

# ADMINISTRATIVE CORRUPTION IN INDIA: CONCEPT, CAUSES AND CURE

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**Abstract:**

*Corruption is one of the most damaging consequences of poor governance. It undermines investment and economic growth, decreases the resources available for human development goals, deepens the extent of poverty, subverts the judicial system and undermines the legitimacy of the state. In fact, when corruption becomes entrenched, it can devastate the entire economic political and social fabric of a country...corruption breeds corruption – and a failure to combat it effectively can lead to an era of entrenched corruption. In a treatise on public administration dating back to the fourth century B.C in India, Kautilya wrote in his monumental classic Arthashastra; “Just as it is impossible not to taste the honey (or the poison) that finds itself at the tip of the tongue. So it is impossible for Government servant not to eat up, at least, a bit of the king’s revenue. Just as fish moving under water cannot possibly be found out either as drinking or not drinking water, so Government servants employed in the Government work cannot be found out (while) taking money (for themselves)”. The aim of this article is to elucidate the concept of corruption in India, causes to rampant level of corruption in India and suggest necessary measures to reduce the corruption level.*

**Key Words: Corruption, India, Concept, Causes, Cure**

**ADMINISTRATIVE CORRUPTION IN INDIA: CONCEPT, CAUSES AND CURE****Dr. GOPI MADABOYINA***Assistant Professor,**Department of Political Science and Public Administration,**Adikavi Nannaya University, MSN Campus, Kakinada, Andhra Pradesh, India*

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**Introduction:**

In a treatise on public administration dating back to the fourth century B.C in India, Kautilya wrote in his monumental classic Arthashastra; “Just as it is impossible not to taste the honey (or the poison) that finds itself at the tip of the tongue. So it is impossible for Government servant not to eat up, at least, a bit of the king’s revenue. Just as fish moving under water cannot possibly be found out either as drinking or not drinking water, so Government servants employed in the Government work cannot be found out (while) taking money (for themselves)”. In another passage, Kautilya states that there are “forty ways of embezzlement” and then goes on to enumerate these ways. This shows that there is historical evidence of corruption being an ancient phenomenon. Its damaging effects have only now been recognized as a matter of grave public administrative concern generally and a special problem for ‘development’ in the context of the developing nations.

**Why Contemporary Interest?**

“Corruption is one of the most damaging consequences of poor governance. It undermines investment and economic growth, decreases the resources available for human development goals, deepens the extent of poverty, subverts the judicial system and undermines the legitimacy of the state. In fact, when corruption becomes entrenched, it can devastate the entire economic political and social fabric of a country....corruption breeds corruption – and a failure to combat it effectively can lead to an era of entrenched corruption”.

As Treisman’s authentic study suggests, in the developing countries, corruption concentrated ‘in countries that are poorest and have the lowest levels of human capital’ and assumes a major development issue. Kofi Annan, former Secretary General of the United Nations, while alerting the nations against the scourge of ‘corruption’, wrote in the preface to the historic UN Convention against Corruption; “This evil phenomenon is found in all countries – big and small, rich and poor – but it is in the developing world that its effects are most destructive. Corruption hurts the poor disproportionately by diverting fund intended for development, undermining a Government’s ability to provide basic services, feeding inequality and injustice and discouraging foreign aid and investment. Corruption is a key element in economic underperformance and a major obstacle to poverty alleviation and development’.

**Corruption and Governance:**

Corruption is a problem which all Governments, at any level of development, have to deal with. The literature abounds with efforts to understand and measure its magnitude and impacts. “Good Government” plays an important role in the development process and ‘requires the highest standards of integrity, openness and transparency’. The main requisites for good governance include:

- a) Political legitimacy for the state through democratic elections and transfer of power and an effective political opposition and representative Government,
- b) Accountability and transparency in the sharing of information,
- c) Separation of powers,
- d) Effective internal and external audit,
- e) Effective means of combating corruption and nepotism,
- f) Competence of public servants,
- g) Impartial and accessible justice systems,
- h) The absence of arbitrary Government power.

Action towards curtailing corruption is perceived as a commitment towards creating good Government. As such, discussion of corruption is almost always conducted within the framework of good governance. Corruption and governance lie on a continuum but occupying opposite poles. Whereas governance, aims to serve the interest of the people, corruption, through the use of public office and resources, serves the narrow

interest of family and allies. Good Government is bound by rules aimed to create a transparent and accountable Government; corruption plays discreetly and sometimes directly on these rules to make decisions which will benefit those who have access to power and the highest bidder. Thus, more insidiously, corruption has a far reaching negative effect on the national psyche which eventually goes back to undermine the whole system of good governance itself. Systemic corruption breeds a culture of corruption and skews the people's perception of what is right and wrong. For a number of countries where it has been effectively institutionalized, where wealth and power have become the measure of success, corruption has become socially acceptable, sometimes even aspired to. Energies of a large number of people are channeled towards occupying positions in the Government to partake of the fruits of a corrupt system.

Strategies to limit corruption have to be realistic and achievable and tailored to the needs of particular countries. In other words, policies intended to address corruption have to be consistently implemented over the long term. Corruption being essentially a governance issue, increased governmental accountability and transparency, enhanced public participation in decision making, strengthened public sector and civil society institutions and greater adherence to the rule of law will not only improve governance but will help counter corruption. Free and open competition is ultimately the greatest weapon against corrupt practices – whether political, economic or bureaucratic. At the national level, specialized agencies and anti-corruption bodies can be extremely effective, provided they have sufficient independence, authority and resources to function efficiently. Beyond Government actions, a broad coalition against corruption, encompassing Governments and the public, is necessary. The NGOs and the civil society, the press and the business sector all have a crucial role to play. Public opinion has to be supportive to anti-corruption efforts and public opinion is the major force in creating an environment in which corruption is not accepted or condoned. Public education as to the detrimental effects of corruption is important in creating public awareness and an active public response in support of anti-corruption measures.

#### **Indian Case:**

Though India is credited with having made considerable progress in terms of economic reform over the past few years, corruption is perceived to be widespread and entrenched at all levels of the political and administrative system. India ranks 87 from 178 countries surveyed in Transparency International's 2010 *Corruption Perception Index (CPI)*, with a score of 3.4. Since the first iterations of the index, India has scored between 2.7 and 3.5 indicating that – despite some progress – corruption continues to be perceived as rampant and endemic by the various CPI sources. Identifying 'weak governance' as the main reason, the Second Administrative Reforms Commission emphasized *three* factors in particular which, in its view, have aggravated 'corruption' in India.

1. First, there is a colonial legacy of unchallenged authority and propensity to exercise power arbitrarily.
2. Second, for historical reasons, there is enormous asymmetry of power in Indian society. Nearly 90% of our people in the unorganized sector. Quite a number of them lead a precarious existence, depending on subsistence wages with no job security. Nearly 70% of the organized workers with job security and regular monthly wage are employed by the state directly or through public sector undertakings. Their employment in Government comes with all the trappings of power. Such asymmetry of power, without effective checks and institutional safeguards, reduces societal pressure to conform to ethical behavior and makes it easy to indulge in corruption.
3. Third, in the early decades after Independence India chose a set of policies whose unintended consequence was to put the citizen at the mercy of the State. Over-regulation, severe restrictions on economic activity excessive state control, near-monopoly of the Government in many sectors and an economy of scarcity – all created conditions conducive to unbridled corruption.

However, the main issue today is an abysmal and pathological 'governance deficit' in India. The remedy lies in strengthening 'governance' at all levels – national, state and local.

It is widely known that corruption manifests itself in a number of ways. It ranges from petty to grand in nature, from political to bureaucratic in focus and from incidental to systemic in scope. Essentially originating out of exploitation of public office for private gain, corruption radiates from governments through agencies and impacts upon the individuals and / or organizations required to liaise with those agencies in order to obtain basic services. In view of the range and impact of corrupt behavior, any anti-corruption strategy must be cognizant of the basic cause of corruption, the political and socio-economic environment in which corruption thrives and its

broader links with organized crime and even international illicit goods and capital flows. In the Indian situation today, this bit picture needs to be kept in mind to plan out any worthwhile and effective strategy to combat widespread corruption.

#### **Definitional Issues:**

Modern social science defines corruption in terms of *three* basic models:

1. First, corruption is related to the performance of the duties of a public office. According to J.S Nye, corruption is behavior which deviates from the normal duties of a public role because of private – regarding (family, close private clique), pecuniary or status gains; or violates rules against the exercise of certain types of private-regarding influence. This includes such behavior as *bribery* (use of reward to pervert the judgment of a person in a position of trust); *nepotism* (bestowal of patronage by reasons of ascribable relationship rather than merit); *misappropriation* (illegal appropriation of public resources for private regarding uses)”.
2. Second, corruption is related to the concept of exchange derived from the theory of the market. One view has been that the bureaucrat views his public office as an enterprise from which to extract extra – legal income. The civil servants compensation package is not related to ethical evaluation of his usefulness for the common good but upon the market situation. The civil servants, under conditions of high levels of Government regulations, may devote most of their time and effort to assisting entrepreneurs in evading state laws and statutes. They, in change, earn extra – legal income.
3. Third, the definition of corruption is couched in terms of the public interest, as argued by Carl Friedrich; “the pattern of corruption may therefore be said to exist whenever a power holder who is charged with doing certain things, that is a responsible functionary or office holder is by monetary or other rewards, such as the expectation of a job in the future, induced to take actions which favour whoever provides the reward and thereby damage the group or organization to which the functionary belongs, more specifically the Government”. According to Friedrich, the opportunistic activities of corrupt bureaucrats can severely damage the public interest and should be considered important variables in the study and evaluation of corruption.

The same connotation can be found in the broad definition of corruption by Gould and Amaro-Reyes as a phenomenon ‘taking place in a public organization when an official or civil servant in defiance of prescribed norms, breaks the rules to advance his personal interest at the expense of the public interest he has been entrusted to guard and protect’.

#### **Corruption and Development:**

From the perspective of the developing countries, much research has been done on the detrimental effect of corruption on ‘development’. Studies show that a corrupt country is likely to achieve aggregate investment levels of almost 5% less than a relatively incorrupt country and to lose about half a percentage point of gross domestic product per year. It is also shown to slow down FDI. Investing in a relatively corrupt country, as compared with as incorrupt one is estimated to be equivalent to 20% private tax on investment. High levels of corruption reduce economic growth. It can distort the allocation of resources and the performance of Government in many ways. It has a pervasive and troubling impact on the poor, since it distorts public choices in favour of the wealthy and powerful and reduces the state’s capacity to provide social safety nets. It exacerbates poverty, most especially in developing and transitional economies. Among the identified effects of a corrupt regime are:

- Lower level of social services
- Infrastructure projects biased against the poor, since public officials will design public projects that will maximize bribery receipts and minimize the chance of detection
- Higher tax burdens and fewer services
- Lower opportunities for farmers to sell their produce and for SMEs to flourish, as their ability to escape poverty using their livelihood will be severely restricted by corruption of the state regulatory apparatus.

#### **Public Choice theory and Corruption:**

Economists have turned to public choice theory, which sees corruption as post-constitutional opportunism designed to generate benefits for individuals or groups at the expense of the rest of society. According to public choice theory, the scope and extent of corruption in a country is basically determined by that country’s institutional arrangements and not necessarily by the character of its civil servants and politicians.

Once the constitution has been designed and adopted and Government established, there is an incentive for individuals and groups to subvert the rules in an effort to generate benefits for themselves. Rules subversion, if successful, can allow individuals to secure benefits above and beyond what would have accrued to them otherwise. This kind of behavior can occur in both democratic and non-democratic societies. Bureaucrats, whose job it is to design and execute public policies, may attempt to use the process to maximize their private objectives at the expense of serving the general public efficiently and equitably. The desire by civil servants to maximize their private objectives and the effort by organized interest groups to subvert the rules and to extract benefits for themselves create opportunities for corruption. Public choice theorists argue that bureaucratic corruption is directly related to the scope and extent of Government intervention in private exchange (i.e., in markets). Effective control of corruption, then, must be based on a modification of existing rules in order to change incentive structures and constrain the ability of the state to intervene in private exchange and create artificial scarcities.

#### **Corruption - Many forms:**

Briefly, these forms of corruption are;

- a) Acceptance of money and other rewards for awarding contracts,
- b) Violation of procedures to advance personal interest,
- c) Kickbacks from developmental programmes or multi-national corporations,
- d) Pay-offs for legislative support,
- e) Diversion of public resources for private use,
- f) Overlooking illegal activities,
- g) Intervening in the justice process,
- h) Nepotism,
- i) Common theft,
- j) Overpricing,
- k) Establishing non-existing projects and tax collection and tax assessment frauds.

#### **Political and Administrative Corruption:**

Political corruption is ‘the behavior of (elected) public officials which diverges from the formal components – the duties and powers, rights and obligations of a public role to seek private gain’. By contrast, *administrative corruption* is defined as ‘the institutionalized personal abuse of public resources by civil servants’. In both cases public officials (elected and appointive) can convert public office into private gain in many ways. The effects of corruption on the agencies of public administration can be particularly damaging. When corruption is believed to be the way the public sector, or any of its agencies, routinely operates the damage goes beyond the loss of misdirected resources, public administration risks losing both its capacity to be effective and the trust of citizens in the fair and impartial application of public resources and authority. In the public domain it becomes difficult to guarantee compliance with public standards or respect for the rule of law. A particularly damaging institutional consequence for the public administration is that competent and honest employees can be lost or deterred from working for Government at all further reducing its capacity for integrity and effectiveness. A more elaborate approach based on aspects of the corrupt transaction is offered by Syed Alatas. He distinguishes *six* forms of corruption:

- 1) “*Transactive*” corruption involves the mutual arrangement between a donor and a recipient;
- 2) “*Extortive*” corruption implies some form of compulsion usually harming a party, ‘defensive’ corruption refers to the act the victim of extortion is compelled to engage in;
- 3) “*Investive*” corruption involves an act with no immediate payoff but an expectation of a favour sometimes in the future;
- 4) “*Nepotistic*” corruption relates to family members being appointed to positions in the Government;
- 5) “*Autogenic*” corruption entails one person acting alone with no official-citizen exchange;
- 6) “*Supportive*” corruption refers to acts designed to protect and strengthen existing corruption.

Often a distinction is made between ‘*grand*’ corruption and ‘*petty*’ corruption. The first type is more likely to occur among high level Government officials/politicians who have limited interaction with the public and are involved in large public investment projects. ‘Petty corruption’ tends to take place among low-level, bureaucratic workers who regularly interact with the public say, the police constable or a municipal office collection clerk. Interestingly, Mark Rabinson has identified *three* forms of corruption:

- 1) **'Incidental'** corruption, which is confined to malfeasance on the part of the individual and is thus rare;
- 2) **'Institutional'** corruption referring to certain institutions that may be riddled with corruption due largely to the absence of controls;
- 3) **'Systematic'** corruption which reflects situations where corruption is deeply entrenched and pervasive throughout society.

A similar sort of distinction contrasts *'centralized'* and *'decentralized'* corruption depending on the level of control exercised by the political elite over local officials. As Pranab Bardhan writes, 'it might be that local Governments may be captured much more easily or proximity may make collusion between elite or special-interest groups much easier'. A final approach distinguishes types of corruption based on the motives, purpose or outcome of the corrupt act. The range, of course, can be rather extensive. Does the corrupt act – for example, allowing a murderer to go free – result in the diversion of millions of dollars from a programme designed to help the poor or simply in spending up the award of a license that would have been granted in time anyway? One easy distinction based motive separates corruption that promotes purely personal interests from corruption that benefits a clique, a political party or an institution which may be more systematic. In a discussion of the link between organized crime and corruption, for instance, Margaret Beare offers a non-exhaustive taxonomy of corruption based largely on motive of outcome. She identifies **four** types:

1. **'Bribes/kickback corruption'**, which are paid or demanded in return for being allowed to do legitimate business;
2. **'Election/campaign corruption'**, designed to ensure counting influence;
3. **'Protective corruption'**, payments in exchange for being allowed to engage in illegitimate business;
4. **'Systemic top-down corruption'**, where the nation's wealth is systematically siphoned-off by the ruling elites.

Systematic corruption that is all pervasive and most worrisome and difficult to eradicate has been described vividly in the following words; systematic corruption is (a) endemic and (b) institutionalized. In systemic corruption, corrupt activities are the norm rather than the exception. Officials routinely engage in corrupt practices and citizens are well aware that bribes are crucial for receiving extra favours (e.g., an advantageous court ruling) or simply what they are legally entitled to (e.g., the timely issuance of trade licenses or birth and death certificates). Myriads of networks are built within the state apparatus and between public officials and private citizens; their main purpose is the facilitation of corrupt exchanges. Patron-client networks connect lower to higher officials. Lower officials usually buy their positions and share illicit gains with their superiors. An informal hierarchy of clientelism overlaps with the official state hierarchy. Networks are also built between business people and officials to further each other's interests. Often public officials involvement in private business and entrepreneurs political aspirations are so extensive that the boundary between public and private sphere is permeable and ambiguous.

#### **Corruption – Causes:**

Usually, the causes of corruption are complex and are rooted in a country's policies, bureaucratic traditions, political development and social history. Discussions about the causes of corruption have tended to explain how and why corruption occurs rather than identify deterministic causes. Studies generally produce a mixture of situations, attitudes and processes that might be better understood as enabling factors, indicators or conditions that allow or facilitate corruption. Few of these factors can, in isolation, be said to cause a corrupt act to occur. Neither are they strictly causal in the sense that corruption will occur if they are present in a given location. Instead they are observed – or perceived – phenomena which may make it more possible for corruption to occur. They are similar to risk factors for diseases or accidents that combine – or align – in a given time and place to create an environment that is conducive to an individual perpetrating a corrupt act. The casual variables of 'corruption' are too many in fact. A rather simplified categorization is in terms of **four** main factor-groups namely; political and judicial factors, historical factors, social and cultural factors and economic factors.

#### **1. Political Factors:**

The political factors capture the democratic environment of a given country, the effectiveness of its judicial system and the origin of its legal system. It is widely believed that corruption is related to the deficiencies of the political system and that democracy, by promoting political competition and hence increasing transparency and accountability, can provide a check, albeit an imperfect one, on corruption. Other

characteristics of the political environment, including electoral rules and the degree of decentralization may also be important in explaining corruption. The judicial system is also expected to play a role in controlling corruption the role of the legal system and the rule of law have featured prominently in many recent studies on the quality of governance and its consequences for development.

### **2. Historical Factors:**

To a large extent, it is difficult to separate the historical factors from the political and judicial factors. The effectiveness of the judicial system is dependent on the colonial heritage of the country in question. It has been argued that those countries that were former colonies of Britain and who adopted the common law system appear to have more effective judicial systems than those who adopted civil laws systems associated with former colonies of continental European countries.

### **3. Social and Cultural Factors:**

This group of factors captures the social and cultural characteristics of a country that may impact upon the pervasiveness of corruption in a given country. For example, religion shapes social attitudes towards social hierarchy and family values and thus may determine the acceptability, or otherwise, of corrupt practices. Religious and ethno-linguistic fractionalization may also have an impact on corruption and other characteristics associated with the quality of Government.

### **4. Economic Factors:**

Proponents of economic determinants of corruption have focused typically on *three* factors; the degree of openness, a country's endowments of natural resources and the size of the other public sector. Less open countries restrict trade and impose controls on capital flows. This creates rents and hence enhances the incentives to engage in corrupt activities. It has been argued that increased competition reduces corruption and that open economies are less corrupt. Natural resource endowments have also featured in cross-country studies of corruption, the justification here being that the concentration of exports on natural resources is a proxy for rent-seeking opportunities. Several studies on the causes of corruption have emphasized the size of the public sector. Tanzi notes in his exceedingly detailed and well-analyzed paper that the significant role of the public sector in the economy affords public officials some degree of discretion in the allocation of goods and services provided and hence increases the likelihood of corruption. This mechanism is reinforced if the wages public officials receive are relatively low.

### **Remedies and Strategies (Cure):**

At the outset, it needs emphasizing that first and foremost, there has to be a genuine political consensus and commitment to deal with corruption firmly. To quote in this context the cautionary comments of Daniel Kaufmann, an acknowledged authority on subject. "One of the challenges.....is to be able to distinguish between a seriously committed programme to control corruption and politically convenient rhetoric, on the other..... In the bandwagon of making pronouncements, passing decrees and creating special governmental anti-corruption units, there are many whose commitment to really address the problem is seriously in doubt".

### **Three Strategies:**

Generally, three concurrent strategies are suggested to curb and control corruption. *First*, the normal machinery of monitoring officials and politicians needs to be drastically improved. There is a need for political will to implement this. *Second*, this social will can be generated by informed popular pressure. We cannot expect the bureaucrats and politicians who benefit from the political system to reform themselves. *Third*, the public must be educated to exert moral and political pressure to outlaw corruption. The mobilization of such public pressure depends on a clearer understanding of the modern concepts of public office and public service and a more widespread public awareness of the social costs including 'development' retardation, grave political and institutional risks and distortions which corruption, particularly 'system corruption', entails.

In this context, we can quote C.V Narasimhan, a former Director of the Central Bureau of Investigation (CBI) in India, who has also similarly recommended three types of anti-corruption measures; *preventive, punitive and promotional*. *Preventive* measures refer to those electoral and administrative reforms concerned with making all Government transactions "more transparent and accountable to the people". *Punitive* measures include the "laws, rules and the mechanism for effective investigation, court trial, departmental disciplinary action and other means to deter the corrupt functionaries". Finally, *promotional* measures focus on the "encouragement of value-based politics, inculcation of moral and ethical principles among the younger

generation in schools and colleges and the build-up of a kind of social ostracizing of corrupt people by the society”.

The anti-corruption strategies can be divided into *four* broad categories:

1. Economic/Market Reforms,
2. Administrative/Bureaucratic Reforms,
3. Accountability/Transparency Enhancing Reforms,
4. Political Accountability Enhancing Reforms.

To combat incidences of corruption, the mainstream approaches argue that corruption is largely caused by the greed of public officials who have the discretion to offer citizens benefits or cause damage to their activities but who are inadequately monitored or face inadequate punishments for violating laws. If bureaucrats or politicians have the power to offer selective benefits or cause selective damage and if their risk of detection or risk of punishment is low, they are likely to engage in corruption to enrich themselves. The similarities between them on the core drivers allow us to collectively describe it as the *greed plus discretion theory* of corruption. The standard policy response to corruption is entirely based on attacking the drivers of corruption identified in greed plus discretion theories. The well-known collection of measures to attack corruption derived from this analysis include:

- a) Reducing the discretion of public officials through liberalization and privatization.
- b) Improving salaries of public officials, thereby addressing their low living standards in many cases but also increasing the opportunity cost of corruption since they stand to lose their positions if detected.
- c) Improving the rule of law to punish and prosecute corrupt bureaucrats and politicians.
- d) Encouraging greater transparency of Government decision-making through deepening democratization, decentralization and the creation and encouragement of civil society watchdogs.

**Conclusion:** If corruption in developing countries was indeed entirely or even largely driven by the factors identified in the greed plus discretion theory of corruption, the adoption of these anti-corruption measures in a wide range of developing countries would by now have produced significant reductions in corruption in the countries adoption them. Unfortunately, we know from detailed econometric and country case studies that many of the core policy tools identified in the greed plus discretion theories have limited if any effect on corruption.

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