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## **BRIBERY AND CORRUPTION IN INDIA ARE MARK OF SHAME OF THE COUNTRY THROUGH MORAL CURSE OF INDIVIDUAL AN ANALYSIS**

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### **ABSTRACT**

India is recognised globally as the world's largest democracy and is governed by one of the most comprehensive constitutions. However, widespread bribery and corruption continue to undermine the integrity of its constitutional pillars—namely the Legislature, Executive, Judiciary, and associated government systems. Corruption has also permeated public institutions such as banks, insurance sectors, and administrative departments, resulting in India ranking poorly on global corruption indices. Reports indicate that the estimated value of corruption in India exceeds ₹75 lakh crore to date.

Corruption is not merely a legal offence but a profound moral and ethical failure. It tarnishes the administrative framework, weakens governance, obstructs development, and adversely affects national progress. For India to sustain its democratic identity and emerge as a developed and globally influential nation, eliminating corruption must become a collective responsibility.

This article aims to raise awareness among citizens—including students, youth, women, and the general public—regarding the legal, ethical, and social consequences of bribery and corruption. It discusses the nature of corruption, disproportionate assets, entrapment procedures, sting operations, and why giving or accepting bribes must be rejected as a social evil. Further, it outlines the process for reporting corruption, the investigation framework, anti-corruption mechanisms, and the relevant legal provisions under Indian law.

**Keywords** – Corruption control, disproportionate assets, sting operations, surveillance, undisclosed income, confiscation, non-compoundable offences, moral accountability, anti-corruption legislation, entrapment, public integrity.

### **I.Introduction**

Those who want permanent benefit in the path of virtue will not deviate from the path of virtue just because they get immediate benefits, people do not live in accordance with this and go against the norms of society and do what ever they want with money. They are obsessed with the idea that if they have money, they can do anything they want. Otherwise people do not earn it is an honest way but earn

it in a round about way and become rich immediately. Private and government public servants are bribed and corrupt to gain social status. Even so, corruption that provides Healthgained corruption hastily be will dewinded despite everything the state of mind of nothingness and the inability to live a peaceful life are not possible.

## II.Objectives of this study

- 1) To explain the various concepts of bribery, corruption, entrapment, disproportionate assets.
- 2) To examine the bribery & corruption are the moral curse of individual.
- 3) To critical analysis about the why we should not give or take bribes.
- 4) To explain about what comes under the surveillance of corruption
- 5) To create awareness about the bribery and corruption in India are mark of shame of the country through moral curse of individual.

## III.Concepts

### Bribery

- In law bribery is the crime of offering giving, receiving or soliciting something of value to corruptly influence the action of a person in a position of authority.
- A public servant accepts a bribe to perform their duty improperly.

### Corruption

Corruption is the abuse of entrusted power for private gain, often involving a public official who accepts a bribe or uses their position to secure personal benefits.

Corruption is the misuses of power obtain money other than the legitimate salary or to possess assets in excess of income.

Corruption means 4 'A's formula

A – Advance

A – Adjustment

A – Abuse

A – Alteration

### Entrapment

Entrapment is process in which a government public servant is caught red handed while accepting a bribe from the complainant.

## Disproportionate Assets

Disproportionate assets occur when a person's total economic assets for exceed the assets they could have legally amassed given their income, savings and previous holdings.

## IV.Review of Literature

“you must be the change you wish to see in the world’ – Mahatama Gandhi.”

On 6-6-1962 during a discussion on corruption, Mr.Lal Bahadur Shastri had said that not all matters should be left in the hands of officials and that there should be an exchange between the official and the people.

2 \* “களவினால் ஆகிய ஆக்கம் அளவிறந்து

ஆவது போலக் கெடும்” - அதிகாரம் - கல்லாமை குறள் எண் - 283

‘The gain that comes by fraud although it seems to grow with limitless increase to ruin swift shall go.’ - Thirukural No.283

This couplet from thirukkural written by the safe thiruvalluvar warns against the consequences of corruption and unethical governance.

## V.Research methodology

The description analytical approach was used in this study for this research article and secondary data was collected from books, journals newspaper, official websites judgements etc for completing this article paper.

## VI.Hypothesis

1. Whether the bribery and corruption in India are mark of shame of the country through moral curse of individual or not.
2. Whether why we should not give and take bribe & corruption.

## VII.Bribery and Corruption are the moral Curse of Individual

Even though government and private employees have earned a lot of money and property through bribery and corruption and have been enjoying a good life. When their money runs out. They become very stressed

and cannot live peacefully in this universe. Those who are victims of bribery and corruption are subject to bad karma and even if they go it seven or seven births. Their sins will not go away. As a result they will deceive their descendants before their eyes and destroy and ruin the property and money they have earned through bribery corruption.

Further-more, their off-spring will not develop and their human development will be stunted. In their final year, they will be left without any means of livelihood, without any support from society and family, and will suffer from various and unspeakable disease, which will undoubtedly make them suffer and die. This is the curse of the individual in the universe thus the fact that india ranks 96<sup>th</sup> in the world in the term of bribery and corruption is a mark of shame for the country through moral curse of the individual.

#### **VIII. Why we should not take a bribe**

For equality among the people, for living without material in equality for good governance in the judiciary legislative executive political administrative departments of the government, for equal public service for obtaining legal aid to protect democracy, for fulfilling fundamental rights, for protecting for electing good public representatives, government employees, for conserving natural resources, for making public policy protection work equally for the people, for becoming a superpower we should not take bribes & corruption.

#### **IX. What comes under the surveillance of corruption**

<sup>3\*</sup> The Central vigilance commission has issued new guidelines on corruption in may 2025 the following

- Fakebank accounts, misappropriation of bank assets, bank money, bank losses, bankfraud, public sector insurance over claiming taking risks just to provide insurance, deliberate handling wrong insurance practices by insurance

company employees, collusion in medical examination with doctors, hospital agents, lawyers in the medical insurance also come under the corruption watch excessive wealth for income bribery money laundering, Involvement in criminal cases obtaining illegal gains.

- An Individual's excessive wealth for his income
- Individual & government public servant spend more than their income on a luxurious life style.
- The Supreme Court has confirmed in the <sup>4\*</sup> Amanpatiya case that selling a stamp paper for a price higher than the price stated in it also falls within the scope of corruption.
- Those who receive donations from foreign in excess of Rs.10 lakhs per year is subject to Lokpal jurisdiction.

#### **X. Legal protection for complainant of bribery**

Anyone can file a complaint in a case of bribery and corruption with the exception of locus standi for the complainant. A bribery complaint can be made directly in writing by postal, email, telephone, socialmedia or whatsapp. The postal department has provided privileges that allow the sender to send a bribery complaint by post without specifying the address.

The complaint should be in a sealed envelope with complaint under the public interest disclosure or PIDPI-In an attempt to give easy accers to people who intend to lodge complaint against corrupt govt employees & officers the Anti corruption Bureau (ACB) has set up a toll free Number 1064 at its headquarters. The court has pointed out in several cases that police officer should be assured that the details of the person reporting bribery and corruption are kept confidential. Police officers should not harass the complainant while investigating a bribery complaint.

### **XI.Special in bribery cases:**

- Preliminary enquiry is not mandatory before registering FIR in corruption cases against public servant <sup>5\*</sup>.
- The act requires that <sup>6\*</sup> trial as far as practicable be concluded within 2 years. Provided further that the said period may be extended by such further period, for reasons to be recorded in writing but not exceeding six months at a time; so, however, that the said period together with such extended period shall not exceed ordinarily four years in aggregate under section 4(4) prevention of corruption act.
- The parliament has said that accepting a bribe to speak or vote in the legislative assembly does not fall under the privilege of Articles 105(2),194(2) of Indian constitution. If an MP or MLA accepts a bribe to speak or vote in the house. A criminal case can be initiated against them in court. The Supreme Court has ruled in the MP and MLA bribery case <sup>7\*</sup>.
- The supreme court has ruled in a PIL Case that Even if there is no direct evidence of a complaint of bribery by government employees, the circumstances of the case can be investigated and a sentence can be imposed <sup>8\*</sup>.
- <sup>9\*</sup> Non compromise in bribery and corruption cases.
- <sup>10\*</sup> Accused person to be competent witness.
- <sup>10\*</sup> Accused person has given evidence against any other person charged with the same offence.

### **XII. What types of investigation are conducted by the Anti corruption and vigilance Directorate**

1. Entrapment
2. Conducting surprise inspection in government offices

3. Initiating surveillance reports on corruption against Govt. employee
4. Monitoring large government projects with a project cost exceeding Rs.50 Lakhs

### **XIII.How to register a corruption case**

1. By order of the court
2. By cognizance offence made out
3. By order of the vigilance officer
4. By complaint
5. By reports of vigilance Source
6. By spot checks

### **XIV.Anticorruption laws in India**

#### **Prevention of corruption Act 1988**

- S.7 offence relating to public servant being bribed
- S.8 offence relating to bribery of a public servant
- S.9 offence relating to bribing a public servant by a commercial organization
- S.12 punishment for abetment of offences (2018 Amendment new provisions now provide more specific penalties for who give bribes)
- S.13 Criminal misconduct by a public servant
- S.13(i)(e) Talks about disproportionate asset
- S.15 Punishment for attempt

#### **Income tax Act 1961**

- S 270, 271 AAC Penalty for undisclosed income misreporting to tax Authorities
- Foreign Exchange Regulation act 1973
- Benami Transaction prohibition Act 1988
- Whistle Blower protection Act 2014
- Money laundering Act 2002, S4
- Lokpal & Lokayktas Act 2013, S8
- BNS.sections 170, 173, 174, 176, 178, 182, 314, 316(1) (2) (4) (5)
- Central vigilance commission Act 2003

## Conclusion

Only by elimination bribery and corruption can our country become a corruption free country and have a chance to become & superpower. Each of us must make a commitment that we will not commit the individual moral sins of bribery & corruption. Further more transparent government administration strong laws and an attitude to fight corruption are necessary. An environment where everyone, including youth women and the general public can become an aware is necessary. There is no doubt that a corruption free India can be established only if all people avoid individual bribery and greed and follow the principle of honesty.

## END NOTES

1 \* Corruption perception index 2024,  
<https://www.transparency.org>

2 \* - Thirukural No.283

3\* Central vigilance commission new guidelines  
- May 2025

4\* Amanpatia state of GNCT 2025 (6) SCR 64,  
2025 INSC 618

5\* State of Karnataka Vs.T.N. Sudhakar Reddy  
2025 INSC 350, 2025 SCO.L.R.3(3) (11)

6\* Substituted by Act No. 16 of 2018, dated  
26.7.2018

7\* Sita Soren Vs Union of India 2024 IINSC 161 Sil  
criminal appeal No.451/2019

8\* Neeraj Dutta Vs State of GOvt of NCT of Delhi  
2022 livelaw SC 1029 (2022)

9\* Dharmaraj Vs Shanmugam (2022) INSC 938

10\* S.315 of crpc = S.353 BNSS S. 30 of IE Act =  
S.24 BSA 2023