF PRIMARY EDUCATION SHOULD BE  
OF CHARACTER BUILDING AND BASED ON  
MORAL VALUES**

Mahatma Gandhi had said “By education I mean the all round development of the child,”. Education therefore should develop the physical, mental, philosophical abilities of the child, besides help in character building. In other words education should

enable the child to emerge as a good human being who can be instrumental in the construction of a good society and a great nation. In my view this is the greatest solution of the present crisis facing the country. Looking at the rampant corruption, bribery at every stage, rape, murder and scams taking place in the country we often comment that there is a need for a change in the mindset of the countrymen. It is therefore necessary to bring about more strictness in the laws.

After making a few amendments in laws our leaders think these will solve all the present problems facing the nation. But I want to ask. Has the mere strictness in law been able to reduce the rampant anarchy and corruption in the country? Figures tell that such crimes are increasing day by day instead of getting reduced. Where then is the drawback. The real drawback is in our mind and thought process. It is in our mindset and culture. Have we taken any step to change all these in the last 65 years since independence?

Even today after every ghastly crime that makes us hang our head in shame, it is said that there is a necessity to change our mindset. For some days the newspapers, radio, TV channels and

some representatives of the government vociferously express their feelings on the issue and then they all become silent. Whereas I strongly feel that change will not come merely by talking about it, neither is there any key by which we can immediately change the present mindset of the youth and others in the country and all the corruption and crime will end.

In reality for finding solution to the mindboggling problems facing the country there is a need for formulating a long term plan. For this purpose committees of eminent and expert educationists should be formed at the state and the central level whose members after deliberations with eminent thinkers prepare an elaborate syllabus for the mental, physical, character building and all round development of the child so that their thoughts and moral values and culture become so strong and firm that when they finish education they emerge as an ideal and responsible citizen of the country. They should be so strong that whether they go for higher education or join any other field they should be able to prove themselves as good parents, officials, leaders to be able to take their society, state and country forward.



Based on the experience of my life I would like to say here that there are many people in society and government who have earned fame because of their honesty and high moral character. Many complaints came where both the warring parties recommended a particular officer's name for the inquiry simply because they trusted his fairness and integrity. People of such good character and honesty are still found in small numbers every field. On close observation it emerges that behind their honesty and fairness there was their families and good school education that taught them the values of high moral values, truthfulness, fairness and honesty. The lessons learned by such people in their formative years remain with them throughout their life.

### **IDEAL PARENTS, TEACHERS AND SOCIETY**

#### **THIRD BASIC MANTRA**

The first responsibility of the parents should, be that besides giving birth to their children they should also make them great human beings by instilling good ideologies and high moral values. Even when the child grows up he only spends around six hours with the teachers. On the other hand he spends the rest of 18 hours with his parents, friends family and neighbourhood. A child inherits

his initial culture from his parents, but we are witness to the fact today that many children spend their childhood without the company of the parents. As a result his thoughts, nature, habits and culture start becoming corrupt and it becomes very difficult to change these at a later stage. It is therefore absolutely necessary that parents should spend more time and energy in turning their children into responsible citizens from an early stage instead of merely focusing on their work, while neglecting the child. It becomes utmost important that the parents should themselves present an ideal image to their children that they can follow.

Afterwards when the child goes in the custody of the educational institutions and his teachers, he should get a clean and holy atmosphere where character building should be of utmost importance. To achieve this purpose the government should pay special attention to the budget allocation for education so that it prepares an ideal infrastructure for providing the best of education to the children through teachers who are fully qualified and of good character and high moral values, committed to education. I believe that it is the first duty of the government to put education and

teachers on the highest pedestal. For this it is necessary that teachers of high educational caliber should be prepared. The training of such teachers should also be of the highest standard so that they are able to present an ideal example to their students. Such eminent teachers of high quality, caliber and moral values should be appointed by the government and private institutions on high salaries and provided all education related facilities and infrastructure. The government should initiate such a step without any delay so that the coming generation gets an ideal educational atmosphere based on high moral values. Only this will end the rampant corruption, anarchy and other crimes automatically in the society and country with the passage of time.

**LAW SHOULD CHECK THE VULGAR AND LOW  
QUALITY LITERATURE, TV CHANNELS' SHOWS,  
FILM SHOWS, MAGAZINE, POSTER, NEWSPAPERS  
AND PRINT AND ELECTRONIC MEDIA**

FOURTH  
BASIC  
MANTRA

I would like to state that in the present times we feel ashamed of watching, reading or hearing together these so called entertainment sources. You also understand very well why this is

so. I feel ashamed of writing more about these entertainment sources. It is enough to state that all the people in the government and the media should formulate an agreement and mechanism so that all these entertainment sources can be used for the welfare of the children, youth and the country. We are witness to the fact today how all these above mentioned sources are being used without any control in the mad rush for earning income. The government and the political leaders should formulate necessary laws keeping in mind all these facts.

**GOVERNMENT CHARACTER BUILDING**  
**DEPARTMENT**

**FIFTH  
BASIC  
MANTRA**

I have inspected several Observation Homes, Borstle Jail, Ladies Wards, Orphanage, Red Cross and Non Government Organisations involved in the welfare of the orphan boys and girls in the last two years. I also had the opportunity of visiting other government and NGO run anti-narcotic institutes. I interacted with the inmates including children and others, and after long deliberations with them realized that the society itself is responsible for forcing these prisoners, children and youth to take up the wrong path. The reason was clear. We had failed to provide proper

environment, basic education, character building education which would have enabled them to become good citizens.

After deep thoughts and deliberations I have reached the conclusion that the central and the state governments should deal in checking this moral rot in society on a war footing in a time bound manner at the earliest. Besides the four above mentioned mantras suggested by me, I strongly recommend that the government should constitute a special department which should take up the responsibility of character building of the society and people in the far flung areas of the country. This department should serve as a Public Relations Department and aim towards promoting moral ethics for preparing good human beings. For this purpose the government should constitute a Board at the state level consisting of eminent and expert educationists which should help the government departments to prepare and implement necessary reforms.

I agree that preparing the basic course of action for the causes and the mitigation of rampant corruption, scams, ill-behavior, heinous crimes and similar such evils in society may take

a longer time, but I can say with full confidence that if the government prepares and implements this programme with all sincerity and seriousness, then all these problems would be totally eradicated. In this way we would be able to get back our lost greatness and glorious heritage which would ultimately, make the lives of all the countrymen peaceful, happy and bliss.

**Dated May 22, 2013**

**(Justice Pritam Pal)**  
**(Former Judge Punjab & Haryana High Court)**  
**Lokayukta, Haryana.**