

5. Effective machinery for punishing the corrupt

The effectiveness of the drive to eradicate corruption depends to a large extent on how soon the delinquents are acted against once their misdemeanour is revealed. The following steps are proposed:

5.1 Expeditious disposal of departmental enquiries

Currently, the departmental enquiries linger on for years and their deterrent effect on the corrupt gets reduced. It is proposed to simplify the procedures and appoint retired officers as enquiry / presenting officers to clear the pending backlog. Wherever minor punishments have been proposed, enquiries will be completed in three months, while those involving major punishments will be finalised in six months. Final orders will be issued within two months thereafter. Failure to observe these time limits will result in action against those responsible for the delays. Reclassification of what are major and what are minor punishments will be carried out.

5.2 Strengthening vigilance organisations

In certain departments vigilance cells have been created and they are expected to bring to light cases of corruption and maladministration. However, they have not been performing their duties with the commitment required. Since the primary responsibility of uncovering corruption rests with the department itself, it is proposed to set up a vigilance cell in each department and the existing cells will be strengthened, as also made more efficient.

5.3 Prompt action in cases reported by the anti-corruption department

After the anti-corruption department lays a trap or enquires into cases pertaining to acquisition of

disproportionate assets, the permission to prosecute has to be granted by the respective departments. The enquiries by the anti-corruption department and the grant of sanction by the parent department will be completed in a given time frame. Appropriate sanctions will be accorded in the prescribed time limits. For the cases to be tried quickly, Special courts will be set up.

In the Customs and Income Tax departments of Central government, as also the Sales Tax department of the State government, there are schemes to reward those who give information. However, no such provision exists for informers of the anti-corruption department. In order to encourage such individuals, in cases of disproportionate assets, once the property is confiscated by the courts after the conviction, it is proposed to frame a scheme under which a part could be given as a reward to the informer.

5.4 Action against officers with doubtful integrity

At present, doubtful integrity is not normally a ground for compulsorily retiring a government servant. It is not possible to find sufficiently strong evidence in all cases. It is proposed to invoke the special provisions under Article 311 and in certain fit cases remove such individuals from service without following the lengthy enquiry procedures. This will definitely have a deterrent effect and help to eradicate corruption.

5.5 Amendment to the Lok Ayukta Act

The Maharashtra Lok Ayukta Act has been in existence for 25 years. In order to strengthen the institution of the Lok Ayukta, a committee has been appointed under the chairmanship of Shri. Leeladhar Dake, Minister Law and Judiciary, for suggesting amendments to the Act. The report of the committee is expected shortly. Thereafter, necessary bill will be presented to the Legislature.