

## **Questionnaire Ethics in Governance**

### **I-LEGAL FRAMEWORK**

1. Should there be a national policy for eradication of corruption? What should such a policy enunciate?
2. Is the definition of corruption as per the Prevention of Corruption Act, adequate? Is there a need to expand the definition in view of the UN Convention to which India is a signatory? Should corruption in the private sector also get included in the definition?
3. Should India have a law similar to the U.S. False Claims Act?
4. Is India over regulated? Are there laws/rules which create a climate for which facilitates corruption?
5. Shortages of goods and services lead to creation. How can these shortages be eliminated?
6. Does the Constitution and laws give undue protection to the civil servants? Is there a case to revisit Article 311?
7. Should controlling officers be held answerable for misdemeanors of their subordinates for not exercising proper supervision?
8. Are new laws required, such as dealing with the wealth acquired through illegitimate means?

### **II-ETHICS INFRASTRUCTURE**

1. What specific measures are required to strengthen the ethical foundations of the fight against corruption?
2. What legal/institutional/administrative measures are required to effectively tame political corruption?
3. Should we have a Code of Conduct for Ministers? What should it include?
4. Should we have a Code of Conduct for elected members? What should it include?
5. What should be the necessary ingredients of a Code of Conduct for civil servants?
6. Should there be a Code of Conduct for professionals and professional bodies?

### **III-INSTITUTIONAL MECHANISM AT THE GOVERNMENT OF INDIA**

1. Is the existing institutional mechanism, comprising the CVC and the CBI adequate to combat corruption?
2. Have controlling officers, over period of time been giving less attention to curb corruption among their subordinates? Would creation of institutions by itself eliminate corruption? Are external institutional mechanisms a substitute to internal vigilance? How to strengthen internal vigilance?

3. Is the procedure for obtaining vigilance clearance for officers before posting them in Government of India, effective? If not what measures should be taken to improve it?
4. What mechanism is required to ensure that only upright officers are posted to sensitive jobs?

#### **IV-INSTITUTIONAL MECHANISM AT THE STATE GOVERNMENTS**

1. What should be the relation between the Lokayukta, the State Vigilance Commissioner and the Anti Corruption Bureaus?
2. The institution of Lokayukta differs from state to state. Can best features of each one of these be picked up to have a uniform framework in all states?
3. How to ensure autonomy for these institutions and at the same time holding them accountable?
4. Corruption at cutting edge levels hurts the common man. Are special measures required to combat this?
5. What needs to be done to transfer power closer to people so that the decision making power point is near to the people? Would this increase accountability?

#### **V-PROCEDURAL ISSUES**

1. How to ensure that persons with integrity are posted in sensitive posts?
2. Should there be a mechanism for keeping a watch over the integrity of civil servants? Which agency should be entrusted this task?
3. At present there is a system of getting vigilance clearance? How can this be improved?
4. What safeguards are required to protect honest officials from harassment? Does the existing provision of taking prior sanction of Government before registration of cases, necessary? How to ensure that this does not become a shield for corrupt officers?
5. Is the requirement of taking prior sanction of government before registering a case, a hindrance in fight against corruption? How does one safeguard honest official from harassment?
6. Would outsourcing of some functions by regulatory agencies lead to reduction in corruption? What functions could be outsourced?

#### **VI-PREVENTIVE MEASURES**

1. Introducing competition gives choice to users/consumers. How can competition be introduced in service delivery by governmental agencies?
2. Over-regulation increases scope for corruption. Which are the areas where regulation can be reduced?
3. Should mandatory pre-audit of all major procurements/contracts be carried out?

4. Systemic reforms can help in reducing scope for corruption. Which are the sectors which lend themselves for such systemic reforms? How can such systemic reforms be brought about?
5. Use of technology can help in reducing discretion and thus bring in objectivity? What are the obstacles in use of modern technology in governance? How can these be overcome?
6. Should there be a Whistle Blowers Act?
7. Is there a necessity to have 'Civil Service Values' spelt out in a separate Civil Services Law?

## **VII-CITIZENS INITIATIVES**

1. What mechanism is required to actively involve citizens in fight against corruption?
2. Could the 'sting operations' be given a legal backing?
3. How can the stakeholders be involved in monitoring corruption in service delivery organizations?
4. Should there be a system of evaluating and ranking offices based on corruption indices and then linking incentives to such evaluation.