

## PRAGMATIC APPROACH TO CURB CORRUPTION: A SOCIO LEGAL STUDY

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*Corruption is the success of dishonesty, and combined failure of law and justice.*

The great Indian Philosopher **Kautilya** famously says “Just as it is not possible, not to taste honey or poison put on the surface of the tongue, so it is not possible for the public servant dealing with the money not to taste it in however small a quantity.” It is said that “it is possible to know even the path of a bird flying in the sky, but not always of officers moving with their intentions concealed.”

### ABSTRACT:

Corruption breeds in darkness if light is thrown in form of transparency it cannot survive. Corruption is not a single event. It is happened every day against the citizens by few people to satisfy the greed of wealth. A little preventive maintenance the need for major repair later. Preventive measures start with the individual irrespective of position in administrative function. Each individual has role to play in preventive corruption at all levels. It is easier to see corruptions but it is harder to see the form of corruption. Corruption is not a new phenomenon, what is warring is the magnitude and size of corruption. Corruption is no longer exception rather it is just like a rule in the society. In fact corruption and corrupt behaviour is only a state of mind than anything else.<sup>3</sup> Corruption is a potent violator of human rights.<sup>4</sup>

Corruption debases democracy, undermines the “Rule of Law”, stifles socio-economic growth and hampers fundamental objects of good governance of a Welfare State. Now days,

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“corruption” is an open secret to all. It has become an evil way of life and a notorious system in public office. It has become a part of the system in almost every public office. There is hardly any public service, which is free from clutches of “corruption”. Despite serious legislative exercise and judicial pronouncements “corruption” has grown monstrously. It spreads like malignancy and cancerously in every sphere of life, i.e., globally, nationally and in every State. It leads to devastate all the welfare plans and programmes meant for societal developments. The growth of this menace damaging the socio-economic models of development corroding the vital of the systems carry from the grassroots to the highest echelons of public office. Therefore, this contributes for breaking down of socio-economic developments, the “Rule of Law” and miscarriage of justice.

**Key words:** Corruption, Public Servant, Lacuna and Loopholes, Justice, Dispensation System.

## **INTRODUCTION:**

The emergence of anti-corruption regime in India can be historically traced to the establishment of Delhi Special Police Establishment Act of 1943 to investigate into anomalies and corruption during wartime expenditures. The anti-corruption regime in India has evolved as a spectrum of legislations, laws, statutes, codes, conduct rules, disciplinary guidelines, such as, from the Code of Criminal Procedure, 1973, Indian Penal Code, 1860, Criminal Law (Amendment) Ordinance, 1944, Commissions of Inquiry Act, 1952 (60 of 1952), Judges Inquiry Act, 1968 (51 of 1968), All India Service (Conduct) Rules, 1968, Orissa Government Servants’ Conduct Rules, 1959, etc., to specialized anti-corruption laws, such as, Prevention of Corruption (Amendment) Act, 1988, Prevention of Corruption (Amendment) Act, 2018, Prevention of Money-Laundering Act, 2002, Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015, Fugitive Economic Offenders Act, 2018, etc., with India being signatory to the United Nations Convention Against Corruption, 2004. The anti-corruption laws have given rise to the establishment of anti-corruption agencies, such as, Central Bureau of Investigation (CBI) *vide* Delhi Special Police Establishment Act, 1946, Central Vigilance Commission (CVC) *vide* Central

Vigilance Commission Act, 2003, Directorate of Enforcement (ED), Lokayuktas and Lokapals, etc. Further, the anti-corruption judiciary, such as, Courts of the Special Judges under Prevention of Corruption Act and Special Courts under Orissa Special Courts Act, 2006 (9 of 2007), have been set up. In addition, there are socio-legal empowerment initiatives, such as, the Whistleblowers Protection Act, 2011, and the Right to Information Act, 2005. In spite of an elaborate legal-agential-judicial-social anti-corruption regime in India, the corruption retains its cancerous spread from the grassroots to the higher echelons of Governance and Government. The plight of corruption is aggravated due to a number of lacunae: the drawback in anti-corruption laws, lack of autonomy and independence of the agencies in investigation and prosecution, government apathy, political influence, the prolonged trial and the delay in disposal of corruption cases, the shortcomings in whistleblowers protection and the right to information, etc. Hence, there is massive pendency of corruption cases, and widespread miscarriage of justice dispensation in India. In this context, the research study seeks to delve into five pertinent dimensions. First the study portrays historical understanding of corruption and development of anti-corruption initiatives in India from the ancient to the contemporary times. Second, the study elaborates the institutional, legal-administration and enforcement mechanisms of anti-corruption agencies in India and in Odisha as well as the International Anti-Corruption Agencies. Third, the study analyzes the justice dispensation system with reference to rule of law and good governance, legal-administrative procedures in various types of corruption cases, delay in disposal of corruption cases, speedy justice *versus* fair justice, judicial ethics and integrity, and the role of information technology. Fourth, the study presents judicial trend analyses of anti-corruption regime in India. Fifth, the study concludes with a critique of vital aspects of anti-corruption laws, procedures, judiciary, and socio-legal measures. Sixth, the study draws special reference to the public servants in Odisha.

The Constitution of India is considered as mother of all the laws in independent India. It protects the citizens' rights and promotes justice and equality by way of good governance with a fundamental object to uphold the "Rule of Law". The object of the "Rule of Law" is to set up a welfare State in the larger interest of the society. The "Rule of Law" stands on the three pillars of the Constitution of India, i.e., legislative, executive and judiciary. The functionaries of these three

pillars are “public servants”. The honesty and integrity of public servants in discharging their duties, play a vital role to uphold the “Rule of Law” and for societal developments. Therefore, public servants should be free from “corruption” in discharging their public duties fairly.

Section 21 of the Indian Penal Code, 1860<sup>5</sup> and Section 2(c) of the Prevention of Corruption Act defines “public servant” as any person who holds a public office by virtue of which he is authorized or required to perform or discharge any public duty, irrespective of whatever legal defect there may be in his right to hold that position, shall be treated as public servant. Therefore, all Government servants are public servants, but all public servants are not Government servants.

Once upon a time bribe was used to be given to get an illegal act done. But, now a days, there is giving and taking of bribe even for getting the right things done in every public office. There are so many anticorruption legislations and watch dogs brought into existence to eradicate this menace. However, this menace has not only proceeded but also has become deep rooted and growing day by day from grass root to highest echelons of public office. The reason can be loud and clear to the extent that the lacuna and loopholes in the present days of anticorruption legislation, i.e., Prevention of Corruption Act, 1988, which has been amended in 2018, the Prevention of Money Laundering Act, 2002 and its subsequent amendments, Indian Penal Code, 1860, The Right to Information Act, 2005, Lokpal and Lokayukta Act, 2014. To name a few, the Enforcement Mechanism, such as, Central Vigilance Commission, Central Bureau of Investigation, Lokpal, Enforcement Directorate, Anticorruption Agencies, i.e., State Vigilance Department and the delayed justice dispensation system contributes a lot to prevent the menace. Thereby, the objectives of anticorruption movements are defeated. Unless the same is achieved by preventing corruption in the society, then the “Rule of Law” and constitutional goal would also be frustrated.

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<sup>5</sup> . Sec.2(28) of the BNS, 2023

The plight of corruption has been escalating not only by the lacuna and loopholes in the existing anticorruption laws and agencies, but also long and exhaustive legal judicial process of delay in dispensation of justice in anticorruption cases. Additionally, avowed constitutional right of fair and speedy trial is being put to jeopardy. The sinister seed of corruption and its poisonous offshoots in the forms of unscrupulous public servants has its imp-like sympathisers and perpetrators of first order. The existing legal- procedural- agential- judicial system (which in single term we can say justice dispensation system) serve as the congenial breeding ground and first gestational pace. The way of functioning of anticorruption legislation and institutional framework, including the judicial system, have failed to improve the situation.

Therefore, the provision of Section 17A of the Prevention of Corruption (Amendment) Act, 2018 postulates prior approval from the competent authority by inquiry and investigation against public servants. Similarly, Section 19 of the Prevention of Corruption Act and Section 197 of the Criminal Procedure Code<sup>6</sup> has a protective umbrella by way of prior sanction for launching prosecution and trial in respect of the public servants. This provision of prior approval as well as prior sanction for prosecution in most of the times misused. Similarly, Lokpal and Lokayukta Act, 2014 also made provision of prior permission from the competent authority before FIR and investigation. Prior to the Prevention of Corruption (Amendment) Act, 2018, sanction under Section 19 of the Prevention of Corruption Act was not required for prosecution against a retired public servant. However, after 2018 amendment, the sanction was made mandatory irrespective of continuance in service of the concerned corrupt public servant. Similarly, the recent Prevention of Corruption (Amendment) Act, 2018 repealed the earlier provision of Section 13(1)(d), which was treated as criminal misconduct on the part of a public servant for abusing his official position by showing undue official favour to obtain for himself or any other person any valuable thing or pecuniary advantages without any public interest. Similarly, the concept of known sources of income” was also eliminated for constituting offence of disproportionate assets cases.

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<sup>6</sup> . Now Sec. 218 of the BNSS, 2023

In view of the above elimination/repeal in the provisions of the Prevention of Corruption (Amendment) Act, 2018 made the said anticorruption legislation weaken. There are several literatures propagates misutilization of Prevention of Money Laundering Act. The bar of exercising power and jurisdiction of anticorruption agencies, i.e., State Vigilance Department for launching prosecution against corrupt public servants restricting them to launch prosecution in PML Act and transfer of vigilance cases to the PML Court at the instance of the Enforcement Directorate obviously lead to demoralisation to the State anticorruption agencies.

The judicial dictum of the Constitutional Bench in the case of *Lalita Kumari v. State of UP & Ors.*, (2014) SCC 1 provides preliminary inquiry in corruption cases. Similarly, mandatory preliminary inquiry and opportunity of hearing prior to registration of corruption cases involving allegation of corruption by public servants as per the Lokpal and Lokayukta Act, 2014 (amended in 2020) would definitely lead to disappearance of evidence and would frustrate the movement of the anticorruption in detection and recovery of evidences.

The above are some of the glaring examples by way of lacuna and loopholes in the anticorruption legislation. Apart from the inordinate delay in the process of inquiry, investigation, sanction for prosecution, trial, appeal as well as confiscation leading to conviction of the corrupt public servants.

The justice delivery system caused by delay will ultimately lose the confidence of people in law and justice and it will result in breakdown of rule of law and will have a deleterious impact on the honesty, integrity, transparency in public offices, the socio-economic development and good governance of the country.

Hence, eradication of corruption in public life by established anticorruption regime ought to be considered as serious issue and should be dealt with utmost priority to overcome the menace in upholding the “Rule of Law”.

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## **SIGNIFICANCE OF THE RESEARCH STUDY:**

In its stated Problem, Questions, Objectives, and Hypotheses, the present Research Study attempts to carry out an extensive and in-depth study into the Anti-Corruption Regime in India with special reference to the Public Servants in the Indian state of Odisha. The present Research Study takes its point of departure from the fact that Massive Corruption engrosses the Public Servants and Public Offices, distorts Public Duties, and taints the Delivery of Public Goods and Services in the Welfare State System despite elaborate Anti-Corruption Laws or Legislations, Legal and Juridical Procedures within Criminal Justice System, and Social Empowerment Dynamics ensured with Constitutionality.

The present Research Study envisages the Anti-Corruption Regime in India as a Holistic and Encompassing System comprising of:

- (1) Legal-Institutional or Legal-Legislative Framework, which refers to Anti-Corruption Laws, Legislations, and Acts;
- (2) Legal-Procedural Framework, which refers to Preliminary Inquiry, Investigation, Sanction for Prosecution, Arrest, Search & Seizure, Attachment and Confiscation;
- (3) Legal-Juridical Framework, which refers to Trial in Special Courts, Examination and Cross-Examination of Witness and Evidence, Prosecution and Defence, Bail, Bonds, and Sureties, Conviction and Sentencing, Revision and Appeal, Judicial Review;
- (4) Socio-Legal Framework, which refers to Right to Information and Whistle Blowing.

This Analytical Anatomy of Anti-Corruption Regime in India enables the present Research Study to examine and scrutinize the following:

- (1) Lacunae in Anti-Corruption Laws, Legislations, and Acts;
- (2) Shortcomings in Legal Procedures, such as, Hindrances to Preliminary Inquiry and Investigation, Ambiguity in Sanction for Prosecution, Lack of Rigour in Arrest, Search and Seizure, and Absence of Stringency in Attachment and Confiscation;
- (3) Delay in Disposal of Corruption Cases and consequent Pendency, Intriguing Aspects of Bail, Drawbacks in Prosecution and Conviction, Leniency in Sentencing and Habitual



- Offenders, Lengthy Processes of Appeal and Revision, and Judicial Reviews along with Leading Judicial Pronouncements from High Courts and Supreme Court of India;
- (4) Socio-Legal Awareness and Constitutionality of Right to Information and Whistle Blowing as Empowering Means of Anti-Corruption Regime;
- (5) Causalities, Correlations, and Inter-connectedness among the above-mentioned Four Major Dimensions of Anti-Corruption Regime.

This analytical vivisection of anti-corruption regime, and the subsequent in-depth examination of anti-corruption regime in India posits the present research study in an enabling orientation so as to forward a Suggestive Outline on Improvisations in Laws, Procedures, Adjudication, and Socio-Legal Empowerment.

In addition, the present Research Study sifts through the Holistic Perspective of Anti-Corruption Regime in India for its Particular, Localized and State-Specific Implications for the Indian state of Odisha. In this regard, the present Research Study focuses on the Special Courts, Lokayukta, and Service, Conduct, and Discipline Guidelines for Public Servants, which includes both Government Servants and Members of State Legislative Assembly, as Anti-Corruption Instruments of the Government of Odisha. The present Research Study attempts to organize and situate the Anti-Corruption Instruments by the State Government of Odisha within the larger Anti-Corruption Regime in India to underscore the Analytically Reciprocal Impact of Weakness and Potential Parameters around which Anti-Corruption Regime can be strengthened by means of Mutuality and Coordination between State Government and Central Government.

In this context, the present Research Study adopts a Dialogic Perspective, wherein the Holistic and Generalized System of Anti-Corruption Regime in India on the one hand and the Particularistic and Localized Instruments of Anti-Corruption in Indian State of Odisha have been posited in a relationship of Mutuality and Reciprocity so as to forward a Suggestive Framework and Outline on the Possibilities of Amendments and Improvisation for strengthening Anti-Corruption Regime. This Dialogic Perspective of the present Research Study facilitates in paving the Avenues and Pathways for Future Research Studies on the subject.



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## **RESEARCH OBJECTIVES:**

In the context of both the above-mentioned Research Gap and Research Questions, the present Research Study delineates the following Research Objectives.

- (1) A Portrayal of Anti-Corruption Regime as comprising of Laws or Legislations (Legal-Institutional Frameworks or Institutional Legalities or Legal-Legislative Frameworks or Legislative Legalities), Procedures (Legal-Procedural Dynamics), Juridical Adjudication (Legal-Juridical Mechanisms of Trial and Appeal) and Social Empowerment (Socio-Legal Dimensions of Right to Information and Whistle Blowing) for a Vivisection or Analytical Anatomy of Constitutive Dimensions of Anti-Corruption Regime in India
- (2) A Historical Grounding of Corruption in India from the Ancient times to the Contemporary times
- (3) A Focused, Relevant, and Critical Examination of Anti-Corruption Agencies in India as well as those in Odisha, and the International Anti-Corruption Agencies
- (4) Analytical Examination of Drawbacks in Relative Autonomy and Relative Independence of Anti-Corruption Agencies like Vigilance, Central Bureau of Investigation (CBI), and Anti-Corruption Bureau (ACB), and a Comparative Assessment of these Anti-Corruption Agencies in India with Prominent Anti-Corruption Agencies in countries like UK, USA, Russia, Hong Kong, and China
- (5) A Critical Scrutiny of Justice Dispensation System with an in-depth focus upon the Rule of Law and the Good Governance, including their complementary interrelationship as a crucial parameter of determinacy in justice dispensation system
- (6) A Detailed Examination of Legal-Administrative Procedures in corruption cases, such as Prosecution, Trial, Appeal, and Disposal with reference to Trap Cases, DA (Disproportionate Assets) Cases, Criminal Misappropriation Cases and other Graft Cases
- (7) An In-depth Analysis of Delay in Justice Dispensation System by taking into account the crucial debate of Speedy Justice *versus* Fair Justice as well as the Factors and Consequences of Delay in Justice Dispensation upon the Criminal Justice System
- (8) Explanatory Scrutiny of Shortcomings in Anti-Corruption Legal Procedures with reference to Preliminary Inquiry, Investigation and Sanction for Prosecution, and Consequent

**Suggestive Outline for Elimination of Procedural Hindrances within Anti-Corruption Regime**

- (9) Factorial Assessment of Lengthy Trial and Appeal, Delay in Disposal, and Huge Pendency in Corruption Cases, and Subsequent Inputs for Speedy or Fast-Track Trial, Effective Disposal and Elimination of Pendency in Corruption Cases
- (10) A Comprehension of the yardsticks of Judicial Ethics by bringing into the fore the vital role of Judicial Independence and Autonomy, Transparency and Accountability within Judiciary, and Judicial Integrity
- (11) A Brief Understanding of the Enabling and Empowering Aspects of Information Technology in Prevention of Corruption, in particular, and Justice Dispensation System, in general
- (12) Judicial Trend Analyses, that is, a Critical Assessment of Leading Judicial Pronouncements on Anti-Corruption Laws, Procedures, Trial and Appeal from the High Courts and Supreme Court of India with reference to the following:
  - (i) Prevention of Corruption (PC) Act, 1988 (49 of 1988), including the PC (Amendment) Act, 2018 (16 of 2018)
  - (ii) Delhi Special Police Establishment (DSPE) Act, 1946 (25 of 1946)
  - (iii) Central Vigilance Commission (CVC) Act, 2003 (45 of 2003)
  - (iv) Whistleblowers Protection Act, 2011 (17 of 2014)
  - (v) Orissa Special Courts (OSC) Act, 2006 (9 of 2007), including Orissa Special Courts Rules, 2007
  - (vi) Odisha Lokayukta Act, 2014 (12 of 2018) including the Odisha Lokayukta (Terms of Search Committee and Conditions of Appointment of Members and Fees and Allowances Payable to its Members) Rules, 2018
  - (vii) All India Service (Conduct) Rules, 1968
  - (viii) Orissa Government Servants' Conduct Rules, 1959
  - (ix) Rules and Conduct of Business in the Odisha Legislative Assembly, 2012
- (13) Critical Appraisal of the Prevention of Corruption (PC) Act, 1988 (49 of 1988), including the PC (Amendment) Act, 2018 (16 of 2018), with reference to the following:

- (i) Special Judge and Cognizance of Offence: Sections 3, 4, 5, and 6 of the Act
  - (ii) Corruption Offences by the Commercial Organizations: Sections 7, 8, 9, and 10 of the Act
  - (iii) Criminal Misconduct: Section 13 of the Act
  - (iv) Inquiry/Enquiry and Investigation: Sections 17 and 17A of the Act
  - (v) Inspection and Seizure of the Bank Accounts: Section 18 of the Act
  - (vi) Attachment and Confiscation: Section-18A of the Act
  - (vii) Sanction for Prosecution: Section 19 of the Act
  - (viii) Presumption of Acceptance of Undue Advantage: Section 20 of the Act
  - (ix) Accused to be a Competent Witness: Section 21 of the Act
  - (x) CrPC Modifications in PC (Amendment) Act, 2018 (16 of 2018): Section 22 of the Act
- (14) Critical Appraisal of the Orissa Special Courts Act, 2006 (9 of 2007), including the Orissa Special Courts Rules, 2007, with reference to the following:
- (i) Speedy Trial of Offences: Sections 3, 9, and 11 of the Act
  - (ii) Confiscation of Property by the Special Courts: Sections 13, 14, and 15 of the Act
  - (iii) Case Transfer: Section 16 of the Act
  - (iv) Appeal: Section 17 of the Act
  - (v) Power to Take Possessions: Section 18 of the Act
  - (vi) Refund of the Confiscated Money or Property: Section 19 of the Act
- (15) Critical Appraisal of Odisha Lokayukta Act, 2014 (12 of 2018), including the Odisha Lokayukta (Terms of Search Committee and Conditions of Appointment of Members and Fees and Allowances Payable to its Members) Rules, 2018, with reference to the following:
- (i) Establishment of the Lokayukta: Section 3 of the Act
  - (ii) Appointment of the Chairperson and the Members of the Lokayukta: Section 4 of the Act
  - (iii) Complaints, Preliminary Inquiry, and Investigation under the Lokayukta: Section 20 of the Act

- (iv) Hearing of the persons Likely to be Prejudicially Affected: Section 21 of the Act
- (v) Cognizance by the Special Court without Sanction: Section 23 of the Act
- (vi) Supervisory Powers of the Lokayukta: Section 25 of the Act
- (vii) Members, Officers, and Employees of the Lokayukta as Public Servants: Section 51 of the Act
- (viii) Application of Limitation in Certain Cases: Section 52 of the Act
- (ix) Legal Assistance: Section 54 of the Act
- (16) Analysis of Correlative and Causal Effect of Government Apathy, at both Central and State Levels, on the Infrastructures of Anti-Corruption Regime, such as, Necessary Amendments to Anti-Corruption Laws and Legislations, Effective Implementation of Anti-Corruption Legal Procedures, Strengthening of Anti-Corruption Agencies, Incorporation of Vital Judicial Pronouncements and Judicial Reviews, and Social Empowerment of Anti-Corruption by means of Right to Information and Whistle Blowing
- (17) A Critical Scrutiny of Socio-Legal Empowerment and Awareness of Anti-Corruption Regime of the Government and the Anti-Corruption Movement in India with reference to the Whistleblowers Protection Act, 2011 (17 of 2014), and the Right to Information Act, 2005 (22 of 2005)
- (18) Establishment of Complementary and Coordinative Relationship between Rigor and Stringency in Service, Conduct, and Discipline Guidelines concerning Public Servants on the one hand and the Empowerment of People-Centric Approaches in Right to Information and Whistle Blowing
- (19) A Brief Comprehension of the Shortcomings and the Lacunae in Anti-Corruption Agencies in India as well as in Odisha, namely, CBI, ED CVC, Lokpal and Lokayukta, the State Vigilance Directorate of Odisha
- (20) A Critique of Anti-Corruption Legislations and Anti-Corruption Agencies in Odisha with reference to the Public Servants of Odisha
- (21) Constitutive and In-depth Assessment of Anti-Corruption Regime with reference to Public Servants in Odisha, and its Correlative Parameters with reference to the

## Yardsticks in Law, Procedures, Adjudication, and Socio-Legality of Anti-Corruption Regime

- (22) Establishment of both Extensive and Intensive Framework on Anti-Corruption Regime with reference to Suggestive Outlines and Frameworks on Anti-Corruption Laws or Legislations, Anti-Corruption Agencies, Anti-Corruption Procedures, Anti-Corruption Adjudication, and Anti-Corruption Socio-Legalities with Special Reference to Public Servants in Odisha for paving the way forward in Avenues and Possibilities for Strengthening and Empowering Anti-Corruption Regime and set up Pathways for Future Research on the subject

### 1.1 SCOPE AND LIMITATIONS OF THE RESEARCH STUDY

The *Scope* of the present research study includes:

- (1) Elaborate and Comprehensive Understanding of Anti-Corruption Laws and Legislations in India, in general, and in Odisha, in particular, including historical trajectory of corruption in India
- (2) In-depth Critique of Crucial Dimensions of Administrative-Legal Procedures involving Inquiry, Investigation, Charge-Sheet, Evidence Collection, Witness Examination and Cross-Examination, Documentary Evidence, Prosecution, Trial, Appeal, Conviction, Acquittal, Bail and Bonds, to name a few, so as to lay out a legal-administrative framework for cure of the ingrained procedural maladies as well as to strengthen anti-corruption legal-administrative procedures
- (3) Vivid Scrutiny of Sentencing Provisions and Penalties in crucial Graft Offences involving DA (Disproportionate Assets), Criminal Misconduct, Criminal Misappropriation, Illicit Enrichment, Illegal Gratification, Bribery, Undue Advantage, Abuse of Office and Authority, Exercise of Influence, Offences of Corruption by Commercial Organizations, to name a few, so as to advocate the stringency and rigour in sentencing and penalties in corruption cases to the extent that such sentencing and penalties would serve as a deterrent for offenders, convicts, and accused in corruption cases towards the reduction of corruption

offences by habitual and repeat offenders, in particular, and for the public servants and society at large.

- (4) Detailed Examination of Vital Anti-Corruption Agencies in India and in Odisha, as well as International Anti-Corruption Agencies so as to forward an advocacy on behalf of the anti-corruption agencies in India and in Odisha with reference to crucial subject of Functional Autonomy and Operational Independence of anti-corruption agencies in India and in Odisha; as well as to underscore the Drawbacks, Loopholes, Potential International Lessons, Liaison Mechanism for the Anti-Corruption Agencies in India and in Odisha
- (5) Conceptual Grounding of Justice Dispensation System in India within the framework of the Rule of Law and the Good Governance, including their complementary and mutually reinforcing interrelationship, in the interest of anti-corruption laws and legal-administrative procedures
- (6) Analytical Comprehension of the subject of Delay in Justice Dispensation with reference to the moot subject of Speedy Justice *versus* Fair Justice, including a brief understanding into the factors and consequences of delay in disposal of corruption cases
- (7) Mapping the Ethical and Technological yardsticks and parameters of the institution of Judiciary by taking into account Judicial Ethics, Judicial Independence, Judicial Integrity, and Accountability and Transparency within the institution of Judiciary as well as the Constructive, Enabling, and Empowering Role of Information Technology in bringing Efficiency, Effectiveness, Transparency and Accountability to the institution of Judiciary
- (8) Judicial Trend Analysis, with relevant, historical, contextual, and analytical focus upon the vital judicial pronouncements, judicial reviews, and constitutional assessments by the High Court of Odisha and the Supreme Court of India, bearing reference to major Anti-Corruption Laws, crucial Legal-Administrative Procedures, and Socio-Legal Empowerment in India and in Odisha
- (9) Socio-Legal Dimensions of Anti-Corruption, namely, the Whistleblowers Protection and the Right to Information, by focusing upon the issues of Public Awareness, Socio-Legal Empowerment, Legal Access, Legal Assistance, Dissemination of Information, Public Participation, Citizenry, Fundamental Rights, and Constitutionality

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## CONCLUSION:

Therefore, adequate preventive measures to overcome the factors of delay in prosecution and disposal of corruption cases, and adequate socio legal anticorruption strategies for public awareness and education should be promulgated and implemented in letter and spirit. Moreover, heavy conviction and consciousness would act as basic measure to curb the menace. The uniform stringent anticorruption legal framework, and its proper implementation by speedy justice delivery system in prosecution and disposal of corruption cases, including attachment and confiscation, and, to expose and punish the guilty of corruption, and creating awareness and exemplary punishment, can meet the challenges and opportunity to overcome the menace in public life. Corruption will be rooted out if everyone will be done to uphold the values of constitution and render justice to the people without fear favour and ill will.

- Reference:**
- (i) P.C. Act, 1988 (Amended 2018).
  - (ii) Indian Penal Code. 1860 with BNS, 2023.
  - (iii) Criminal Procedure Code, 1973 with BNSS, 2023.
  - (iv) Lokpal and Lokayukta Act, 2014 (Amended 2020).
  - (v) SCC on Line.
  - (vi) The Hindu, 25.02.2018, Page No 13
  - (vii) Lawers update, December, 2011
  - (viii) The Hindu, 10<sup>th</sup> July ,2017, P.9