CHAPTER 7

EMPIRICAL STUDY AND PUBLIC ACCOUNTABILITY

7.1 Introduction

In this chapter, the presentation of data is systematically linked to the format of the self-developed questionnaire attached in the appendix. The following will be used to analyze data:

- Description of the sample
- Main result
- Discussion
- Presentation
- Interpretation of results

This chapter basically focus on the analysis & interpretation of data. Here the researcher aim is to interpret the data is to convert it into intelligible & interpretable form. By this research we draw a relation between research problem and result.

It is also true that just analysis of research data doesn’t by its own provide the answer to research hypothesis during the data analysis researcher break down data into constituent parts to obtain approximate exact answer to research question and test the research hypothesis.

7.2 Description of Data Sample

Under this section, we will discuss the characteristics of sample in order for the finding to be clearly understood as stated or mentioned by researcher from the first chapter of research, the only aim of the study is to know whether public accountability is being proved to be a good tool to control the arbitrary exercise of power, where in today world there are many instances where this discretionary power has been misused. Apex court played an important role in this context and innovated a new concept, concept of public accountability. Public accountability where we imposed personal liability of public servant in cases where they
exercise their power arbitrarily. So aim and objective of the study is to conduct research on public servants. For this purpose researcher employed a cross-sectional survey.

Method of data collection is by using self-developed questionnaire. The sample population in this study includes advocate, general public, public servants, media and judges. The research area for the data collection is from the NCR: Sonipat, Panipat, karnal. The total number of population who filed these questionnaire were 105 General Public, 100 Advocate, 100 Public Servant, 50 Judges, 49 Media. Although few of them not returned Questionnaire and thus reducing the number of Questionnaire 450 to 404. This might be a problem as the population is perhaps not well aware for the research topic. The respondents were makes & females of different ages and had different academic qualifications. As above states researcher had specially designed questionnaire. Data was collected in May-June 2015.

Here the result will draw on the description of the independent & dependent variables of the study. Here researcher took help from frequency distribution tables to see the spread of the data or to describe the data.

7.3 Descriptive Statistic of the self-defined Questionnaire-

The following images indicates descriptive statistic on the following questions regarding Rule of Law and Public Accountability to the General Public, Media, Advocates, Public Servants and Judges as created by the researcher. Here objective of research to develop the perception of the general public and others by analysis of questions one by one. This questionnaire was used to explore various issues of general awareness about rule of law and new innovative concept named as public accountability, which is influencing public servants arbitrary actions. This questionnaire has 29 items for general public and 8 questions which are specific for public servants. The following table indicates descriptive statistics on

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1081 Annexed in annexure A.
the different question and short interpretation is provided underneath each question to explain the researcher’s understanding and perception about the result. Here, in this whole chapter researcher attempts to make data more clear and understandable to readers. Findings from the data have been analyzed by the researcher according to her own perception. These are the average figures and may vary with the number, place

**7.3.1 Gender and age distinction for research –**

**male**
- 60.4%

**female**
- 39.6%

**IMAGE 6**

**7.3.2 Occupation of research subjects are as given below –**

**IMAGE 7**
During the data collection part researcher found variation of interest towards topic and giving their opinion. Here the occupation means the class or category to that they belongs. If we analysis the data shown in image 7, it is observed that 100% interest and co-operation from the government servants as well as self-employed who covered professionals like advocates and the least interest shown by the home maker as well as business people. The reasons for the above interest can be as given below –

1. This research covered the attitude of public authority towards public and other public relation officers, those who deals with authorities, know the concept and shown their interest like advocates, government officers.

2. People who has no concern with the public authority, have no dealing in their routine, have shown their dis-interest like- home maker and business people.

7.3.3 Distribution of research subject and area-

The research area and research subjects are two inter-related factors who make variation in the research. For instance in researcher’s research areas which covered Haryana state – only Sonepat, Panipat and Karnal. Here the class of people is basically divided into above mentioned occupations. Rural areas of these places shown zero interest in research data and the same attitude have shown by the female home makers. As given below Image 8 shown the percentage of research subject and the area.

![Image 8](image-url)
7.3.4 Education status of research subject-

The education level of research subjects were divided into four categories. One is under graduate other is post graduate and the professionals and research scholars. In case of general public 68% were under graduate (most of them below age of 20 years). This shows awareness, energy and willingness to express views among young people. It is because they have grown up in the environment where media, transparency and concept of good governance have been in highlights. It is shown in the image 9.

![IMAGE 9](image9.png)

7.3.5 Awareness for corruption.

Knowing about the corruption is not direct concern of this research. The basic motive of researcher to asked this question from subjects to check their awareness that how they correlate it to public authorities and while exercising their power they act arbitrary.

![IMAGE 10](image10.png)
People have rated the level of corruption on the basis of their exposure to the corruption. Image 12 clearly shows the aggregate rating of corruption as well Image 13 is showing individual class rating for corruption. Everyone in the united voice consented to the existence of high rate of corruption. There have been major scams which have been the hot topic of discussion among each class of Indian society. The data analysis is concluding here that judiciary as given by majority, very high rating to corruption. There can be many reason for “very high” rating of corruption-

1. It is a general topic.
2. It is one by whom almost everyone is directly or indirectly affected.

Corruption is a common phenomenon not only in our country but almost in every country of the world. The truth is that after 60 years of independence. India facing numerous critical problems of which the most alarming and lethal is pervasive corruption in administration, in society.
a) Corruption in judiciary

More than three-fourths (79%) of the respondents, who had been interacting with the judiciary, admitted that corruption was prevalent in the Department. Surprisingly, only 8% of those respondents felt that there was ‘no corruption’ in Judiciary. However, not much difference is seen in perception of corruption in judiciary for states having different strength of judiciary.\textsuperscript{1082}

b) Role of Judiciary to bring down Corruption

Nearly three-fourths of the respondents, who have been interacting with Judiciary, were of the opinion that there was lack of commitment on the part of Judiciary to fight corruption. However 21% felt that they were committed to curb corruption. Around 26% respondents in the states having high judicial strength per lakh of population believed that Judiciary was committed, against 18% in states having low strength of judiciary.\textsuperscript{1083}

\textsuperscript{1083} Ibid.
c) **Trends in Corruption during the 2005.**

Nearly two-thirds of the respondents (64%) who have been interacting with the department believed that corruption has increased during the last one year. In fact, nearly three-fourths (73%) of the respondents, whose cases are pending for over 5 years, felt that corruption had increased in the last one year. Contrarily, more than one-fourth believed that corruption had actually declined. The reasons for decline in corruption, according to respondents, was due to strict supervision over officials (52%), honest working of officials (42%) and increase in awareness among public (6%)\textsuperscript{1084}.

\textsuperscript{1084}Ibid.
7.3.6 It is basic research by the scholar and important to highlight those facts, what are the best ways to control corruption in India?

**IMAGE 14**

Here again it is interesting to know judges, who are total 49 in numbers, giving majority reply positive for stringent laws. As a person’s thoughts are affected by his area of education, judges by their education and working environment, believe that the stringent laws will stop corruption. It also shows their desire for stringent laws that will empower them in taking strong decisions. But the public servants themselves believe that stringent laws are not the only way to control corruption –

**IMAGE 15**

Media which can be another way to control corruption. Here it is interesting to know the media opinion on this tool. Who says that it is not a only tool to control corruption. Public servants also believes that media can also not be a good way to control corruption.
But, general public who believes that media may be involved to control the corruption. Here, it is emerging fact that, Personal liability of Public authority’s to control corruption is majority wise not accepted by all the research subject. It may has two reasons-

1. General People are not well aware from this concept.
2. Authorities do not want imposition of accountability and responsibility.

As Below Given chart making more clarity on these opinion –

Majority have negative approach from general public and judges/attorney’s show that this concept is emerging one who equipped with all weapons who required to stop arbitrary actions at public offices, for which they will be personally liable. It is basic grund norm of good governance. It will be clear by this –
7.3.7 Judicial review as a tool to control corruption as well as arbitrary actions –

Here in the research questionnaire it is asked to subject that what they mean by arbitrariness and more than half of them have no idea about term arbitrary. In fact few of them are thinking it as a method to resolve the dispute, which is actually arbitration. So the question, do you think arbitrariness leads to corruption? , is also not properly answered by the general public, in research subject. As data shows that-
7.3.8 Another question based upon arbitrary power is – do you believe that every public authority has a power to act arbitrarily?

![Image 20](image).

**IMAGE 20.**

Here, in the above image researcher attempts to know awareness in general public about the fair actions of public authority.

**7.3.9 Experience with public authority**

In this research when researcher asked to the general public about their experience with any public authority, it was come out that majority of them never met any public authority.
And they experienced as, that public authorities were accountable towards them. In the research overall by research subject mixed experience was shared by the authorities.

The concept of accountability and transparency can be possible with strong and active media and judiciary. The reason for rude behavior of public authority can has many shades, like–

1. Overburdened authority
2. When the qualification of the authority is not matching with the work assigned to them.
3. Frivolous or unnecessary queries by the general public.
4. When the authority acts arbitrary and they want to hide the information as well as relevant facts to demoralize the other party.
5. Egoistic behavior of the authority.

It is also point of emphasizing that while public authorities itself facing rude behavior from other public authority. Data as given below shows that there can be following reasons liable to make public authority itself more sufferer than any other–

1. Public authority has less time to participate in complaining or observing the actions.
Due to hieratical level in the public offices, Higher authorities act rudely because they have powers which may influence the professional as well as personal life of the subordinate. In this case the subordinate is left with no option than to bear or tolerate the rude behavior of public authorities.

Here, the data percentage of media who given experience of their rude behavior is 26%, which means they are experiencing a friendly or accountable behavior of authorities. By this result researcher can easily calculate the strength of media who is also called as fourth pillar of governance.

Only in case of same organization.
Here, the above graph clearly shows that there is contrast in the data percentage between the friendly behavior towards judges and general public. The analysis of data points out that general public usually not treated friendly by the public office, reason can be not powerful and influential nature of public. The reason for the judges / attorney finding friendly can be interpreted like:

1. The behavior is strongly affected by the power, post and the knowledge of the person with whom the public servant is interacting.
2. To please the more influencing person, public authority tries to be friendly with them.
3. There may be two thoughts that may propagate in their mind-
   a) Pleasing the powerful public authority will keep their post intact and away from any controversy.
   b) It will increase their social circle with other authorities.
   c) Due to this behavior, they will be in position to ask favor or any other benefit/ help in future from the authority.
   d) To build goodwill at their workplace.
   e) To maintain decorum of public office.

7.3.10 General public and accountability

![Image 25](image.png)

The above data indicates an interesting fact that general public are in favour of the accountability or personal liability of the public servant accountable. This may be contributed by the existence of many factors which can be as under –
1. There is general public, who is suffering more because of arbitrary actions of public authority. To curb these sufferings there is existence of public window. Concept of public window is originated to stop corruption. For example in Haryana, under this concept every district of the state having a window, which is commonly called as C.M window. Here, general public is giving their grievances in writing to the CM. This is called as forum to redress the grievances of general public.

2. Right to Information Act (RTI), which forces the authority to act accountably because any arbitrary action can be shared with public which will result in defamation as well as disciplinary action. RTI acts as strong weapon to stop or curtail the corruption or arbitrary action in public offices.

By these reasons it is clear that all authorities has knowledge about the general awareness of the public. Where they cannot deny the public for their basic rights and it is public who knows the simple way to access their rights. It is the concept of accountability by which there is a good coordination between the authority and general public.

Right to Information can prove to be good tool for accountability of the public authorities. Here in the given below table it shows the number, who know about Right to Information and the usage of this.

![Image 26](image.png)

In the above graph it is also mentioned that few percentage of general public and public servant has not good awareness about RTI. Here positive issue is maximum awareness in the general public. This awareness will gave the base to good governance and transparent government.
Another important fact which comes out in data collection during research is about accessibility of public offices and availability of any information. The majority experienced negative for this.

<table>
<thead>
<tr>
<th>Advocates</th>
<th>General Public</th>
<th>Public Servants</th>
<th>Judges/Attorneys</th>
<th>Media</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>48%</td>
<td>16%</td>
<td>43%</td>
<td>51%</td>
</tr>
<tr>
<td>No</td>
<td>52%</td>
<td>84%</td>
<td>57%</td>
<td>49%</td>
</tr>
</tbody>
</table>

IMAGE 27.

7.3.11 Another aspect of research to know how many public offices give any inquiry easily.

The total percentage of No is 63% and for yes is 37%. Researcher intends to highlight the experience of general public that they do not get any enquiry easily from the public offices. Here, to consider the reasons for this experience may be –

1. Lack of knowledge for their rights
2. Rude and ignored behavior by the public authorities.
3. Public offices know the tactics to harass the general public, by which they avoid to visit public offices.
4. Sometimes general public asked frivolous questions due to which there is unnecessary delay in the functioning of public offices.
5. Public authorities itself has mind set about the general public that they will ask unnecessary question in the name of enquiry.
6. The concept of non-influential personality can also be reason for the non-availability of enquiry.

There are many who suffered due to lack of awareness. A good number came simply empty handed from the enquiry counter of public offices due to rude behavior of the authorities. Such data collection make impression in the mind that RTI is one acting as a tool here for general
public. Now, question raises how many of us taking benefits from RTI. In other words, how many of them ever applied for RTI. It will be clear from the given below –

**IMAGE 28.**

From the above graph it is clear that general public is not applied RTI for the information. It can has many reasons –

1. Not procedural knowledge
2. Not ready to take paper botheration
3. Fed up from lengthy procedure.
4. Not clear with facts.

Another related issue in connection to Right to Information is Sampark,

**IMAGE 29.**
Another question here is only for those who visited Sampark and how they rate the services of these agencies. Sampark was initiated to bring together the services of all the departments under one single umbrella and give citizens a “multi-service” - “single-window” experience apart from eradicating the undue harassment met by the citizens due to lack of transparency. The vision for this project is to create a knowledge-based society through extensive use of I.T. as a medium for effective interaction between the Administration and the public so that exchange of information and access to government departments is speedy and easy, leading to a better quality of life. The objectives of this project are:

1. Provide hassle free one-stop solution to the citizen
2. Minimize multiple interaction points for the citizen and hence reducing the wastage of their valuable time.
3. Provide better turnaround time in receipt, processing and issue of services
4. Transparency in delivery of services.

![Graph showing percentage of not visited and rating of services given by Sampark]

**IMAGE 30.**
In the concept of sampark if we analysis visit by advocates, then 80% of them are not visited to these agencies. There can be many reasons for this-

1. Advocates are well aware for their rights and know all procedures for which these agencies providing services.
2. Advocates are one who well aware with the concept of sampark and they can easily use these agencies for simplify the procedure.

As shown in above pie chart given in Image 29, general public is at top to not visit the sampark agencies. Here reason for not visit may be –

1. Lack of awareness.
2. Non fulfillment of objectives.
3. Not clear with services providing under the agencies.
4. Sampark as brand name not in range of all

7.3.12 Another question discussed in research is about complaints against public authorities.

Here it is interesting to know the numbers of negative reply for not complaining against public authority is more than who complain against them. It is clear from the given below image 26 -

![Image 31](image)

Here, in this research it is only advocates who are active or aware for complaining against public authority. Their profession can also be reason for their actions. They complaining against authorities for the procedural work and it is authority itself who believes that they disturbed by the advocates. But in the research the only advocates who maintain a balance between yes and
No. in case of media, it is big number of no, so that they did not complain against authority. This may have few reasons –

1. Media should have friendly in nature and complaining behavior will be against the profession of journalism.
2. Media is fourth pillar of governance, who built strong background for transparency due to this authority itself behaving accountable and responsible.
3. Active journalism is another reason for smooth functioning of media and they are facing less distraction for the functioning.

Another major negative replies comes from public servants, who did not complained against public authority, here researcher finds, these may be reasons for non-complaining behavior of authority.

7.3.13 Awareness for the fundamental Right to Equality.

Meaning and knowledge of rule of law is not so common in research area, basically for general public. The Declaration of Delhi 1959 recognized that the rule of law is dynamic concept for the expansion and fulfillment of which jurists are primarily responsible and which should be employed not only to safeguard and advance the civil and political rights of the individual in a free society, but also to establish social, economic, educational and cultural conditions under which his legitimate aspirations and dignity may be realized. Here mention question 21, According to you Rule of Law means. Options given for this question is –

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A. Rule according to Law

B. No Discretionary power

C. No Arbitrary power

Option 1.

Option 2.
Option 3.

Arbitrary actions –

‘Arbitrary’ is defined in the Shorter Oxford Dictionary (3rd ed.) as follows: “Law relating; to or dependent on the discretion of an arbiter, discretionary, not fixed. Based on mere opinion involves the voluntary action of a person on whom the arbitrary power conferred. “Secondly, we do speak of, harsh oppressive, unjust or cruel laws; because it is possible to characterize laws by reference to their content, nature and/ or effect. However, under a constitution such as ours we do not speak of “arbitrary laws”. The phrase “arbitrary laws” is appropriate to describe laws made by absolute Monarchs or dictators, because they can make laws in the “unrestrained exercise of their will”. Thirdly. The definitions show the close connection between arbitrary power and discretionary power1087. The following two distinct though kindred ideas in Rule of Law1088.

1088 M.P Jain, Indian Constitutional Law, 7(2010)
1) Absence of Arbitrary Power: No man is above law. No man is punishable except for a distinct breach of law established in an ordinary legal manner before ordinary courts. The government cannot punish any one merely by its own fiat. Persons in authority in Britain do not enjoy wide, arbitrary or discretionary powers. Dicey asserted that wherever there is discretion there is room for arbitrariness\textsuperscript{1089}.

2) Equality before law: Every man whatever his rank or condition, is subject to the ordinary law and jurisdiction of the ordinary courts. No man is above law\textsuperscript{1090}.

Data collection on the question is given below in Image 36 have you ever faced any corrupt practice or arbitrary use of power by executive authority in life?

\begin{image}
\includegraphics[width=\textwidth]{image}
\end{image}

\textbf{IMAGE 36.}

In the paper, there is a thin line difference between arbitrary and discretionary powers by public authorities while exercising their power but in practice there is no difference made by authorities. No doubt during their routine work, they are using powers discretionary which is somewhere allowed and necessary also. Reason may be the legislator cannot write on each and every point for execution of laws. But researcher thinks that the use of discretionary power make mindset of public authorities that there is no check and balance over their actions and this leads to the corruption. The answer of the question that how many of them ever faced corrupt practice due to arbitrary action of the public authorities works as driving force for the researcher to conclude that arbitrary actions lead to corruption and if advocates are facing the corruption that means

\textsuperscript{1089} Ibid
\textsuperscript{1090} Ibid
there is no accountability for the arbitrary actions of the public authorities. If we analyze the corruption faced by the public authorities itself. As given in Image 37.

![Image 37](image.png)

**IMAGE 37.**

By the data researcher feels that there is moral degradation of the public authorities. One branch of public authorities are itself facing corruption from other branch of the public authorities and still the victims are not hesitating/stopping themselves from doing corruption whenever they get a chance to do so. This shows that public authorities are just trying to make balance of the benefits. The loss occurred to them during their corruption victim stage is tried to be compensated/or overturned into profit during the self-execution. This mindset that they will nullify this loss whenever their turn will come, is very harmful and encouraging factor in the dealings between any two public authorities. As researchers believes arbitrary actions are exercised by public authority to gain benefit. These benefits can be in many forms like –

1. Favors
2. Position
3. Power
4. Money
5. Other monetary benefits

All the above benefits ultimately lead to money directly or indirectly, sooner or later. Taking bribe is direct benefit obtained by exercise of arbitrary actions by
public authority. To check that how many of research subject agree with this researcher put this question in questionnaire.

Question is - How would you rate the bribe as a driving force for exercise of arbitrary power by executive authority?

1. Good
2. Fair
3. Poor
4. Very poor

![Graph showing people's belief about bribe as a driving force for corruption.](image38)

From the data analysis, it is concluded here that the 40% of common people (general public) believe that bribe is no so strong factor for corruption in bureaucrats. Whereas the other category of research subjects do not think like this and they think bribe as a major factor to responsible for corruption. Reasons for this data may be because general public is not well aware about white collar crime on the other hand public servants, judges and advocates do believe that bribe is major factor to enhance the level of corruption in public authority. This is
because this category of people indulge in public dealings and much aware about the things happening behind the curtains.

7.3.14 **In data collection researcher gave one situational question**

In data collection researcher gave one situational question to research subject that If they ever get chance to act as public executive authority, would they prefer to use power according to which one of the following options-

- Option 1. As per whims & fancies
- Option 2. As per rules only
- Option 3. As per rules & fairly

![Image 39](image.png)

From the above data it is clear that all category of research subjects collectively rejected the option of actions as per whims & fancies. Reason behind this rejection may be –

1. In present time to act as per whims & fancies will make that authority accountable to common people also.
2. Today’s time where hierarchy is based upon the principle of reasonable classification as well as delegation of authority, it is tough to act as per whims & fancies.
3. In the model of good governance, no one going to admit can act as per whims & fancies
As the researcher believes that these answers of the situational question are only theoretical answers which can also be called as well framed answers which do not match with their inner thoughts. So much has been said and fancied about the public servants making black money. There are many people who just want to become a public servant to earn black money or bribe or any other benefits to satisfy their desires. Also in many public servant post huge money is invested by the people in the form of bribe to get a particular public post in keeping a target in mind that they will recover this loss of money as soon as they start working as a public servant by unfair means.

7.3.15 Public opinion –

This section of the chapter basically deals with the soul of the whole research. Here opinion of the research subject gives the researcher substantive data to conclude the research. Here researcher asked to the research subject that do they think there is need of Personal liability against public authority for its arbitrary action with the four options. Options given below –

Option 1. Extremely important

Option 2. Very important

Option 3. Not very important

Option 4. Not at all important

![Image 40.](image_url)
From the analysis of data researcher conclude that 90% total research subject believes the need of personal liability of public authorities for their actions. The meaning of personal liability here is responsibility of their actions individually and personally. They have to be personally accountable for their actions and to provide remedy to the sufferer personally. No collective responsibility concept will function here. Functioning under the umbrella of government name will not provide any protection to public servants. They should have fear that if there is any wrong decision taken by them, then they will be personally responsible for their decisions. This will make the following positive factors in administrative functioning:

1. It will make the pace of decision making fast.
2. It will provide sanction on all authorities.
3. It will remove cushion available to misconducting public servant because of long processing methods.
4. Personal liability will make direct impact on the authority.
5. It will impose fear of monetary as well reputation loss.
6. It will enhance confidence in common people, who can easily ask for reasons from authorities and the expected result will be fast.
7. It enhance the transparency.

When the question of personal liability arises the second question arises is execution of the concept, which can be possible with the strong role play by the judiciary. So here researcher asked to the subjects about judicial independence for personal liability of public authority. Here 80% research subjects gave their positive majority opinion for independent judiciary to impose strong actions, decisions and liabilities on public authorities for their arbitrary actions. Judicial review is the emerging tool by which judiciary can independently execute the functioning and prove to be good tool to control arbitrary actions. Here the data given below:

![Image](image41.jpg)
7.3.16 Tool to stop discretionary power

During research, when researcher asked the subjects about need of specific provision to control use of discretionary power by administrative or executive authority, then 84% agree for specific provisions to stop discretionary power. This shows that in spite of all existing rules and laws in the system, the amount of corruption is still high. This shows that the existing provisions are not sufficient enough to control discretionary actions. So a need is felt for the legislation of specific provisions.

There are 8 questions in research questionnaire which are only for public authority, these questions are necessary to check Public officials’ orientation programs and sense of being accountable, and people’s attitude. For example as a public official, how many times they attend staff orientation programs in a year. Around 30 % of them never attend any staff orientation programs, they are not oriented regularly every year. 70 % of them attended the programs it means employers are good in planning the orientation programs regarding their roles, responsibilities and duty to fair work as per rule but there is huge scope of improvement. All the government employees should be oriented.

Right to Information as a tool to control arbitrary actions by exercise of powers. When it was asked about concept of Right to Information to research subjects then 92% of them were well aware about this tool and 80% of them also know about exemption given in Right to Information Act. In the data collection research subject who are public authorities, 80% of them deals with the public and 66% of their department running the redressal forum for public grievances but 72% of them believes people ask unnecessary question and that make unnecessary delay in the functioning. Out of 100%, 63% Public servants thinks people are well aware about their rights, duties and claims.

The data obtained from the above answers can conclude that Right to Information has emerge as a strong tool against arbitrary actions and people are well aware about this tool. The awareness may be due to media and it is cheapest and easiest way which is approachable by every common men also people are misusing in asking unnecessary question which leads to wastage of time.
7.4 Important findings from data analysis-

1. People have rated the level of corruption on the basis of their exposure to the corruption. Everyone in the united voice consented to the existence of high rate of corruption.

2. Nearly three-fourths of the respondents, who have been interacting with Judiciary, were of the opinion that there was lack of commitment on the part of Judiciary to fight corruption.

3. Public servants also believe that media can also not be a good way to control corruption.

4. Personal liability of Public authority’s to control corruption is majority wise not accepted by all the research subjects.

5. Public authority has less time to participate in complaining or observing the actions.

6. By this result researcher can easily calculate the strength of media who is also called as fourth pillar of governance.

7. The analysis of data points out that general public usually not treated friendly by the public office, reason can be not powerful and influential nature of public.

8. Here positive issue is maximum awareness in the general public. This awareness will gave the base to good governance and transparent government.

9. Another aspect of research to know how many public offices give any inquiry easily. The total percentage of No is 63% and for yes is 37%. Researcher intends to highlight the experience of general public that they do not get any enquiry easily from the public offices.

10. Here, in this research it is only advocates who are active or aware for complaining against public authority. Their profession can also be reason for their actions. They complaining against authorities for the procedural work and it is authority itself who believes that they disturbed by the advocates. But in the research the only advocates who maintain a balance between yes and No.

11. Another major negative replies for active or aware for complaining against public authority comes from public servants, who did not complained against public authority, here researcher finds that non-complaining behavior of Public may be reasons for this.
12. Researcher thinks that the use of discretionary power make mindset of public authorities that there is no checks and balances over their actions and this leads to the corruption.

13. From the data analysis, it is concluded here that the 40% of common people (general public) believe that bribe is not so strong factor for corruption in beaurocrates. Whereas the other category of research subjects do not think like this and they think bribe as a major factor to responsible for corruption.

14. From the analysis of data researcher conclude that 90% total research subject believes the need of personal liability of public authorities for their actions. The meaning of personal liability here is responsibility of their actions individually and personally.

15. Here 80% research subjects gave their positive majority opinion for independent judiciary to impose strong actions, decisions and liabilities on public authorities for their arbitrary actions. Judicial review is the emerging tool by which judiciary can independently execute the functioning and prove to be good tool to control arbitrary actions.
ANNEXURE A

PUBLIC ACCOUNTABILITY AND RULE OF LAW: A STUDY

These Questions are necessary to check Public official’s attitude towards General Public and Position of Law and Justice in Society.

General Information:

1. Name :
2. Age: 48
3. Gender 1M 2F
4. Address:
5. Education Level : 1 Under Graduate 2 Post graduate 3 Professor 4 Scholars
6. Profession : 1 Government Servants 2 Private Service 3 Self Employed 4 Farmer  5 Business  6 HW  7 Students
7. Place : 1 Sonipat 2 Panipat  3 Karnal

Q.1 Do you know corruption?
1 Yes 2 No

Q.2 How would you rate the level of corruption in India?

Q.3 What are the best ways to control corruption in India?
1. Stringent Law 2. Media
3 Personal liability of Public Authority’s  4 Judicial Review

Q.4 What is Arbitrariness?

Q.5 What do you understand by exercise of power?

Q.6 Do you think Arbitrariness Leads to corruption?
1 Yes 2 No

Q.7 Do you believe that every public authority has a power to act arbitrarily.
1 Yes 2 No
Q.8 Are you aware that every Public Authority must act fairly.
1 Yes 2 No
Q.9 Do you ever met any public officials.
1 Yes 2 No
Q.10 What’s your experience while meeting public officials.
1 rude 2 friendly 3 accountable
Q.11 Do you think public offices give you any enquiry easily?
1 Yes 2 No
Q.12 Are you aware of RTI?
1 Yes 2 No
Q.13 Have you ever applied an RTI?
1 Yes 2 No
Q.14 Have you ever complained to the higher authorities?
1 Yes 2 No
Q.15 Do you know the agencies like Sampark.
1 Yes 2 No
Q.16 Have you visited there.
1 Yes 2 No
Q.17 How would you rate the services of agencies like sampark, etc.?
1. High 2 very High 3 low 4 satisfactory
Q.18 State your opinion about these agencies i.e Sampark. Has it reduced the burden or made the whole enquiry process easy one.

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Q.19 Have you ever initiated any action against any public authority, if yes then why?

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Q.20 Are you aware of the fundamental Right to Equality.
1 Yes 2 No

Q.21 According to you Rule of Law means
A. Rule according to Law B. No Discretionary power
C. No Arbitrary power

Q.22 Have you ever faced any corrupt practice or arbitrary use of power by executive authority in life?
1 Yes 2 No

Q.23 If you ever get chance to act as public executive authority, would you prefer to use power.
1. As per whims & fancies
2. As per rules only
3. As per rules & fairly

Q.24 Do you think there is need of Personal liability against public authority for its arbitrary action?
1. Extremely important 2. Very important
3. Not very important 4. Not at all important

Q.25 How would you rate the bribe as a driving force for exercise of arbitrary power by executive authority.
1 Good 2 Fair
3 Poor 4 very poor

Q.26 Do you believe there is need of specific provisions in every legislation to control use of discretionary power by administrative/ executive authority.
1 Yes 2 No

Q. 27 Do you believe judicial independence is necessary for personal liability of public authority?
1 Yes  2 No
Q.28 Do you know about Judicial Review.
1 Yes  2 No
Q.29 Whether Judicial Review is a good tool to control corruption in India?
ONLY FOR PUBLIC AUTHORITY, These questions are necessary to check Public officials’ orientation programs and sense of being accountable, and people’s attitude.
Q.1 As a public official, how many times you attend staff orientation programs in a year?
Q.2 As a public official do you know about RTI.
1 Yes  2 No
Q.3 Do you know about circumstances under which any person can access public document, if yes, mention?
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Q.4 Do you know about the exemptions of RTI.
1 Yes  2 No
Q.5 Is there any forum in your department which redress public’s grievances.
1 Yes  2 No
Q.6 Are you holding a post in which you have to deal with public.
1 Yes  2 No
Q.7 Do you think people ask unnecessary questions.
1 Yes  2 No
Q.8 Do you think people usually have awareness about their claims or rights or duties.
1 Yes  2 No