

Corruption

One of the greatest threats to humanity has always been the corruption, which at present is also a major obstacle in good governance. Broadly speaking, corruption is of two types; corruption in society and corruption in governance. I have emphasized here only on corruption prevailing in governance. But it is also true that good governance can also be instrumental in reducing corruption in the society. There has never been an era, area, system or government which could boast of being absolutely corruption free. But degree of this menace has varied from time to time or from area to area etc. Meaning of this term also varies from person to person. A public sector employee goes on tour on public expense. At the place of his visit he uses taxi as his conveyance for some areas and auto rickshaw for the others. He spends Rs.100/- on taxi and another Rs.100/- on auto rickshaw. His entitlement is taxi. He knows that taxi charges, though would be allowed to him at approved rates, but would be restricted to Rs. 75/- only owing to approved rates being less than the actual ones. He puts up his claim in a manner that he increases kms. covered by taxi and reduces the kms. covered by auto rickshaw so that his total claim is sufficient to cover his expenses. Many of us would consider this action as clean from the angle of morality, though it wouldn't be clean from legal point of view. And what if he uses auto rickshaw only and claims for taxi? Some of us would justify his claim from morality view point with the opinion that when he was entitled for taxi travel it is he who suffered inconvenience of auto rickshaw travel, and that it is not immoral if he compensates this inconvenience. And what would be said for an arrangement if an official plans his official tour in a way so that he could attend to a social function at the visited place and files a claim for the tour expenses, the same being official?

There are some immoral acts which we commit without even noticing them to be immoral. Receiving of festival gifts from our official beneficiaries, indulging in gossiping during duty hours, favour in processing the cases of favorites etc. are some examples. Administratively one can't do much to check such kind of petty

corruption, except, however, nurturing the value of morality and of self restraint, though rigid adherence to these principals may make the person a laughing stock in his work area. At the same time it is also true that absence of self restraint in such petty cases would result in temptation to indulge in serious corrupt practices. Even then, such petty acts of corruption are not tackled very seriously even in the clean societies. Discussion of them in societies like that of India would put you in the domain of public ridicule. Should we, then, concentrate only on serious type of corruption? One will promptly say yes, without knowing that it is the launching pad for higher level of corruption.

Magnitude of Corruption

In India corruption has spread cancerously in all the nook and corners of Administration. Your complaint to the police, if you are an ordinary citizen, will certainly fetch the attention of the duty officer. But his intention would seldom be of extending you a helping hand. He will see if you possess a quality and capability to oblige him with some gratitude for his endeavors to help you. You should be quite clear in your mind that you would have to pay the price of his endeavors only and not for the end results, and that too at the rates decided by him. This is true in almost all the cases of public services. No sensible person in India is unaware of the severity of this problem, but its degree may vary according to the experience of an individual. I am presenting only that much which has been experienced by me, though it is quite clear in my mind that actual position is much worse than that.

In some offices corruption is systemized in such a manner that people have become used to paying for it. The system is streamlined in such a fashion that you have to approach the middlemen for getting your work done. People also find this quite convenient as they know beforehand what they have to pay, as rates are known to the middlemen. Each and every person in the line gets the share as per his position in the hierarchy. And if you have some courage to get your job done without the involvement of middlemen you will end up tearing your hair. In one such instance,

when, as per my thinking, I had sufficient time of four months to get the job done, which is got done by the middlemen in a week or so, I had to run from pillar to post for full four months and the job was done, though without paying any gratitude, but with involvement of a senior officer, who was quite gentle in the sense that he valued my efforts and fixed the deadline. I was able to get the job done as my case was crystal clear, which is not generally a case with general public, owing to a hoard of absurd formalities and rules.

Intensity of this problem can be gauged from the fact that corruption in some cases, nay, in majority of the cases, has the involvement of each and every person of that department, junior most to senior most. And concerned public knows it well. In 1986 I was traveling in a truck from Delhi to Ludhiana with some official material. In every district we passed through in Haryana, and then in Punjab, the truck was stopped by a cop for documents check. But, instead of asking for the papers, he would ask the driver for a note book, obviously, kept for the purpose. The driver would slip a Rs.10/- note in the note book and handover the same to him. He would pocket the note, scribe something on the note book and return it to him. That was a permit to allow him passage through that district without proper documents, as any other cop stopping him in that district was shown that inscription, seeing which no other documents were asked for. My curious enquiry found out that the cops were given a special code, known to all the traffic cops, indicating that the 'fee' had been received. To protect the code from 'misuse' the same was changed every month. All the truck drivers were familiar of this practice and were happy to pay, as otherwise, you know, how difficult is it for a trucker to fulfill all the legal formalities for plying a truck! In India no trucker can earn any profit by plying truck strictly as per traffic rules. The situation is exploited by the protectors of law with scant respect for the duty. And it would be laughable to argue that higher ups in administration or the ministries are not aware of it.

Tackling of this problem is not as hard as it seems; it is much harder than that. It is not that there is dearth of willing people. They are plenty. But biggest hurdle is that they are not allowed to fit in. One dirty fish can make the whole pond dirty, but one clean fish can't cleanse the filthy pond, as the dirty ones would not let it do so. And clean fish, though not scarce, have their own problems that they can't enter the pond. If, by chance, one is able to, it is an odd man out case. Almost all the 'lucrative' posts carry a price tag, which is the attraction only to the

entrepreneurs of corruption. The disease is curable to some extent in Central Govt. posts, but state govt. posts are a gone case.

It is very difficult to maintain your honesty for long when you see several dishonest and incapable people being promoted for their sycophancy. A big heart is needed to control the temptation to mix in the herd and get benefited. If one is able to withstand that temptation, then controlling the anger of your neglect and rewarding of the incapable instead, is more difficult. You can, anyhow, be ready to accept that also and soothe yourself by considering this all as the price for keeping your soul above dirty water, but what would be your reaction if your sincere actions fetch wrath and humiliating rebuke of your corrupt superiors for not cooperating in their corrupt practices? You would propose bringing of such activities in the notice of their seniors. Well, first of all, it is not possible under the conduct rules, though some respite has been provided now by the whistle blowers protection measures by the govt. But if you have the courage to leave the job and then complain, even then there is little you can do. My experience in this regard is very bad, as I also decided to leave the job and take up with higher authorities the pressure I was being exerted upon for working for the benefit of the seniors but against the interests of the organization. Believe me, nobody bothered to pin the culprit. His immediate superiors shielded him instead, and the departments supposed to take action were indifferent to an extent which cannot be considered less than criminal by the right thinking people. And this indifference was from bottom to top, Prime Minister's office including.

Is there no solution to tame this monster? Would any efforts to eradicate it be a failure? I am not that pessimist to resign to this negative thinking. And so is the thinking of a majority of general public, even though we hear from almost one and all that the situation is beyond control. I also do not agree that the findings of Transparency International should imply that every third Indian is corrupt. This may be true for the public servants; rather it is an understatement in their case. But the general public is not a willing participant in its spreading. Majority of the people pay the bribes under compulsion while only a few shrewd people exploit the situation for mutual benefits when they manage the public authorities to help them in public loot in return for their share in the booty. Although the corruption is still on the rise, yet its multiplication to this level is not due to willingness of the general public. It may be due to the resonance associated with it. An honest

person living in a corrupt society has tendency to become corrupt himself, or, if not, become indifferent to it. Similarly a corrupt man shifted to an environment of honesty is sure to improve, barring, however, a few exceptions. Reason for common man becoming indulgent in dishonesty or indifferent to it is because he sees others indulging and benefiting from it. If the situation is reversed then majority would shift towards honesty. If the public starts looking at the corrupt people with disdain, like it looks at and behaves with the thieves, burglars and pick-pockets, these people would also not dare indulge in the activity, which, I think, is far more condemnable than the acts of general thieves, as these people also assassinate the trust of public in addition to the burglary they commit.

How to Remove Corruption

An expectation that a person can give instant or surefire solution to this problem would be expecting impossible from him. And expecting it from a person like me would be like asking Vishwanathan Anand to win a WWF title, off course, without any match fixing. The nation is in possession of tremendous talent in administrative field, great analytical capabilities in management area, massive potential in political reforms and a huge capability in enacting crystal clear laws. I stand nowhere near any of the authority in any of these fields. In fact I know little about political systems prevailing in the world. But am astonished why are we so clueless in tackling such a big problem despite having such talent. Have we no interest in getting rid of it? To think like that would be sheer absurdity. No one is living happily in the environment of corruption; its perpetrators included; they are, at the most, lesser sufferers in comparison to common man. They also have to go through similar ordeal when they visit other public offices for their personal work. In their own work area also some of them are not corrupt by choice but by compulsion. Why this monster is still to be tamed, rather is becoming stronger with passage of time? If the experts have not succeeded in controlling it then expecting miracles from unknown species like me would be asking for the moon. I only intend to draw attention of the experts in these fields towards this problem before it is too late for them also.

Identification of the Problem

Any problem has got a solution, rather many solutions. Degree of success depends upon ability of the problem solvers in arriving at the best of the available solutions and their effectiveness in implementation. The steps for problem solving can be generalized as: identification of problem, identifying of the root causes for its persistence, finding and identifying of different solutions, evaluation of different solutions or sets of solutions, selecting the best solution or the best set of solutions, implementation of the selected model, proper monitoring during implementation. The problem of corruption in a country like India is such a diabolic in size that it cannot be identified in a single unit. We shall have to identify its various components, solutions for the rectification of those components and regular and continuous monitoring for plugging the envisaged perpetual loop holes. Identification of the uncountable components of this problem and finding the treatment for them all is not an easy task. A lot of brain storming is needed for it, which is not possible at individual level. So, I will discuss only a small portion with a small effort for identifying some of their solutions, leaving the balance to be identified and tackled by the experts. My intention is just to boost the public to take interest in eradicating this nuisance, which will be sufficient to discover enormous ways to remove it. The solutions given here may seem ridiculous to the intelligentsia. They are free to do so. But it is their duty to find better solutions, which, I am sure, they can. I will consider my efforts as fruitful if I can incite them to do so. Solutions given here may seem impracticable in present day scenario, but will surely be practicable partially and in a phased manner; hence we may start with the practicable ones, defer the impracticable at this stage and delete the totally impracticable ones. I have used a simple method for it. Identify the factors for its persistence and try to remove them. Any problem contains its solution in its causes. So, to find a solution we have to identify its causes. More clearly we identify the causes, more efficiently we would be able to solve it.

Root Cause of Corruption

The root cause for unwillingness of the people supposed to work in checking it, but promoting it instead, is the cost he or she has to pay for attaining that level. Most of the posts of public dealing are attached a price tag. The price may be paid either in cash or in the shape of connections with politicians, which would be cashed by them in due course. It would be sheer foolishness to suggest that politicians should stop helping the corrupt officials. How can they? A politician needs a lot of money to contest elections with minimal chances of returns with lawful means. Why should, then, he be condemned for his unfair means to recover, not only his costs, but also for the gamble he played with risk of losing the elections and the money he has spent? The thinking that the money is spent by the political party concerned is merely living in fool's paradise. It is not the party which provides the money to the candidates, but it is the other way round. The parties invest only on those candidates who have capacity of better returns for the party. The political parties have their own limitations in arranging the money by legal means. Even the means they consider as legal cannot be treated as moral. Their collections as donations for party funds are, in reality, a price for their services to the donors.

The above discussion leads us to the inference that root cause of corruption is the basic structure of our democracy, which is based on elections needing huge expenditure by the candidates. Politics has become a business for most of the candidates. And, as a result, democracy has become 'off the people, buy the people, far the people'. Should then we switch over to a system of governance sans elections? This surely is another alternative, but it will be even more harmful. It will be better if we work out a system where the candidates don't have to spend any money, with ultimate result of a chance for an honest capable person reaching at the top. The present system of elections does not provide a positive choice to the voters. In the present system the voter certainly has the power to shunt out the corrupt, provided there are some honest candidates in the fray. But what if all the candidates are corrupt? Only right the voters possess is to elect the least corrupt, which they try to their best. To hope that an honest candidate would come forward with investment of huge funds, that too without any guarantee of his successful election, only for the meager emoluments attached to the post in comparison to the election expenses involved, is only a wishful thinking. This is the reason why 153

MPs facing various kinds of charges, 54 out of them of serious criminal nature, including murder, reach the parliament of a total strength of 543. The fact is that the candidates only pretend to be honest, but, barring a few, are not honest. There is only a degree of variation in their dishonesty. And they cannot be blamed for this. For what are they spending such a huge sums then? It is an investment for the gains attached to these posts, which an honest candidate cannot afford. When people don't have any purposeful choice they vote against the ruling party with the hope of better prospects in opposition only to find them also becoming more corrupt after attaining power. And after some time, when they see no hope in any of the parties, the result is hung parliament. The present system of elections is thus a failure, but continuing in the absence of better alternatives available to the public. Let us have a try in devising an alternative system of elections, which, if devised successfully, will be a launching pad for better governance.

Solutions for the Problem of Corruption

As we have observed, roots of corruption collect the essential nutrients from the system of elections. To root out this parthenium weed we will have to damage the roots and dry up the nutrients, which will need a complete overhauling of election system. As has been discussed above, the present system is responsible for throwing corrupt people to the fore and incapable to bring forward the honest and capable. The corrupt in the corridors of power make the whole governance system corrupt, and then. We need a system where entry of such people could be blocked and honest and capable ones are free to move in. This is not possible without amending the present constitution, rather without complete overhauling of it. But before reaching at what type of constitution will be suitable let us examine what the present system lacks.

True Power of Vote

To start with, let us examine the so called power of the voters. Although results of nearly all the elections hint that public has maintained a satisfactory level of judicious choice, yet their casting of vote cannot be termed as judicious. Still a

great percentage of voters don't recognize the value of their vote. Votes are still casted on the basis of caste, creed or religion, though to a certain extent. Voter turnout of 60 percent is considered as good without exploring the reasons for 40 percent abstainers, a good percentage of which is due only to the indifference towards this dutiful right. The voters of the kinds mentioned above are only a burden on our democracies. The reasons for the same may be found in the ease with which right to vote is available in democratic countries, especially in India. The person who does not understand how the governments function, what essential qualifications and qualities are needed in the prospective candidate, how to evaluate the various candidates, is given the right to vote just because he or she attained a certain age. Certain qualifications other than the present one, i.e. age, should be made mandatory for this right. These qualifications may be certain educational qualifications or, in the absence of which, some tests devised for the people lacking those educational qualifications. But the voter needs to be aware how the governments function, and be possessed with the knowledge and capability to value democratic systems. He should be in a position to identify the value of his voting right and keep it above any kind of benefits attached to abandonment of this right. We have seen 89% yes to civil society participation in a survey conducted by a newspaper. What is civil society? It is just an undemocratic band wagon of influential people, enjoying the rights to criticize without any liability or responsibility on them. Is approval for its participation in governance not just abandoning of democratic rights for an imagined good; just swaying away in emotions for an anticipated benefit? With due respect to the pious intentions of Anna Hazare, we were not in a position to understand that it was an attack, though inadvertent, on our democratic rights. When even the educated don't have capability to see in to it, as was evident in that survey, what can be expected from the uneducated? So giving the right to vote on mere attaining of certain age is not in the interest of any mature democracy. We have to create an atmosphere where this right is earned by the public and not showered upon. This may sound strange, immature, bold and impracticable, which surely is in the present mindset. But to achieve good governance this has to be done, sooner or later, otherwise chances of corruption to diminish will be negative. The present voters do possess the quality of showing the doors to incapable or corrupt governments, but not before reaching the situation at extreme, or before building of a wave in favour or against a person or a party. By rationalizing theses channels of

power we can hope for controlling of the situation much before the maximum damage. There would be opposition to this proposal as it would snatch voting rights from a huge population of the illiterates. If the proposal is not workable due to this very fact then, at least, we can make these qualifications mandatory for the future generations; by enacting a law that the persons born after such and such date shall be covered under it and for the present ones a time frame for acquiring those or some relaxed qualifications should be fixed. Needless to say that a data bank and unique identity number will be very important for proper working of this system. But that is also necessary even in today's conditions, proper implementation of which will be effective in reducing corruption to some extent in present system, but not to a satisfactory level. Another argument may be forwarded that people below poverty line will be deprived of their rights and shall be ignored by ruling class because of their inability to acquire proper education for being eligible to voting rights. Their rights are not protected even today as, otherwise, they would not have been below poverty line. We can make a provision in constitution itself for safeguarding their interests and make the government accountable for any lapse at its part, which is not the case today and they are befooled by shrewd politicians promising their welfare at election time and bidding farewell after garnering the votes. We can boast of success of our democracy when Nitish Kumar won elections due to his performance in last five years while nonperforming Lalu was ousted even while the number of illiterate voters in Bihar is maximum. But the fact is that they continued voting the non performer continuously for three terms before rejecting him. Those wasted 15 years could have worked miracles for the state had the voters been judicious enough to oust him earlier. And his performance, though better than Lalu, can't be described as great. It is only better because we cannot get the best people in present day electioneering. Some may argue that the voters who don't understand how to utilize their voting power properly follow some of their mentors, who are, generally, the educated ones. But this also is a drawback, as the tendency can be exploited by the shrewd candidates. There is no dearth of capable people in the country, more capable than the present political class, but they can't come forward due to the present system having been exploited by the cunning and powerful people. We will have to work out a system where most suitable people are available to the voters for electing the best out of them.

Evaluating Political Party System

Other major drawback of present day democracies is their working through party system. The reason for this line of thinking is that the political parties are not made by the public but are thrust upon it by some influential political leaders, especially when they feel their benefits in abandoning the party they are attached with. These parties are, in fact, centers of autocracy, where a hoard of sycophants are there, not to help in framing, but in supporting the policies made by the 'leaders'. They can't support the policies concerning the national interests according to their own views but are to act as per directions of the 'high command'. Any deviation is met with a whip from the 'party'. There are countries which are following single party system, describing themselves as democracies, though their claim is not accepted by the actual democracies. This system has proved to be dictatorial. Major benefit of party system is that parties are formed with some ideologies attached to them. The voter can decide according to his preference to an ideology, without much effort to identify the qualities of the candidate. These qualities are taken care of by the party concerned. But these ideologies sometimes prove to be a vice rather than a virtue, because ideologies are followed keeping in mind the votes and not the national interests attached to them. The ideologies are normally on paper while their ultimate goal is to grab the power; not serving the nation. The result is that the parties have divided the nation in castes, religions, regions and a hoard of other divisions. No single person can break this jinx by working honestly. The system of independent candidature is not enough, as independents do not possess sufficient power to have proper say in governance.

We may try to find solution to this problem by limiting the controls of any party upon their candidates after they have reached the parliament or assembly. These controls will solve some problems but also give rise to other ones not yet faced. For example, if we limit the functions of the political parties only to select suitable candidates for the parliament and let them work according to their own sweet will thereafter, we will be able to solve the problem of hung house, though election of the leader, and then the cabinet ministers, may become chaotic. The other alternative is to control sources of income and patterns of expenditure by the

parties. After so many years of independence we have not been able to put the accounts of political parties under proper surveillance. Any form of governance has chances of turning in chaos, or in autocracy, if there are people capable of hijacking the system. So why can't, then, we give a try to a totally untried system, i.e. 'no party system'. Please do not stop reading and rubbish this idea as ridiculous. We are so acclimatized with party system that democracy sans party system is not easy to digest. Any change in our old conceptions and beliefs is so hard to occur that we see such change as ridiculous. Such was our reaction to Galileo's concept of earth revolving around sun, and to Darwin's theory of evolution. So, instead of rejecting it straight away, let us have a look at it too. This system will also have its own flaws. But when no system is free from snags then why not try this one also?

Adoption of Proper Constitution

A lot of changes will be required in adopting this no party system. To start with, we will have to change the constitution. In fact, for better governance, the constitution should have validity for a limited period of time, say 20 years or 50 years. Any decision on adoption of the best constitution is taken according to the prevailing values. These values change with the passage of time, but the constitution continues to be representing the old values. True, there is a mechanism of amendments in order to cope with this problem. But after a long time the constitution is liable to appear like a patchwork. Why not, then, do this exercise afresh after appropriate time intervals? Moreover, the political class has its limitations in initiating the amendments which are against their political interests. For example, caste based reservations in govt. posts for a limited period was considered ethical at the time of independence, and was adopted despite a clause that no discrimination would be done by the govt. to any individual on caste basis. How discriminatory has this been, that shall be discussed later. At this point of discussion it is worth considering that no political party has gathered the courage to discontinue this discriminatory clause though the system helped only in widening the gaps in the society in the form of castes. And the political class has tried to widen it further by identifying other possible divisions in the shape of OBC's. How shameful is it for a democracy like ours when people are fighting to

include them in backward list! This could have been avoided if the constitution had limited time validity.

One can argue that framing of new constitution would lead to unrests in the society by not watching the interest of a group or a section. This can be tackled by entrusting the job to a commission comprising of intellectuals, who could gather public opinion on various issues and then formulate the clauses based on the inputs from the public after testing on reason. Previous constitution can, no doubt, be taken as a guiding factor. The commission should have the powers only to recommend and not to adopt the constitution. The adoption of the same could be authorized to an independent body having judicial authority, which could put it in public domain for the scrutiny of its clauses and challenging the unacceptable ones within a specified time. The authority may evaluate arguments in favour or against the challenged clauses and decide for its adoption fully or partially or against it. This authority could be deprived of any power for adding the clauses at its own will. Any further amendments, if needed, can be entrusted to the elected representatives, as is being done now, by defining what percentage of votes would be required to amend, which may also differ for different clauses. The public will definitely respond with enthusiasm for the exercise of submitting proposals. Based on these we may get a constitution with a different picture of governance than the one we are used to see now. Let us see how that picture would look like.

Aspects of Healthy Constitution

The constitution can be called healthy only if it is able to provide us clean governance. There are many aspects worth looking into for achieving this target. A few are discussed here just for having a casual look, but many more other areas will be needing attention when proper brain storming will be done.

Strength of Legislative

For an effective and efficient government we need to decide how big the governing body should be. Let us call this legislative body as Parliament as is the case in India. First of all we need to see how much legislative force we need to enact law

and to govern efficiently. This will definitely depend on the nature of duties we attach to them. For the sake of convenience let us assume that present number of MPs is sufficient. Present system of two houses, i.e. Lok Sabha and Rajya sabha, seems of not much use. The function of watching the parliamentarians is dealt in some other way, discussed in subsequent paragraphs. We can divide parliamentarians in three categories. The first category will contain only a single person to head the state with whatsoever name, like the PM, the President etc. etc. Let us call him PM as is done in India. The second group may consist of assisting ministers. And the third one may consist of the general legislative group. While the head of the state, i.e. the PM could be elected on all India basis, the general legislative, called Member Parliament (MP) in India, may be elected constituency wise. The voter would have to cast his vote for the PM and for the legislative candidate, i.e. the MP in one go. The elected head, i.e. the PM would have to form his cabinet from the elected legislative, i.e. MP's, the system of specifying the number of portfolios for which could be defined in the constitution itself, alongwith a minimum and maximum limit. The PM may also be empowered to take a small percentage of cabinet members from outside the elected MP's, but this should only be a small percentage. The MP's can also elect Speaker and Deputy Speaker from amongst themselves. Hopefully the number of candidates for both these posts would remain within limits, failing which the authority to select the candidature of the members (discussed in forthcoming paragraphs) could be called to select limited candidates.

Electing the Legislative

Next point to be considered is how these Members of Parliament (MP's) are to be elected, how big the cabinet of Ministers is needed, how the same is to be constituted and who is to head it. Let us take the case of election of MPs first. We have seen that a lot of expenditure is incurred by the candidates in election campaign, which put them under compulsion to indulge in actions not favorable to the nation. We can control it by imposing a ban on all the expenditure being incurred by the present lot of politicians. The talks of state funding of elections in the present scenario is useless, as the corrupt candidates would use their own illegally generated funds in their publicity and 'support' and the state funds would

only be an addition in his resources. State funding will gain some success only if all election rallies, posters, canvassing etc. are stopped. We have earlier advocated the right to vote to be restricted to the qualified people. There is, therefore, no use shouting hoarse to impress them. The qualities of the candidates may be made known to the voters through modern means. The candidate may prepare his election manifesto on a web page provided by a department of the state. Information of all the candidates may be uploaded on different pages of the same website and public may be informed about that. Space may be restricted but equal for all the candidates. Equal slot may also be given to the candidates for expressing their views on state owned TV channels, schedule of which may be advertised in advance. The print media may be ordered to provide equal space to all the candidates without charging any money, or by charging it from the state. The space, however, should be equal to all the candidates. No candidate should be allowed to spend on any type of publicity unrecognized by the electioneering authority, indulgence in which should fetch punishment beyond just disqualification. The candidates may make lucrative promises just to fetch votes, or they may actually waste public money for keeping the promises made, to garner votes. This can be tackled initially in the constitution itself and then through powers to the election authority not to allow any tall claims or promising wasteful expenditure. There should be some provisions in the constitution to curtail the authority of the government on mindless taxation after attaining power and wasteful expenditure, especially on freebies for garnering votes in elections. The candidates having promised big but attained little could be punished by refusing them the status otherwise available to them after their retirement.

Tackling of Large Number of Candidates

In the absence of any party authorized to field its candidates there will be a problem of a huge number of candidates, especially when no expenditure would be involved. Allowing all of them to contest would prove chaotic. That is why there is the need of controlling the number of candidates. We have considered some qualifications for the voters. Why then the candidates should not possess the qualifications for the posts of such a vital importance? We may devise some minimum qualifications for the candidates for the post of the head of the state and

for legislative members. We may devise the nomination papers calling for other personnel information. A commission can be constituted for short listing the most suitable candidates based on the qualifications and qualities, or on the basis of well defined criteria, or some written examination. A small number of toppers can qualify for representing themselves to the public for elections. This number may be any figure considered as suitable. I suggest this to be five as is done in traditional Indian ways, i.e. five candidates for the post of PM and five for each MP. It is not any difficult to understand that candidates for MP will have to be short listed at constituency level, say five per constituency, and for the head they can be five for whole of India. These figures may or may not be the same for both the posts. There are still the chances of reaching of some corrupt people in the candidates list, but these chances are minimized due to the fact that corrupt generally don't possess the quality of putting hard labour needed for that rise. And if someone gets there even then, is likely to be voted out. We may also add 'No Candidate Suitable' button in voting machine. If it (NCS button) gets maximum votes then election to that post may be done again. In such case all the candidates may be debarred from election for life or for some suitable period, and next persons in the panel may be given the right of candidature. This system might still lack in several aspects which may be taken care of while making fresh constitution or through the mechanism kept for change through amendments. But it still will be better than the prevailing one, which gives us leaders who act on the advice of astrologers, perform yagya (religious rituals) for warding off evil spirits, or crying 'black magic' performed against them by the adversaries, at a level as high as of a Legislative Assembly of a state, even in this twenty first century.

Formation of Cabinet

The head (PM) elected in this manner shall get the assistants (Ministers) from these elected members. The number of assistants may be well defined in the constitution and the head may not have powers to expand it at his will, though some flexibility may be provided in the constitution itself. This flexibility may also be in selection of a few people from outside the elected members, but they should not be more than a figure defined in the constitution. This figure should be kept as low as possible. The procedure to select these members should also be laid in the

constitution. The head should not have complete liberty to select any one from the elected members, as that can result in selection of sycophants leading to bad governance and autocracy by the PM. It will be better if some restrictions can be laid upon this selection power. These may include approval of the selected Ministers by the house through voting. In the event of the selected member not getting the minimum votes the house may ask the head to put up two or three more names for each portfolio rejected by the house. The house then would have to elect one Minister from these nominated members.

Functioning of Legislative (MPs)

After the exercise of election of PM, MPs and Ministers are over we shall get the similar structure of government as of now with the difference that the chances of sycophants, corrupt and inefficient reaching there been minimal. But still the functioning of the Parliament needs to be improved. The ministers should have the role of implementing the policy matters. Framing of major policy matters should rest with the parliament house only. The minister may, however, be empowered to issue administrative orders to be followed by the bureaucrats. They may also be empowered to issue minor policy orders for implementation of major policies. But the major policies should be framed by the house only. For this purpose any MP may submit a draft proposal to the PM, who then can put it to the cabinet for discussion. If the draft is considered worthy of implementing then the same can be put to the house for approval, which can be passed as is being done now. While the cabinet ministers appears having taken up the role of supervising the bureaucrats, the PM can act as overall in-charge of the cabinet and a guiding power to direct the activities of the cabinet Ministers. He can propose or accept the proposals of the Ministers. The proposals of policy nature can be got approved from the parliament and those of administrative nature, i.e. the matters for which he has already been authorized to take decisions by the parliament, could be approved by him. The role of the MPs should be to watch and supervise the activities of the head and the cabinet assistants. The MPs should have power to access any file they like to scrutinize, except the ones of top secrecy involving national interests, for declaring of which a formula can be devised. The essence of this system shall be the democratic decision making free from any possibility of

whip, in place of present day sycophant decisions. The PM should not be empowered like the president of America, but should have liability to respect the majority decision.

Tenure

Tenure of the elected members is not a big issue. The present term of five years looks fine and can be continued. But what should be the fate of the members after the term is over? Should they be allowed to be re-elected? In my view all the corruption starts when the power hungry people have a chance to stick to the power. In order to minimize the corruption any member should be restricted from sticking to. In this manner we can convert these points of power to the points of service. It is enough for a person to serve the country for five years and let the baton pass to some other deserving person. Only chance for the MP, who has completed his term, could be for submitting his candidature for the post of the PM. If thought suitable the successful completion of term as MP may be made an essential qualification for the post of PM. In this way the MPs will get extra boost for acting efficiently and effectively. The incentive for the PM may be provided by making him a candidate for next elections without going through the process of evaluation, but this opportunity should not be given after second term. The PM should feel satisfied after serving for two terms.

Effective Functioning

Any organization can achieve satisfactory level of functioning only if it maintains proper discipline. And parliament would be no exception; rather it would need it the most, it being the most responsible organization of the country. There can be an award for showing discipline and vigil in the house. A few most disciplined but vigil members may be awarded some incentives, like additional candidature for another term. Reason for recommending such incentives may be found in present day parliament, which is more noisy than a fish market and members are free to stall the proceedings for days together and have little concern for the public money being wasted by them due to their arrogance. The people who are unable to run the

house of 500 members effectively are given the power to run the whole country. The Speaker should be empowered to allow only one person to speak at a time and the other person should be able to speak only when he is done. Any action of disrupting the answering member could fetch suspension for a few days, which could be converted to expulsion from the house after, say, three such disruptions. The minister should be asked to finish his reply within a specified time and can be reprimanded for taking too long. The debate on the issue can be restricted to the Minister and the Questioning member with provision for extending it to some other members only with the permission of the Speaker. The Speaker may ask the member to put the question, during which the minister should not be allowed to speak. On completion of the question the minister may be asked to reply, during which no one else should be allowed to speak. When the minister has finished the reply the questioning member can be allowed to give his reflections or seek further clarifications, during which no other person should be allowed to speak. The minister may be allowed to clarify his position again. In the end the questioning member may be allowed to express his views whether he is satisfied or not, and that too within a specified time. The speaker may ask for the views of other members of the house, which, if number of such members is large, can be taken in writing and conveyed to the minister with discretion of the speaker to choose the most relevant opinion to be read by the concerned debating member in the next meeting. By adopting this system we can boast of having elected the most sober people for the job, who, at present, are presenting them like the mischief mongers in a class room.

Retirement and Calling back of members

The retired members can be treated as honoured people, but there should be no pension or other incentives for them. They, however, can be provided suitable security. And they can also be entrusted with a duty to have a check on the MP's in power. For this purpose the retired member can be given power to call back a member not thought fit for the job, but not more than once or twice in his retired life. This limit will enforce the member to use this power very judiciously while it will keep the existing members under threat of call back while performing his duty. In order to provide the called back member an opportunity to prove himself he may

be allowed to offer his candidature for re-election without going through the procedure of selection applicable to the fresh candidates. At present, there being no foolproof system for preventing misuse of this exercise of calling back, the same is not applied despite being most necessary. The above proposal, i.e. power to call back vested only in honoured people with no stakes in power, may provide some solution to this problem. For further check on the PM and his cabinet the outgoing members may be empowered to nominate or elect a body like present day Lokpal. Care should be taken that members of this body should not be the retiring or already retired members. When so many checks and balances are available in this form of parliament then there seems no need of any second house or a rubber stamp authority like the President. But it is not any deterrent for having the one.

Structure of the States

Now there comes the question as to how the states would fit in such system. Similar exercise can be formulated for the states also if present quasi-federal quasi-unitary system is to be followed. But this system has proved to be confronting rather than complimenting the center-state relations, especially when the ruling parties are different. Responsibility of poor performance is blamed on the other while credit for good performance is claimed for self. Instead of language based states functioning like independent units their working should be devised to look like administrative unites. Even the present system of naming them should be changed and they may be named, say, by numbers, i.e., state no. one, two etc.etc. The use of local language in their offices should be abandoned and use of national or/and international language may be preferred. The local language can be promoted by establishing education boards and universities based on the language in the areas of their coverage, which may cover some or all areas of a state or of a neighboring state. The people may be free to move or shift to any state barring, however, some areas needing protection. It looks like a unitary system suitable for smaller countries but complicating for the bigger ones. In order to make it free from excessive central authority there can be an elected body similar to the present assemblies with election system applicable for the center. But their power should be restricted only to utilize the allocated funds in a manner proposed by them and sanctioned by the center. Their law making power may be restricted to rule

making for local functions only. The head of these states should look like assisting authority under the PM or his cabinet with power to form their own cabinet of state legislatures.

Checks on the Cabinet

The MPs (MLAs at state level) can have power/duty to call for the account of performance of the PM (CM at state level) and the cabinet, who shall be duty bound to act as per resolutions passed by the house. Any deviation/shortfall could be scrutinized and reasons for it be found. In the event of any laxity a resolution for removal of the head or minister(s) could be passed. In case of the head the required votes for his removal could be more than just 50%; say two third or three fourth. The house can have recommending power only. The resolution could be forwarded to the committee formed by the ex-legislatures for deciding the removal. This decision could be open for challenge in some designated court.

Effective Administration and Judiciary

Other factor for unabated rise in corruption can be found in inability of our judicial system to punish the guilty. The clause that giving or accepting of bribes are the offences of equal magnitude has failed miserably in getting proper results as was its intention. It is time to switch over to declaring it an offence for the acceptor only. The payer of the bribe does not do so out of pleasure, but is forced to do so. The person who enjoys a fat package of pay from the public funds needs to be of high morality, not able to be allured by the wrong doers. The public should be allowed to offer bribes at their will and report any acceptance to the authority appointed for such complaints, which should be readily available. Additionally, an inordinate delay caused by an official for doing a job may be treated as tantamount to corruption. The public offices need display essential document requirements from the service seekers for main tasks being performed by them. For other ones a public guidance officer need to be appointed, who could be made duty bound to guide the public in fulfilling the procedural documents, as is being done by various private companies dealing with public. This requirement should be given,

preferably, in black and white. The actual dealing person should have responsibility to process the papers within a stipulated time. Any further requirements, if any, should be asked for in one go, that too in black and white. There should be no liberty to ask for fresh requirements at a later stage. Delay in disposing of the case may fetch penalty to the person responsible and compensation, well above the loss incurred, to the service seeker. Some special courts may be formed for trial of bribery/laxity offences where public could be allowed to move against erring officials protected by the higher ones. Present system of criminal investigation by the state owned police force may be modified to accommodate trial by an individual also, if in possession of solid proof. In cases of investigation entrusted to a police authority on the complaint of an individual the authority should be made duty bound to provide him the details of investigations done and basis for arriving at the conclusion. Simple remarks like 'nothing concrete found against the complained official' should not suffice.

Major protection to the shrewd and influential people at the helm of public affairs is our cumbersome legal system. Laws and acts in present day government systems have become so voluminous that in some cases even legal experts can't say with confidence whether an action is legal or illegal. But the law says that ignorance of law cannot be taken as excuse for any offence. It is true that if such relaxation is given then it will be misused. But is it justified if one has to be subjected to punishment for an offence without knowing it being an offence beforehand? The judges may take lenient view for the first time offenders, but the enforcing official use this ignorance to milk the hapless ignorant by threatening them about the legal consequences. In my opinion the law should be categorized in two parts. Category 1 may contain basic law meant to be considered known to every citizen, the law which every citizen is duty bound to know. Ignorance of this category should not become a defence to the offenders. But the remaining bulk should be categorized as minute law, lack of knowledge of which may be used as defence for the first time. This right, however, could be taken away if law enforcing authority had enlightened the offender in advance. For instance, some categories of manufactured items may fall under a head fetching higher rate of duty but taken in the head with lower rates. The department notices it after a long period but the manufacturer is asked to deposit the difference with penalty. No weightage is given to the fact that he had been filing the returns properly and had

charged same rates from his customers. The department which notices this flaw has no responsibility for not guiding the manufacturer in advance when registered. The situation is exploited by the corrupt officials by reducing the penalty/rate against gratitude, thus fleecing the manufacturer and the state both. It should be mandatory for the department to guide the public they intend to tax. No penalty and recovery should be allowed to be effected if the amount deposited less has not yielded any additional profits. In case of personal taxes, like income tax, the amount may be recovered without charging any penalty. Penalty may, however, be imposed on second occurrence of such offence.

Other area needing attention is the traditional system of evidence in the courts. Courts generally rely on the deposition of individuals witnesses. But it is a well known fact that in the courts people state what is beneficial to them or to their dear ones rather than what is true. Sometimes statements are made under threat or influence. There have been instances of extracting confessions through sheer harassment and accepting them to be true in the courts. There is an urgent need to give more weightage to other material evidence than the eye witnesses, but their statements may be trusted if circumstantial evidence corroborate them. Higher courts generally do not go in the minute details of the errors committed in dealing with the case by the lower courts or intentional ignoring of arguments by the inquiry officers in departmental inquiries or in police investigations. Their area of concern is only whether enquiry needed under law was done or not. The heads of departments or investigation officers are not so naive not to see to it. But the attitude of some of the inquiry/investigation officers, and in some cases, of the judges in lower courts, has developed in giving no respect to the reason and deciding as per their own whims and fancies, sometimes intentionally and sometimes due to haste in deciding the cases. When a clear cut intention of favoring a party in the case is proved, or it is proved that genuine arguments were ignored by just casualness in deciding, the erring inquiry/investigation officer/judge may also be made to face action and get punishment according to the magnitude of his offence and, of course, as per provisions of the law so enacted. It is true that for the sake of reaching at fair, bold and impartial judgment the judges should have no pressure of any questioning of their judgments at a later stage. But the immunity provided to them due to this thinking has resulted in creeping in of some people of corrupt or careless minds. There is need of checking such people

with attaching some responsibility of responsible judging in their job. While cases of simple error of judgment due only to point of view may fetch no adverse actions on the judging officials, the cases of utmost/intentional irresponsibility should fetch exemplary punishment. If a doctor can be sued for showing irresponsibility in treating a patient then why a judge, who does more harm to one's life with his irresponsible attitude, should go scot-free?

There is also an urgent need to check blind following of precedence. Previous decisions are, no doubt, a good guide in deciding a case. But these should be followed after applying proper mind. An example is awarding of same punishment to Sanjay Dutt as was pronounced to another convict. I am not passing my judgment, as I have not studied the case in required depth. But if the facts are the same as have appeared in the media then equating his crime with that convict is surely a gross injustice to him. He procured illegal arms when law and order situation near his residence was out of control of the law enforcing agencies, a situation in which all well to do people are under more threat than the ordinary people, presumably for self protection when protection by the people expected to provide it were not able to protect even the ordinary people, while the other person kept it in normal atmosphere, presumably for using it for other purposes. Let us take another example. In a case involving abetment to suicide the apex court has decided very wisely that simple persecution resulting in suicide cannot be termed as abetment to suicide. And it is very justified. If you lend money to a person, who has also taken such amounts from others also, but is unable to payback due unforeseen financial losses, and commits suicide for not being able to maintain his dignity, does your demanding of your hard earned money back lead to abetment to his suicide? The court has ruled that there needs to be a situation that the abettor has desired the deceased to commit suicide, like having said him to commit suicide. Following it without applying mind may lead to awful decisions. A rapist may not have wished his victim to die, but she may have committed suicide because of social stigma attached to it. Or she may have committed it just to defy the ill intentions of her assailant. Are both the cases not of abetment to suicide? I once heard about an incident when a boy of 8th standard demanded video game from his parents. But at that time his final exams were nearing and his parents wanted him to postpone his demand till completion of his exams. But the boy was adamant and threatened to commit suicide if his demand was not met. He used to

get his demands acceded to through such threats earlier also. The parents were fed up with his threats, which were a regular ploy by him. They wanted him to stop this blackmailing under the impression that these were mere threats. In order to dissuade from such childish behaviour they told him to go and commit suicide if he wanted to and that they would not adhere to his unjustified demand, knowing little that the boy would actually go ahead. Now is that abetment to suicide? Does it not fulfill the requirements contained in the requisites for treating it as an abetment?

Sectarian Welfare

Govt.'s role of interference in every sphere of public life in the name of welfare is another area responsible for wide spread corruption. It is true that governance should be welfare oriented. But it should be restricted to creating an atmosphere where actions are directed for overall welfare of all. Sectarian welfare is the major cause of corruption, especially in India. This does not mean that all the citizens will have to contribute or receive equal share in development. We cannot ask persons with lesser means to contribute equal to the well offs. The economic differences are bound to remain even in purely socialist models of governance. Making policies on the basis of economic conditions of the people are, no doubt, necessary. But problem lies in tackling this problem by mixing up economic issues with social issues, or in seeing the citizens through prism of groups instead of individuals. Social grouping is an essential feature of all the societies, but its magnitude is comparatively high in Indian context. But this should be left to the societies and government should not treat any individual on the basis of this grouping. By making policies on the basis of castes or religion (excluding some decisions regarding fundamental issues) we end up in increasing already existing wide gap instead of reducing it. Economic grouping for the purpose of taxation, which is necessary for overall development, and is also justified, cannot be equated with grouping on caste, creed, color, religion or regional lines. Some benefits may be provided to economically weaker sections, but there should be no reservations, neither in jobs nor in education. The policy of reservations augment tendency to snatch from the country instead of giving to her. The poor may be given some cash incentives and scholarships in accordance with their efforts for self elevation,

but there should be no reservations, especially in jobs. Present system of reservations on caste lines is not less than a crime by our political class, not only against the so called upper castes, but also against the castes for the benefit of whom it is formulated. How can you justify son of a high class gazetted officer of reserved category getting free education and then reservation in admissions in good institutes and then again in getting job, while son of a poor fellow of so called upper class is denied all these benefits? Remote chance of his self elevation is further tightened by giving his legitimate share to the son of a rich but reserved class person. This recognition of some castes as backward or scheduled castes has, in fact, made these castes permanently backward. We can remove this backwardness from their psyche by making them competent for a job instead of making them looking towards the charity by the government. And social backwardness cannot be removed by economic uplift only. Govt. can provide jobs only to a very small percentage of the population. Uplifting of those few cannot uplift the whole section. In order to uplift them socially we have to change the mindset of these classes. The so called upper castes are so because they consider themselves to be superior to others. But an upper caste considers other upper castes as inferior to them. Example is Jat caste in Punjab, which is seen with great self respect in almost all the songs of that area. But the same caste is considered as a symbol of blockhead behaviour by other superior castes. One of my colleagues, who belonged to a scheduled caste considered very low was quite proud in declaring it with the remarks that that caste was a caste of true working class and not of a parasite class. He did not try for getting reservation for his children. It is the duty of any government to endeavour for homogenous society. If it can't then it should, at least, desist from dividing it willfully. We cannot remove caste system from our social structure easily. Only thing we can do in the present scenario is to let all the castes consider them equal in status, which cannot be done till the government keeps considering some as inferior. So, there is an important need for change of present mindset and it should be our priorities to appoint proper persons at needed posts as a necessity and not with an aim of obliging people or for the sake of charity. The public jobs shall be considered as service of public only when we stop distributing them in charity. There is lot of scope for the govt. to indulge in charity in areas other than distribution of jobs. How shameful is it for us that we continue reserving jobs for healthy and well to do people of so called backward classes, (dalits, as per newly coined word for them, meaning oppressed, though

real dalits seldom get those jobs. It is the well to do people in the garb of dalits who snatch these), while scores of disabled people, unable to work and feed themselves, can be seen in abundance at all the public places. It is they who need benefits of reservations, not in general public jobs, but by creating jobs for these real dalits, in the absence of which the govt. should be liable to pay them minimum subsistence allowance, which should not be less than the amount of minimum pension paid to the junior most public servant.

Public Welfare Schemes

Extending of benefits to the needy persons through public oriented schemes is another grey area. Here intentions may be above board but system itself is faulty and major source of corruption. Even the PM of the caliber of Rajeev Gandhi could do nothing except assessing that only 15% amount reaches the deserving beneficiaries and balance 85% pilferages in the distributing systems. Subsidies and freebies have now become norm of all political parties. And what they deliver in the name of subsidized food items and other 'services' is in fact substandard food and services. And the people responsible to deliver use tormenting methods in providing it to the public. Public Distribution System augurs to the benefits of the authorities and the depot holders more than to the recipients of ration. We talk a lot of plugging of leaking points knowing full well that no endeavors will be done. What we do not discuss is the fact that the system is a burden even if leaks are plugged. The huge expenses for maintaining the govt. staff, cost of procurement, storage and distribution and cost of time spent by the public in receiving these services (this factor is the least concern area of the govt.) will make the system not viable if balanced with the purpose it serves. Why can't we pay this subsidy to the deserving beneficiaries directly, instead of routing it through the expensive leaking sieves of distribution systems? We are maintaining records of below poverty line people and use yellow cards for extending them various benefits. We are planning unique identification number for all of the citizens. We know how much amount we are going to pay in the name of subsidy. Why can't the amount be paid to each beneficiary directly instead of routing it through the leaky systems? This, no doubt, will also be leaky, at least initially, but still be better than the present one. It can be made more transparent by depositing the

amounts directly in the bank accounts of the beneficiaries. One can argue that a poor man does not have bank account. If we can offer subsidies at huge costs to the govt. why can't then we not allow them bank accounts with zero balances?

Freebies are a carrot to lure the voters. But careful examination of these would prove that these do more harm to the very people who believe they are getting these benefits, nay bribes by the politicians at public expense. For example, in some states free electricity is given to the farmers. But what they get is long power cuts or supply with unending interruptions. Its shortage at the time of acute urgency eats away the benefits in the shape of costly oil consumption while excessive supply at the time of no need prompts excessive irrigation resulting in wasteful use of precious underground water resources. Subsidized kerosene ends up in use for adulterating the petrol or for black marketing. Subsidies on fertilizers on the basis of cost of production may affect productivity of the manufacturers. Is it not better if they are made to produce and market at competitive rates and farmers are paid it as per their land holding? One may argue that in case of leased out land the land holders will be benefited and actual cultivators put at loss. What is lacking in this argument is the fact that land will then fetch lesser lease money or lesser share in the yield than the one being fetched under present circumstances. Many laws made for the benefit of a section of society end up in long term losses to them. The law protecting the interests of tenants end up in overall loss to them, as people avoid letting property due to the fear of refusal to vacate, or charge much more than what otherwise would have charged. Logically also, what is the basis for the tenant to lay claim on the property owned by someone else? The argument in favour of lessees of commercial property that they had earned goodwill at that premises also does not hold water, as they already earned much more than they could have by investing on the land and on constructions needed for their business requirements, otherwise rendering much less for their working capital and resulting in low turnover. These laws augment unnecessary and otherwise avoidable litigations, doing away of which would result in reducing some burden off the judiciary. But we make laws without applying much mind. Presently a law is being introduced for provision of royalties to the lyricists, writers or musicians with the argument that they also have contributed in the making of song. But have they not taken remuneration for that as per the agreement entered into by them? Did they not know that their work was likely to fetch long term benefits for the

producers? Did they refuse to sell their works when the producers did not agree for any future royalties? The film production involves so many people like director, art director, editor, sound mixer, cameraman and many other technicians. Shouldn't they also, as per this argument, lay claim in royalties for re-screening of the film after some time? Was there any clause in the agreement that if the producer suffers losses in that venture then they will have to share some of the losses? Then what right have they got to claim royalties in the event of success? The proposed beneficiaries already get enough in the shape of popularity due to the success of their work, thus enabling them to negotiate the prices many times more in their future assignments, including adding of royalty clauses. By pretending to save them with such laws we shall do more harm to them when producers would not hire new comers in place of established writers demanding royalty clause in their agreements, as this clause would now be for all.

Judicious Law Making

While making laws we keep in mind only the aspect in focus and ignore the consequences of its implementation. The law made to protect animals and the one against child labour are the examples. Although it is good that children are protected from torturous labour due to the act, yet no guarantee or future course of activity is provided to the orphans, destitute or helpless children. In the case of law regarding cruelty against animals we have made killing of animals a crime. But nothing has been done to protect the people due to lawlessness created by these animals. In my area I have seen a huge number of dog bites, including to my mother, and various cases of two wheeler accidents due to street dogs and loitering bulls on the roads. Monkeys have played havoc with the crops and economy of poor farmers of Himachal Pradesh. There are cases of wild animals attacking people. But one can do nothing to protect himself from these protected species. The only animal unprotected by law seems to be the man. The law is good to the extent it prohibits mindless killing. But at the same time there should have been provisions to protect the people from the nuisance of these animals. The law enforcing agencies should be made accountable for the losses suffered by the people due to the law. The law should clearly mention which areas are the prohibited areas with clear cut responsibility of the authorities to keep the

protected animals in that area, outside of which any person should be allowed to protect himself, even by killing the animal if needed, for which damages should be on the authorities for not being able to keep the animal in the area provided to it instead of on the person protecting himself. Some religious people will oppose killing of animals with the argument that we have no authority to deny the animals the right to live. Then what authority we have got to kill rats, mosquitoes, flies, insects destroying the crops and bacteria damaging our health? Okay, we kill them because they harm us. Why are we not free, then, to kill the animals harming our crops or threatening our lives?

While making laws we consider ourselves as the only genius to protect the people at large who, we consider, as having no senses or understanding of watching their own interests. We have made wearing of helmets compulsory for riders of two wheelers, seat belts for car riders, considering the riders are fools not to protect themselves. Now what purpose a helmet serves while we drive in a congested market at snail's pace? But there also you are liable to be challaned if don't wear a helmet, even in the month of June when sun shines to raise temperature to 48 degree centigrade. The heat, accompanied by the humidity, affects your senses much more while wearing a helmet, putting you, as well as the people on the road, more vulnerable to mishaps caused due to this. The person who does not wear helmet has a tendency to drive cautiously so that he is not hurt due to some mishap. But the helmet reduces this feeling of risk, prompting one for rash driving and putting him and others on more risk. It is true in the case of seat belts also. In this way the actual risk is shifted from the rash driver towards the general but unaware passers-by. Why are we hell bent on saving the people not interested in saving themselves? Why can't we restrict ourselves just to advising them and not treating them as animals not knowing how to save themselves? One can argue that their life is important for other people, like members of his family. But those other people can exert pressure for not driving rash or not without helmet/seat belt instead of the policemen seeking to catch a prey. One can argue that not wearing of a helmet has effects on others in case of serious injury due to accident with other vehicle. This can be tackled by disallowing any benefits to the non wearers, which will be a motivation to wear. Letting loitering of stray animals on roads, making of unauthorized speed breakers by residents or improper ones by the authorities endanger lives of others. Road blocks, bundhs, road marches, nagar kirtans are the

liberties for harassing the public, even resulting in fatal delays in shifting patients to hospitals. We don't have courage to ban use of loud speakers in religious places, which is a source of irritation to the neighbouring residents, especially the students needing peaceful environment for studies. Why is it compulsory to listen the nuisance in the name of religious hymns for the non believers of that religion? And the people who have special taste or urge to listen, why can't they reach there and listen in that premises without disturbing the peace in the neighbourhood?

So should the government frame no rules and laws to protect the people by controlling their behaviour? There are many vices, like drug addiction, which a person catches unaware and ultimately is enslaved by them. Common man can be fleeced by shrewd people against which he needs to be protected. But there is a need of using restrain; tendency to treat him as a bunny and ourselves the only saviours should be shunned. While the freedom affecting the society needs to be curbed with tougher laws the freedom related to his self benefits should be upheld by avoiding unnecessary laws. We are free to block roads and railway tracks, free to call bundhs and harass the people, free to litter on road, railway stations and parks, free to produce as many children as we like and increase the mess on the planet, but have laws against immoral trafficking, gambling, betting and many activities which don't hurt others. The term 'others' here doesn't include family members, as they can pressurize for checking such habits. The government, which makes laws to catch and punish the gamblers on one hand, issues lottery schemes for alluring public to indulge in legalized gambling on the other. We cannot kill a monkey in spite of their huge population destroying our fields. We cannot drive a vehicle without third party insurance but can publish ads in papers boasting off our divine healing and exorcism powers and fleece the public. We cannot gamble in public or bet a game but are free to initiate schemes for fleecing the public. I was watching a TV channel where a portion of a face of some celebrity was shown and you were asked to recognize the celebrity, make a phone call and win a huge amount. The call charges were Rs. 12/- per minute and you were to wait till your call is attended to with your meter running. The lady kept taking a lot of time uselessly in order to take minimum of calls and place maximum people on hold. There are enormous reality shows on air with decisions through public voting through SMS, charges for which are Rs. 3/- to Rs. 5/- per SMS. A soft drink company publicised to scratch a number in the lid of the bottle and SMS it to the

head office and win prizes, the cost of SMS being Rs. 3/-. A mobile phone service provider launched a scheme to answer the questions, with maximum correct answers being eligible to participate in 'Kaun Banega Crorepati'. One of my acquaintances flatted his bill by Rs. 1500/-. There are several TV programmes asking a question, which even a fool can answer correctly, and will entice you to reply through SMS for which charges of commercial SMS would apply. But there is no one to check it. Is it not unfair trade practice against which we have laws? You will say that there already are laws against it. But how many of us know about them and of what use are they if it all goes unabated? Some of our laws framed for protection and benefiting the common man are, in fact, a source of harassment. ESI scheme, for example, is public loot by the government in the name of welfare.

Who to Initiate

Now the question arises who will be instrumental in implementing the measures to stop corruption; not the ones suggested above but the ones arrived at by consensus of the experts in the field, which may or may not contain the suggested ones. Important is not which methods we adopt, important is if we are willing to endeavour for the eradication of this menace. To hope that any political party would do so is asking for too much. It is we, the people of India, who have to take the cudgels in our hand to drive the politics in the right direction. We will have to make sacrifices to achieve what our great patriot leaders had dreamed of while making supreme sacrifices for the freedom.