

TOPIC:

**“RAPID CASES OF CORRUPTION IN PAKISTAN &
STEADY JUSTICE IN NAB TRAILS”**

ABSTRACT

In Pakistan, corruption is a common occurrence. It is a criminal offense the misuse of authority for personal benefit and can happen in both the public and private sectors. The paper's introduction presents an overview of corruption, its history in Pakistan, kinds of corruption, and the study's goals. The theoretical underpinning of the research is presented in the body of the paper, which connects the work of several authors, contrasts their viewpoints, and reconstructs their work. It also requires a brief analysis of the literature on the subject, as well as concepts established by other investigators and Pakistan's progress in the battle against corruption. To evaluate if the paper's objectives were fulfilled, the methodology examined the target audience, research design, assessment and collecting data. There was also a discussion, suggestions, and conclusion on what Pakistan should do to tackle corruption. NAB-KP was founded to recover stolen money in retrospect of the 1999 military coup. Few interviewees reported that public office was misused for private gains. Many people conflated the concept of infringements of integrity with corruption, writes NAB-. This study only focuses on studying corruption and violations of integrity among officials of the country's anti-corruption agency. The survey was not done among all the organization's personnel, but among the few selected officers. More investigations must be carried out in order to generalise the findings.

Keywords: corruption, NAB, strategies for addressing corruption

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CHAPTER ONE

INTRODUCTION

1.1 Background of the study

Corruption is a pervasive problem in Pakistan and the rest of the world. It is a case involving the use of one's position of power for personal advantage, and it can occur in both the private and public sectors. It is conduct that goes beyond the scope of permitted legal activities, standards of behaviour, or company or individual policies in the private or public sector. Corruption is undertaken in the desire for personal or private interests at the expense of the government or a private organization¹. Corruption has a detrimental effect on a country's reputation and capacity to execute initiatives. Similarly, it has long-term consequences for the country's development and d growth, as well as its capability to provide basic functions and fulfill development objectives². As a response, the changing nature of the vice necessitates the establishment of appropriate measures for influencing the behaviour. The negative impacts of corruption on society and the nation as a whole prompted an interest in learning more about corruption in Pakistan and its consequence. As a conclusion, the purpose of this study is to have a theoretical basis that may be used to better understand corruption in Pakistan and develop remedies to combat the problem. This study will look at the country's cultural, political and institutional aspects, as well as how they influence corruption.

Corruption is a terrible issue not only in Pakistan, but in many other countries around the world³. It is a subject that currently receives increasing attention as governments, international institutions, and corporations seek to comprehend the issue in order to develop effective methods to resolve the

¹ Khan, F. (2016). Combating corruption in Pakistan. *Asian Education and Development Studies*, Vol. 5, No. 2, 195-210.

² Jackson, J., Asif, M., Bradford, B., & Zakria Zakar, M. (2014). Corruption and Police Legitimacy in Lahore, Pakistan. *British Journal of Criminology*, Vol. 54, No. 6, 1067-1088.

³ Ibid, 2016

issue. The detrimental long-term forces that affect necessitate a better understanding of the idea so that remedies can be adopted. Corruption has an adverse influence on the country's reputation and ability to access services. As a conclusion, it is vital that many stakeholders realize corruption and solve the problem in the future. As a consequence, the researcher uses Pakistan as a case study to demonstrate how corruption is a terrible issue in many countries around the world, as well as suggest ways to combat the vice. This article will look at the subject of increasing levels of corruption in Pakistan and demonstrate how the evil has spread across the country. The causative elements that encourage or enable corruption in the county will be established as crucial of this investigation.

The goal of the research will be on examining governmental agencies and public activities in order to establish which departments are most subject to corruption. It will next evaluate the efficiency of various regulatory mechanisms in place in Pakistan to assist in the reduction of the problem, with a particular focus on anti-corruption authorities, before suggesting the best approaches for fighting corruption in Pakistan.

The following are the paper's primary research queries:

- 1) How has corruption in Pakistan changed significantly, and which departments of the Pakistani government have been especially susceptible to it?
- 1) How has corruption in Pakistan changed significantly, and which departments of the Pakistani government have been especially susceptible to it?
- 2) What are the reasons that have assisted in the proliferation of corruption in Pakistan, and how does it support in the spreading of other crimes?
- 3) How does corruption impact Pakistani society, and what steps have been taken to eliminate corruption in the Pakistani government throughout the years?

The first research topic will be handled by studying the history and emergence of corruption from the colonial period to the present, as well as

identifying the sectors that have been most impacted. The second question will be tackled by examining conflicting views on the origins of corruption provided by experts and then evaluating them in the context of Pakistan. The last research question will be resolved by researching a variety of techniques that explain corruption prevention tactics applied in Pakistan and then suggesting more relevant techniques.

The research will review the historical backdrop of corruption in Pakistan using qualitative approach. The research followed a descriptive case study methodology, which included a thorough examination of recent findings, government and international organizational reports, and an in-depth investigation of the topic of corruption in Pakistan. A literature review was the most appropriate technique since it enables for the investigation and comprehension of a complicated issue, such as corruption in this example. This study demands the use of this approach since it entails an in-depth full analysis of corruption.

Expert opinions, according to Hardwick⁴, are being used to address how or why questions. It will help to resolve the question of how and why corruption happens, as well as how it impacts Pakistan's political and economic progress. Hardwick⁵ further said that the instrument has grown in popularity and is now used in political and sociology studies. Houston, Texas, and others have used this technique in their research Wyatt et al.,⁶ and Phuong⁷. An individual can grasp the causal factors as well as the behavioural environment that encourages the vice through a case study, which goes beyond the realm of quantitative statistical results and findings. Ultimately, through a thorough study of the subject, it discusses both the procedure and its conclusions⁸.

⁴ Hardwick, S. W. (2016). Case study approach. *International Encyclopedia of Geography: People, the Earth, Environment and Technology*. 1-6.

⁵ Ibid, 2016

⁶ Wyatt, T., Johnson, K., Hunter, L., George, R., & Gunter, R. (2018). Corruption and Wildlife Trafficking: Three Case Studies Involving Asia. *Asian Journal of Criminology*, Vol. 13, No. 1, 35-55.

⁷ Phuong, N. T. (2017). Corruption in Vietnam: The current situation and proposed solutions. *The changing face of corruption in the Asia Pacific* (pp. 221-231). London: Elsevier.

⁸ Ibid, 2016

A mathematical formulation and a comparative evaluation of several sources on the subject of corruption in Pakistan were applied in the completion of this research project. A thorough assessment of multinational experiences will be accomplished using a variety of suggested materials, namely peer-reviewed periodicals, official papers and book chapters. This was the suitable tactic of study as there is a lot of literature on this topic and it's straightforward to get it on the World Wide Web and in the libraries. Additionally, the researcher will be able to understand this idea of corruption and identify the most effective strategies to tackle corruption through an in-depth review of historical scholarly journals. The literature review will also look at the many types of corruption. According to other researchers, the study will identify theories of corruption and the elements that encourage individuals to indulge in acts of corruption. It will also examine the effectiveness of cultural, political, institutional and country-specific importance in determining or sustaining anti-corruption initiatives.

The presentation will address the study's historical context, which will explore the history and foundations of corruption as well as its many types that have emerged in the country. The article will next go into the consequences of corruption and offer many evidence to understand them. It will also include a comprehensive analysis of corruption and its impacts, as well as a recommendation and conclusion for what Pakistan should do to fight crime. The purpose of the study, the conclusions from the literature review, and the points of the proposal will all be reaffirmed in the conclusion.

Pakistan was chosen for this research because, according to Transparency International⁹, it is the 58th most corrupt country in the world, with the rate of corruption expanding rapidly over time. As a consequence, analyzing these concerns in relation to Pakistan will provide a larger perspective on global corruption. The country also functions as a better comparison of the repercussions of corruption on a country, which assists in analyzing the influence of corruption on other countries.

Pakistan, which is a federal republic, is one of Asia's poorest and least developed. Its economy is built on agriculture and industry. According to the

⁹ Transparency International. (2017). Pakistan National Corruption Perception Survey. Accessible: <https://www.transparency.org/country/PAK>

latest United Nations estimates, Pakistan's total population as of Sunday, July 31, 2016 was 193,114,874, with 38.6% of the population living in cities. Its gross domestic product (GDP) per capita increased by 4.24 percent³ to \$1460 in 2015. It has a land area of 770,998 hectares (297,684 sq. miles). Pakistan is positioned 126th out of 140 countries in world Economic Forum's (WEF) Global Competitiveness Index (GCI) for 2015-2016. Regardless of the fact that gross domestic product (GDP) per capita has improved over the previous 25 years; it remains lower than that of other middle-income countries. According to a current World Bank report, Pakistan has focused on achieving financial stability after implementing its reform plan over the last two and a half years. However, its export competitiveness is constrained by its small export base and shortage of supporting and efficient trade policy. The incidence of inflation, which had moderated in the opening of 2016, has continued its upward trend. Financial stability is insufficient to create jobs for the emerging workforce on a year-to-year basis. According to a recent World Bank report, 33 percent of the population lives in poverty. In Pakistan in 2015-2016, tax rates, Corruption, access to financing and insufficient government bureaucracy were considered as the four most impact point for just doing business. Among these concerns, corruption is rated as the most dangerous. The manufacturing and services sectors rose exponentially in 2016, while other key economic statistics such as inflation and the current account balance strengthened.

The external sector has remained relatively stable, owing to strong growth in worker remittances, ongoing flows from international institutions, and a reduction in global oil prices. This development in the external demand helped the exchange rate to hold steady throughout the year. Policymakers were encouraged to conduct pro-growth initiatives by a stable outlook for inflation and the balance of payments. The industrial sector surged at a phenomenal 6.8% in FY 2016, outperforming the aim of 6.4 percent and establishing an all-time maximum in eight years. Construction activity improved by 13.10 percent as well. Construction-related activities are required to pick up steam as a result of excessive public sector development financing, as well as infrastructure and power sector development opportunities under the China Pakistan Economic Corridor⁸.

The concentration of Pakistan's next four-year plan is on delivering growth and maintains fiscal sustainability and distributional equity, which necessitates significant fiscal consolidation in a variety of sectors and professions. In the proposed approach for 2016-2017, the private enterprise will be the primary driver of economic growth and development. This will entail a major overhaul of the country's governing system, institutional functioning and incentive scheme. Institutional reforms, Major infrastructural improvements and a new policy paradigm will promote industrial competitiveness and lower the profit margin. The services sector accounts for more than 58 percent of gross domestic product (GDP) and has recently appeared as a prominent engine of economic growth. Security-related services or government expenditure account for half of the sector's growth. It's worth mentioning that the services sector's growth may have been larger than represented in the national accounts because so much of it is unregulated. Domestic commerce, finance and insurance, transportation communication, housing, tourism, social and community services and tourism all have untapped talent. The highlighted sector will continue to be a part of the economy, contributing significantly to the development of growth. Financial services, communication, transportation and trade services are forecast to make significant contributions. The primary goals of the said three year plan are relevant actions aimed to effectively maximize the utilization of this sector.

Table 1: Policy Context of Pakistan

DIMENSIONS	DATA	DATA SOURCES
Land area (in sq km)	998 Km2 (297,684 sq. miles).	http://www.worldometers.info/world-population/pakistan-population/ July 31,2016
Size of population	193,114,874	http://www.worldometers.info/world-population/pakistan-population/ July 31,2016
GDP per capita (US\$)	1,460 US dollars	http://www.worldometers.info/world-population/pakistan-population/ July 31,2016
Type of government	federal republic	http://www.state.gov/documents/organization/186685.pdf
Voice & accountability	-.76/2.5 27 th Percentile ⁹	http://info.worldbank.org/governance/wgi/index.aspx#home
Political stability	-2.54/2.5 1 st Percentile	http://info.worldbank.org/governance/wgi/index.aspx#home
Government effectiveness	-.66/2.5 27 th Percentile	http://info.worldbank.org/governance/wgi/index.aspx#home
Rule of law	-.79/2.5 24 th Percentile	http://info.worldbank.org/governance/wgi/index.aspx#home
Control of corruption	-.76/2.5 24 th Percentile	http://info.worldbank.org/governance/wgi/index.aspx#home

According to the World Bank, Pakistan has a significant financial potential due to its strategic location at the intersections of Central Asia, South Asia, the Middle East and China. However, security issues along the country's borders obstruct the country's tremendous economic progress. Large-scale construction and manufacturing output in the first half of 2016 is planned to compensate for the agriculture sector's concerns, thanks to the inauguration of the China Pakistan Economic Corridor (CPEC) infrastructures projects. Furthermore, stronger retail sales of automobiles, increasing port activity, and better telecommunication profits all point to financial health. Despite these encouraging facts, Pakistan's Human Development Index (HDI) indicators are worse than of its neighbours, with bad results in education, poverty, gender inequality and health. Pakistan stands 147th out of 188 countries on the HDI 2015. It is positioned 121st out of 155 nations in terms of gender inequality¹²,

180th out of 221 countries in terms of education, and 122nd out of 191th in regards to health.

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CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

In order to understand the implications and elements that support corruption in Pakistan, one must first understand the country's historical origins, specifically its political and social systems, in order to fulfill how they inspired and formed the current problem. The next chapter identified and analyzed Pakistan's history, with a particular on the country's political upheavals. Following that, the chapter will go over the many different theories to the causes of corruption. The researcher was able to form a model that explains the consequences of corruption in Pakistan by recognizing this idea.

Although law enforcement, the corporate sector, judicial civil workers and other office bearers involved in corrupt activities, the levels of corruption in Pakistan remain high, according to Rashid and Ismail¹⁰. Due to the existence of a legal framework designed in 2002 to combat corruption, according to Transparency International¹¹, corruption is common in Pakistan. Transparency International also points out that procurement officials, government employees, and law enforcement officers partake in small-scale corruption that is impossible to discern. According to the literature, there is a significant link between corruption and the country's history, with some authors tracking corruption back to the country's founding. As a result, despite government measures to fight corruption, rampant corruption persists¹².

Pakistan has consistently supported the list of the world's most corrupt countries. For the last eight years, although, the country has seen

¹⁰ Ismail, A., & Rashid, K. (2014). Time Series Analysis of the Nexus among Corruption, Political Instability and Judicial Inefficiency in Pakistan. *Quality & Quantity*, Vol. 48, No. 5, 2757- 2771.

¹¹ Ibid, T1, 2017

¹² Javaid, U. (2010). Corruption and Its Deep Impact on Good Governance in Pakistan. *Pakistan Economic and Social Review*, Vol. 48, No. 1, 123-134.

considerable gains in its position. Nonetheless, the fight against corruption has been prolonged by the country's political uncertainty, which has undermined institutions designated with combating corruption¹³. The country's reputation is still polluted by corrupt activities by law enforcers, government ministers, and other critical individuals. Transparency International's corruption perception index for Pakistan is shown in the graph below. According to the CPI (Corruption Perceptions Index) established by the Transparency International, Pakistan is ranked 117th out of 175 countries as the least corrupt¹⁴. The chart is showing that the country's corruption rank totalled 109.04 from 1995 to 2018, with the maximum level of 144 in 2005 and the smallest value of 39 in 1995.

Since its independence, Pakistan has worked hard to eliminate corruption. Corruption cases were main part by the Special Police Establishment, which was later superseded by the Federal Investigation Committee, under the Pakistan Penal Code, 1860, and the Prevention of Corruption Act, 1947. After the military takeover in 1999, the Ehtesab (Accountability) Bureau, which was established, then under Ehtesab Act 1997, failed to develop the anticipated outcomes and was replaced by the National Accountability Bureau (NAB). With the promulgation of the National Accountability Ordinance 199934, Pakistan's apex anti-corruption act was introduced. The National Anti-Corruption Bureau (NAB) attempts to eradicate corruption from the country's very fabric. Its exclusive jurisdiction extends to both public and private sector corruption, including abuse of power, deception of the general public, bank loan evasion, money laundering, and unexplained assets, among other things. The NAO was established in 1999 to discover, investigate, and prosecute incidents involving corrupt activities, as well as to increase public awareness about the negative effects of corruption. Its authority extends throughout the entirety of the country. It has a headquarters in the capital and seven branches in the country's major cities³⁵. NAB has recovered billions of rupees against corrupt individuals and organizations since its inception³⁶. After an

¹³ Shahzad, A., Mithani, D. A., Al-Swidi, A. K., & Fadzil, F. H. (2012). Political Stability and the Foreign Direct Investment Inflows in Pakistan. *British Journal of Arts and Social Sciences*, Vol. 9, No. 2, 199-213.

¹⁴ Transparency International. (2018). What is Corruption? Accessible: <https://www.transparency.org/what-is-corruption#define>

extensive consultation process, NAB devised the idea of creating the National Anti-Corruption Strategy (NACS) in 2002. The strategy was developed with input from all stakeholders, including academics, the corporate community, the governmental sector, and civil society¹⁵. The year 2015 has been dubbed the “Year of Transformation” for NAB, as it implemented structural adjustments as part of its Monitoring & Evaluation System¹⁶. The National Accountability Bureau (NAB) is funded by the Ministry of Finance Pakistan. NAB was granted Rs. 2,165.983 million in 2013, and Rs. 2,896.196 million in 2016. The following is a summary of the budget across the years:

Table 1: NAB Budget

Year	Budget in Billion Rs
2013-14	2.166
2014-15	2.209
2015-16	2.896

Despite the fact that the budget represents less than 0.10 percent of the country's total budget, the NAB finds it sufficient to carry out its activities. In terms of functions, power, and jurisdiction, the NAB's robust and independent legal standing ensures its independence. It takes precedence over all other laws, and it applies to all people, public and private, across Pakistan. It has the authority to investigate complaints involving any behaviour that constitutes an offence and to take quick action against anyone implicated in the offence under the ordinance of 1999. In terms of recruitment and selection, the NAB has its own norms and rules. With the president's consent, the Chairman is empowered to set the salaries, allowances, and other conditions of service for the officers and personnel. NAB has had to deal with external demands despite being formally autonomous. The NAB has been accused of being a politicised body utilized by the government to victimize political opponents¹⁷.

¹⁵ National Anti-Corruption Strategy (NACS), Islamabad, Pakistan 2002, pp. 2

¹⁶ Anti-Corruption Mechanisms and Institutions to Address the Problem of Corruption in Pakistan, Published: December 2015,

<http://www.pildat.org/Publications/publication/FP/Anti>

¹⁷ Transparency International, Pakistan National Integrity System, Country Report 2014

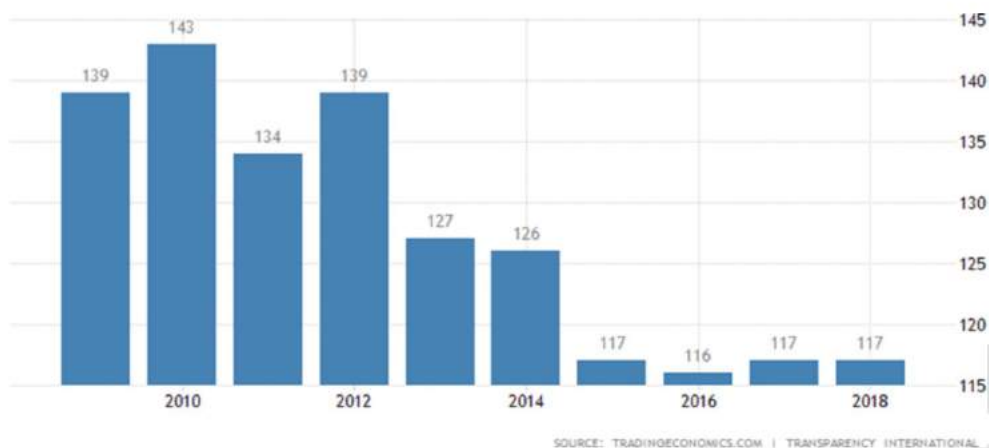


Figure 1. Source: Transparency International 2018

Since 1947, Pakistan has been on a difficult path to democracy. Since then, the country has gone through a series of regime changes, with the military usurping democratically elected governments, such as in 1999¹⁸. With the election of Asif Ali Zardari in 2008, a democratic administration took power. Following it, the administration enacted a series of constitutional amendments. The 18th amendment, for example, gave parliament more power while limiting the president's¹⁹. The Muslim League Party was elected in the 2013 general election, and Nawaz Sharif, a former minister, was elected as its leader. The fight against corruption was a top focus for the new government. Despite the government's vow to combat corruption, corruption is still seen as widespread. Since 1995, the country has been included in Transparency International's corruption perception index and has consistently ranked high in terms of corruption.

2.1 Forms of corruption in Pakistan

Analysis of empirical evidence on corruption reveals that they are different forms of corruption and that it is a multifaceted issue with several causes and effects. The act ranges from single illegal payments to the breakdown of the economic and political system or individual or cultural and moral problem. The practice in Pakistan varies from minor to grand and also

¹⁸ Ali, Z. (2018). Anti-corruption Institutions and Governmental Change in Pakistan. South Asia Multidisciplinary Academic Journal.

¹⁹ Ibid, Ali, 2018

includes widespread political and financial corruption misuse of power and nepotism. Corruption is widespread from an individual to a countrywide scale. According to Transparency International²⁰ recent governmental commitment to fight corruption in Pakistan has not contributed to significant improvements, since the country continues to perform poorly in the international front. The country has been featured in the corruption perception index from 1995 and has remained in the list of nations that are alleged to be most corrupt. Corruption in Pakistan, therefore, takes different forms from petty and bureaucratic to large scale, political corruption. The sectors that are most vulnerable are the police, public officials and the Judiciary.

2.2 Areas in Pakistan vulnerable to corruption

Analysis of two key studies Chene (2008) and Javaid (2010) reveals that there exist different forms of corruption in Pakistan including petty and bureaucratic corruption which involves the payment of bribes to circumvent the delays caused by the bureaucratic system (Chêne 2008). Similarly, public officials solicit bribes and promise to speed up some of the current practices (Chêne 2008). Pakistan has an elaborate structure that covers the administrative duties, but the implementation is a critical issue. Political corruption has also significantly increased following the democratization of the country, and several high-profile officials participate in corrupt deals.

The amount of loss to the national exchequer due to corruption in Pakistan is approximately Rs. 200 billion annually²¹. Javaid²² further notes that losses are triggered jointly by all government institutions and departments. Nonetheless, the most noticeable amongst all the groups as per the survey by the Transparency International Pakistan (TIP), are the Police and Law Enforcement agencies, Tax and Customs, Power Sector, Judiciary as well as Legal Profession. Others include Health and Education and Land

²⁰ Ibid TI, 2017

²¹ Javaid, U. (2010). Corruption and Its Deep Impact on Good Governance in Pakistan. Pakistan Economic and Social Review, Vol. 48, No. 1, 123-134.

²² Ibid, 2017

Administration. The table below shows the ranking of the departments with respect to corruption level as shown in the survey.

Table 2: Pakistan National Corruption Perception Survey

S. No.	Years		
	2009	2006	2002
1	Police	Police	Police
2	Power	Power	Power
3	Health	Judiciary	Taxation
4	Land	Land	Judiciary
5	Education	Taxation	Custom
6	Taxation	Custom	Health
7	Judiciary	Health	Land
8	Local Govt.	Education	Education
9	Custom	Railway	Railway
10	Tendering	Bank	Bank

Source: Javaid²³

According to Fasihuddin,²⁴ there have been increased levels of corruption in the police departments, which has even been ranked the first in the corruption classifications in the country. The author further notes that in a survey carried out by Global Integrity shows that police appointment is frequently based on political connections. As a consequence of being awarded jobs, most police officers have a conflict of interest because they are required to show loyalty to the individuals who appointed them and also their families. Fasihuddin,²⁵ further argues that it is true that police appointments in the country are greatly determined by powerful landlords in various regions.

The judiciary is also considered amongst the most corrupt departments in Pakistan. Chêne²⁶ notes that a study carried out by TI Pakistan 2006, revealed that approximately 96% of individuals who sought services from this sector

²³ Ibid javeed, 2010

²⁴ Fasihuddin. (2010). Police and Policing in Pakistan. In A.D.a.B.R. Lall (Ed.),

²⁵ Ibid, 2010

²⁶ Chêne, M. (2008). Overview of Corruption in Pakistan. Transparency International.

experienced corruption while 44% of them claimed that they were forced to provide bribes in order to receive the services they needed. Judiciary is also denied its freedom from the executive who greatly contributes to the culture of impunity within the institution. Furthermore, the process of judge selection similar to that of the police is controlled by politicians within the country who only aim to pursue their personal interests. Even though there are so many issues within the judiciary, the institution has been shielded from an investigation from Pakistan's national anticorruption agency, and the National Accountability Bureau. In addition, Pakistan's public finance and tax sector have also been accused of rampant cases of dishonesty. According to a study conducted by the World Bank's 2004, the Public Expenditure Management report, in Pakistan revealed that increased level of a conspiracy between tax officers and taxpayers in an effort to evade tax payment²⁷. Furthermore, in a financial accountability assessment compiled by the World Bank in 2003 revealed that, even though positive development had been made in the public sector's accountability, there still existed major gaps as well as weaknesses in the country's financial accountability chain. "These have arisen mainly from low institutional and staff capacity and uneven implementation of reform measures" (Chêne 2008, 5).

2.3 Theories of corruption

This section focuses on critically analyzing hypotheses that determine the cause and situations that encourage dishonesty. Recognizing and presenting these theories is crucial for our investigation of Pakistani corruption. First, it elucidates the causes for the presence of this misconduct in Pakistani society, as well as providing valuable insight into devising measures to tackle the problem by addressing the underlying causes²⁸. Understanding the causes enables one to determine how and where to engage in order to optimize and minimize the vice. Noor²⁹ goes on to say that, just as there are several types of fraud, there are also numerous

²⁷ Chêne, M. (2008). Overview of Corruption in Pakistan. Transparency International.

²⁸ Noor, M.T. (2009). Institutional Dynamics of Governance and Corruption in Developing World: The Case of Pakistan. (PhD. Thesis), Faculty of 277 Economics and Social Studies, Ruprecht-Karls-Universität, Heidelberg, Heidelberg.

²⁹ Ibid, Noor, 2009

types of corruption factors that cause corruption. As a result, many reasons are offered, making it difficult to classify them in a systemic manner.

2.3.1 Public choice theory

The explanatory variables, according to Schinkel³⁰, are the person who makes a logical decision that leads to a planned outcome. A crooked person attempts to make the most of his situation. A person like this is described as calculating and sensible, deciding to be corrupted when the advantages vastly outweigh the risks of being exposed. If the rewards of fraudulent acts outweigh the liabilities, a person will choose to be dishonest. A deliberate balancing procedure of a person who makes reasonable estimates based on the methods and the end influences the conduct of dishonest people (Schinkel 2004, 5). The mainstream economic hypothesis is narrowly confined, focusing on the narcissistic person who decides the advantages and disadvantages. In Pakistan, for example, a person can opt to participate in corrupt dealings if the costs outweigh the benefits. This idea, on the other hand, has certain flaws; for example, it begins when a person considers whether or not they want to be corrupt (Schinkel 2004, 10). If someone makes such estimates but does not act on them, it is important to discover whether they are concealing an incorrect prognosis.

2.3.2 Bad apple theory

This idea focuses on the crooked politician in order to determine the root cause of corruption. The method looks into the causes of corruption in those who have moral concerns or are rotten apples³¹. There is a significant link between evil characteristics and unethical behaviour. In this situation, the flawed character is the source of corruption. These factors are founded in an individual's flaws. The concept emphasizes on personality flaws like as avarice, which are said to influence a protagonist's behaviour. The answer is determined by an individual's flawed nature. In this instance, people act based on moral principles because erroneous values result in corruption. The key issue is whether moral values are used to evaluate

³⁰ Schinkel, W. (2004). The Will to Violence. *Theoretical Criminology*, 8, 5-31.

³¹ De Graaf, G. (2007). Causes of Corruption: Towards a Contextual Theory of Corruption. *Public Administration Quarterly*, 39-86.

behaviour. Persons with moral concerns are more inclined to engage in unethical activities in Pakistan because their integrity is weakened.

This idea, on the other hand, is currently less common, with previous studies believing that bribery can be swiftly rectified by removing the corrupt person. The recent study has transformed the image of corruption, portraying it as a global phenomenon or a deep worry. Although the rotten apple theory is commonly used in literature, academics tend to theories about its premises. In contrast to money benefits, a corrupt individual may be more interested in improved economic status, job pleasure, thrill, or a solution for working frustration. An operator, for example, can justify or legitimize immoral behaviour that they do not believe is occurring.

2.3.3 Organizational cultural theory

Some writers are less concerned in a corrupt person's motivations or background. Such authors, on the other hand, concentrate on an organization's vision and processes. This idea examines the global level of a corrupt individual rather than the micro scale. According to this hypothesis, an attorney's brain chemistry is influenced by the culture of an institution or a group. Corrupt persons are encouraged to engage in such crimes by the failure of existing mechanisms, not by the personality of an agent. Including this idea, corruption is strongly embedded in organizations and organizational culture³². This theory enables a comprehensive comprehension of the group from mild to deviation; there are many different dynamics to consider. It facilitates the movement from a communal culture to a corrupted mental condition. However, because not every member of the organization is fraudulent, there are theoretical flaws. As a result, the explanation pinpoints the factors that contribute to corruption. It looks for the supporting elements that help to deepen a causal association, rather than focusing on the corrupt man³³. It does not specify directly what generates fraud, but it does state that offenders have an impact on the organization's dynamics. An organization's method of working, believing,

³² De Graaf, G. (2007). Causes of Corruption: Towards a Contextual Theory of Corruption. *Public Administration Quarterly*, 39-86.

³³ Ibid, Graaf, 2007

and emotion.

2.3.4 Clashing moral values theories

It's vital to distinguish between both the public and private sectors when it comes to corruption. This theory investigates fraud on a macro scale, primarily from the perspective of society. It recognizes that society as a whole has an impact on an organization's culture. Conflicting moral principles and organizational performance concepts, according to Syaer, have some commonalities. Values and culture in the social environment impact an individual's actions, causing an official to become corrupt. He goes on to say that there are no substantial disparities in a person's formal and informal roles in society. As a result, morality has the potential to influence behaviour resulting in corruption because values can impact one's behaviour; theories of corruption understand the importance of ideals on one's behaviour. An official may become corrupt out of a sense of commitment to friends and family, or to satisfy personal responsibilities.

2.3.5 The ethos of public administration theories

This idea, which is closely central to corporate culture, focuses on public administration as well as humanity's culture. It addresses injustice from a societal standpoint. It concentrates on organizational levels rather than micro level³⁴. The researchers explain the financial and political framework, as well as an official's competence, as well as the significant correlation between societal pressure and the various levels of an institution. Corruption is caused by a lack of commitment to integrity combined with societal pressure.

2.3.6 Correlation theories

The investigation on the features of bribery, instead of the reasons, is the focus of this approach. Such debates focus on particular ideological, personal, and organizational variables. At all stages, the approach investigated several factors (Schinkel 2004, 8). These are the root reasons of government corruption, and they can be investigated further to see if they are relevant to the current study.

From the standpoint of the investigator, the association hypothesis is the

³⁴ Ibid, Graaf, 2007

greatest fit for this study because it focuses on the features of fraud rather than the persons involved or the reasons. Having an understanding of bribery in a specific country might help in understanding where it comes from and why it happens.

2.4 CONCEPTUALIZING CORRUPTION

Further examination of the existing scientific evidence reveals that a broader variety of factors contribute to misconduct. According to Huberts³⁵, the notion of bribery is one of the most complex and difficult to grasp since various people have varied opinions about what defines corruption. Nonetheless, it is impossible to build effective anti-corruption measures without a thorough understanding of the concept. Moreover, researchers have provided multiple diverse interpretations of fraud, taking into account the various components of corruption, which also include social, ethical, social, and economic aspects. According to Huberts³⁶, in order to comprehend the factors that cause Understanding how antiterrorism institutions work, as well as their victory and defeat over time in a given country, is crucial. This chapter summarized the related research on bribery and its limitations, as well as defining the study's idea. It will then go on to analyses the many types of fraud and the circumstances that cause them.

2.4.1 Definition of corruption

There is a limited empirical debate on corruption. A considerable literature has concentrated on the concept with little having been done on its practical definition. However, Philp³⁷, notes that the definition of corruption as the misuse of public office for personal gain has been accepted by many scholars. Nevertheless, analysts rarely allocate any discussion to justify this conceptualization. According to Bussell, there should be significant

³⁵ Huberts, L. (2010). A Multi-Approach in Corruption Research: Towards a More Comprehensive Multi-Level Framework to Study Corruption and its Causes.

³⁶ Huberts, L. (2010). A Multi-Approach in Corruption Research: Towards a More Comprehensive Multi-Level Framework to Study Corruption and its Causes.

³⁷ Philp, M. (2016). Corruption Definition and Measurement. In *Measuring Corruption* (pp. 61-72). Abington: Routledge.

discussion or debate on the idea of corruption. Nonetheless, Gardiner,³⁸ postulates that the definition of the term in respect to the abuse of public office does not give adequate comprehension of how different Forms should be recognized, and as a result, a thorough examination of the variability should be carried out in order to grasp the notion.

Corruption can be defined as the voluntary exchange of incentives and bonuses. Moreover, it may entail personal transgressions of established norms and ideals³⁹. Participants that engage in corrupt behaviour form a close, intimate network that discreetly assists them in agreeing on shady agreements and profiting from the barter connection. Corruption is published by the International Basel Committee on banking Supervision Bank as the use of a political office for personal benefit. According to Transparency International⁴⁰, corruption is defined as the misuse of one's delegated authority for personal benefit. The many meanings all convey the same concept, with some including the private secrecy.

Philp⁴¹, on the other hand, examines the various sorts of bribes offered by people to acquire what they are supposed to, as well as kickbacks granted by the state for large development projects. Different academics who distinguish among extortionary and transferable corruption have the same viewpoint. Recognizing the similarities between the parties, according to Ogoloma⁴², allows for a clear differentiation among bribe providers who have a claim to the services they obtain after paying a bribe and those that are unlikely to acquire the services or agreement even after paying a bribe presenting the bribe. For the two types of enticement, the lawful and financial motivation of the bribery giver vary⁴³. Corruption can be grandiose or petty, with the earlier being played for policy matters and as kickbacks by leaders or corporations. Bribes made to authorities to expedite delivery of

³⁸ Gardiner, J. (2017). Defining Corruption. In *Political Corruption* (pp. 25-40).

³⁹ Huberts, L.W.J.C., and Graaf, G, de. (2014). Why it Goes Wrong: Causes of Corruption. In Huberts, L. (Ed) *The Integrity of Governance. What it is, what we know, what is done, and where to go* (pp. 144-166). Basingstoke: Palgrave Macmillan

⁴⁰ Ibid, TI, 2017

⁴¹ Philp, M. (2017). Conceptualizing Political Corruption. In *Political Corruption* (pp. 41-58). Abington: Routledge.

⁴² Ogoloma, F. (2012). Curbing the Ills of Corruption in Nigeria. *African Research Review*, Vol. 6, No. 1, 402-409.

⁴³ Ibid, Ogoloma, 2012

services or bend the rules are referred to as electoral fraud. Corruption can also take the form of online and offline retail corruption, which involves a large number of minor bribes.

2.4.2 Typology of corruption

Because corruption takes many forms, there is no standard method which can be utilized to define it. Researchers and academics are also having difficulty determining which behaviours will be included in the definition of corruption in order to gain a comprehensive knowledge of the notion. Corruption has been classified in a variety of ways by different researchers, varying from interpretive intentions such as winning elections, personal profit, trend, bargaining, and ego to objective intentions such as seizing power, personal profit, social motives, bargaining, and personality. The hiring manager determines whether the conduct is passive and active. Khan,⁴⁴ classified corruption into three categories: political, financial, and public management. According to the writers, corruption can manifest itself in a variety of ways ranging from bribery, fraud, extortion, embezzlement, trafficking, kickbacks, nepotism, cronyism, favouritism, speed-money and pilferage. The authors further categorized corruption as the misuse of time, theft of material, bribery, conflict of interest and abuse of the office. According to Philp⁴⁵, corruption can be classified into a number of ways including bribery, embezzlement of public funds, conspiracy, and fraud, and theft, abuse of discretion, nepotism, clientelism, and patronage. The list is endless and for purposes of this study, the researcher will not only concentrate on the severe corruption-related issues but also other less pressing issues like the misuse of resources and authority.

There are several ways that different types of corruption can be differentiated with each approach being used for unique purposes. It is vital to note that there is none that can be applied for all purposes. The discussion of the concept of corruption is diverse, and therefore, clarity is required in

⁴⁴ Khan, B, Saeed A, and Arif, K. (2018). The Politics of Corruption and Its Impact on Democracy in Pakistan (1988-1999). *Pakistan Journal of Criminology*. Vol. 12, No. 3. 138-150.

⁴⁵ Ibid, Philip, 2017

the study of the diverse forms of corruptions under study. It is possible to deal with a single typological tradition for example by distinguishing between grand and petty corruption (Bussell 2015). According to the author, literature has not identified the diversity in the issue under discussion. Diverse typologies of corruption can, therefore, provide more insight for analytical work.

Despite the existence of various corrupt styles, there is no agreement on when or not they should be utilized. Lack of unanimity on this subject presents serious challenges because theoretically and empirically knowledge of corruption requires consensus on how to operationalize the term. Because the use of typologies in the present literature has limits, a thorough understanding of the many types of corruption is essential. These limitations apply to both specialized and broad analytical tasks. The existing literature ignores differences in corruption and focuses on a single form of theft rather than dividing it into numerous forms.

Corruption has remained a major hindrance to Pakistan's operations and success from the country's foundation, when it was identified as a major threat. According to a study performed by United Nations in 2010-2011, the majority of Pakistanis believe that the amount of corruption has been steadily increasing. They also see the government as ineffective when it comes to control. Parliamentarians, the nation's wealthiest inhabitants, avoid the tax, resulting in Pakistan possessing one of the world's largest "lowest tax-to-GDP ratios". Corruption pervades Pakistan in many areas, from politicians to business and leisure secrecy. Governments have been deposed in the past due to allegations of corruption, according to the country's history. Regrettably, the same administrations returned to power and functioned considerably worse, with reported levels of corruption rising by 30 to 40%. The Fair Employment practices Ordinance (NRO) delayed the government's anti-corruption efforts by sheltering corrupt elites. Things did not alter much when the NRO was revoked. The subsequent corrupt politicians of 2008 and 2013 exacerbated people's lack of faith in their own honesty, and hence their

inability to regulate corruption²⁸. Pakistan was ranked 134th out of 180 nations in the Corruption Perception Index (CPI) in 2008. Recently, in 2015-2016, its score has improved to 32 out of 100 and ranking to 116 out of 176 countries⁴⁶.

The country's top anti-corruption organization has failed to meet its objectives. Despite the fact that better governance procedures are needed, no such mechanisms have been developed. It is shocking that, despite the existence of legislation such as the Pakistan Penal Code (PPC), the Prevention of Corruption Act, and the Federal Investigation Ordinance, as well as governance arrangements such as the judicial office of the Audit function of Pakistan, which is backed by the National Assembly's Financial Services Authority, financial accounting judicial agencies, and aces of the Federal and Provincial governments, corruption continues to be a major issue in Pakistan. The country suffers from a high level of corruption, despite the efforts of the National and Regional Anti-Corruption Institutions. Citizens' skepticism in these systems was revealed in a 2015 PILDAT study. Furthermore, the survey discovered that people do not see bribery as a major social environment of a country, citing the energy shortage, employment, hunger, and other problems as major concerns. Citizens generally favour merit choice and judgments, but when it came to their own financial interests, they prefer to disregard merit. Bribery is a problem in the country, not that on an individual basis, but also at the organizational level. Organizations like the police and the tax administration and the subordinate judiciary contribute immensely to the dismal picture⁴⁷.

The current freedom from both the electronics and online platforms, which has proved important in exposing wrongdoing, is positive. Furthermore, the Union and Provinces are enacting Right to Information Laws under the auspices of Article 19A of the legislation, which is a glimmer of optimism⁴⁸. Pakistan was placed 116th out of 176 countries in the 2016 Corruption

⁴⁶ Transparency International, Corruption Perception Index 2016

⁴⁷ Anti-Corruption Mechanisms and Institutions to Address the Problem of Corruption in Pakistan, Published: December 2015, <http://www.pildat.org/Publications/publication/FP/Anti->

⁴⁸ Anti-Corruption Mechanisms and Institutions to Address the Problem of Corruption in Pakistan, Published: December 2015, <http://www.pildat.org/Publications/publication/FP>

Perceptions Index (CPI), with a score of 32 out of 100. This is Pakistan's highest rating since the CPI was established in 1995. The country is ranked third in the World Economic Forum's Global Competitiveness Report (GCR) 2014-15 Due to its security environment; it is the single biggest safe place. Pakistan is placed 142nd out of the 144 countries surveyed in the report. Since last year, the ranking has stayed essentially same. Apart from security, insufficient infrastructure, good governance, and ineffective governance, ineffective labour market, technical readiness, and lack of women involvement in the labour market are also factors inhibiting competitiveness.

2.5 Corruption

A public official or any other individual is alleged to have committed or committed the crime of corruption and corrupt practises: - If he accepts, obtains from or offers any gratification, other than legal remuneration, directly or indirectly, as a reason or reward as specified in the provisions of section 161 of Pakistan Penal Code (Lect XLV of 1860) for carrying out, forbearing to perform, or showing or forbearing to display in exercise of his official functions, favour or disadvantage to any person, or favoring suspending his power in order to obtain, or attempt to render, any profit or favour for himself or any other person; vii. If it has issued any directive, policy or any SROs (Statutory Regulatory Order) or other decrees granting or permitting any concession or benefit in or otherwise in taxation matters or legislation, in order to benefit itself or a relative or associate or a be namidar; or vii. if it committees an offence of voluntary default. b. All offences under this Order shall not be renewable and, in spite of any other provisions of Article 426, Articles 491, 497, 498 and 561A or any other law in force for the time being, there shall be no competence of the Court, including the High Court to grant bail to any persons accused of any offence under this Order. B. c.If the Chairman NAB decides to release a public office holder or any other person charged with an offence under this Order from custody or detention, it shall do so after taking into account the seriousness of the charge against such a person and when the charge specifies an amount in which the offence allegedly occurred and is not released unless the charge is so high.

Provided the President of NAB may impose further conditions for confinement or detention. During one month from the date of that deposit, the amount deposited by the accused with the NAB is transferred to the Federal Government or, if necessary, to the provincial Government or to the bank or financial institution concerned, etc. You like corruption waly chapter m of Section 9 of the 1999 definition of the National Accountability Bureau

2.5.1 Causes of corruption in Pakistan

Since its founding in 1947, Pakistan, the world's second-largest Majority Muslim country, has seen a fragile republic and a steadily rising degree of poverty. Military coups, extremism, sectarianism, border conflict, "Talibanization," and recurrent catastrophic floods have all contributed to widespread dissatisfaction among the populace. Complicated administration, opaque finance, and rampant corruption have impeded its progress. There are 253 recognized opposition leaders in Pakistan, which include left-wing, right-wing, atheist, patriotic, and progressive parties⁴⁹. Opposition groups have been unable to evolve as a result of their failure to evolve and the advancement of their own hereditary ambitions in the nation, community current leaders, monarchy organizations, local parochial, sectarian, and electorate political patterns are all important. As a result, major parties do not have a strong structure or good governance. Human rights and freedom of expression are often violated, despite the fact that they are guaranteed by Islamic Laws and the Pakistani Constitution⁵⁰. Pakistan's civil society suffers from regional, ethnic, economic, and cultural divisions. Buzzword organizations are continually violating human rights. The government does not give protection to individuals, especially ethnic and religious groups. According to the Global Peace Index 2016, the country ranks 154/162 as one of the most dangerous and abusive countries⁵¹. Powerful parties have never really been completely successful in containing such chaos. According to the Human Rights Council, Pakistan has the second greatest number of out-of-

⁴⁹ ECP's website, as of August 1st, 2013, <http://ecp.gov.pk/Misc/ListPolPartiesWithaddresses.pdf>

⁵⁰ Chapter 1: Fundamental Rights [Articles 8-28], Chapter Constitution of Pakistan, 1973

⁵¹ Global Peace Index, 2016

school children aged 0 to 9, about 10 million children work as children, and the block grant is the lowest total in South Asia⁵².

Pakistan is a poor country with a shortage of fundamental amenities and services such as jobs, health care, and schooling. Pakistan's jobless rate fell to 5.90 percent in 2015²⁰, however this does not reflect the whole picture, as about 80 percent of the population is employed in the unorganized sector⁵³. According to reports, 0.02 percent of Pakistan's populace owns about 40% of the country's total wealth. As a consequence, Pakistan's business is in danger, resulting in low living conditions and a slow rate of increase. Because of the conflict among civil citizens and the government, as well as economic and infrastructure harm to exports, there has been a lack of direction with a severe electricity and gas scarcity. Self-help organizations like as the Edhi Foundation, Consumer's Police Interface Committee, Women Action Forum, and Lawyers for Civil Rights, among others, maintains the country's urban fabric. Rural communities, on the other hand, have limited access to self-sustaining organizations. Furthermore, in order to meet the needs of a larger population⁵⁴, these organizations must be increasingly established and self-sufficient. For socioeconomic advancement, the election process should be open and transparent, and the legal system should be maintained. This necessitates all players being held accountable around the spectrum. It is critical for effective administration and the building of government systems. In practice, however, the parliamentary and governing parties' lobby groups have prevented the election college from being impartial. The previous two votes, in 2008 and 2013, saw a surge in public interest in democratization, especially among women and young. Of addition, the elections in 2013 were largely calm. Given the country's current gloomy situation, the majority of citizens believe their economic situation has worsened, with only a minority believing it would better in the nearish term. The truly big difficulties that the majority of them are dealing with are: Terrorism and safety are not as important as the real concerns that countries face, such as employment,

⁵² State of Human Rights in 2013 <http://www.hrcp-web.org/hrcpweb/report14/AR2013.pdf>

⁵³ http://static.visionofhumanity.org/sites/default/-les/GPI%202016%20Report_2.pdf?

⁵⁴ Bertelsmann Stiftung, BTI 2014 – Pakistan Country Report. Gütersloh: Bertelsmann Stiftung, 2014 http://www.bti-project.org/-leadmin/-les/BTI/Downloads/Reports/2016/pdf/BTI_2016_Pakistan.pdf

immigration, and poverty. According to a recent survey named Anxiety Index Study-Global Report 2013, Pakistan is the most worried country among those surveyed. According to reports, 92 percent of Pakistanis are concerned about economic issues such as rising fuel prices. The aforementioned concerns were the most pressing, followed by increasing safety and terrorist threats. Another poll revealed that the general public is experiencing irritation, aggression, anger, stress, and mental health issues⁵⁵. In Pakistan, the demand for transparency is critical. Not only for the general public, but also for public officials and government agencies. Pakistan only recently discovered that social accountability in the country might serve as a driver for effective administration⁵⁶. Nonetheless, the notion has gained traction in recent years because to international funders, civil society organizations, and the media, which have taken the lead in informing the public about the importance of effective governance.

Pakistan faces issues that are comparable to those encountered by other South Asian countries in promoting social responsibility. One of the most significant of these obstacles is the state's own opposition to reform. For instance, after the Presidency Decree declaring the Right to Material Act, a CSO was denied access to the information on the grounds that it might cause political upheaval in the country. There have been many comparable situations when the government has withheld access to knowledge. Another hindrance to public governance is the lack of or incomplete enforcement of the Right to Information Act. After 14 years since the National stock Exchange was enacted, Although the Right to Knowledge Ordinance (October 2002) and the inclusion of Article 19-A into the Founding document recognize the right to be informed as an important and obvious right of citizens throughout Pakistan, a matching process to ensure public officials' compliance with this new guardian of the Bill has yet to be devised. Another significant stumbling block

⁵⁵ The Express Tribune, Nine in every 10 Pakistanis are anxious: Survey, Published August 24, 2013,

<http://tribune.com.pk/story/594483/nine-in-every-10-pakistanis-are-anxious-survey>

⁵⁶ World Bank Institute (WBI), 2007, Report on Empowering the Marginalized: Case studies of Social Accountability Initiatives in Asia. Available at

(<http://siteresources.worldbank.org/EXTSOCACCEMSEIDEGOV/Resources/EmpoweringTheMarginalizedFinalVersion.pdf?resourceurlname=EmpoweringTheMarginalizedFinalVersion.pdf>)

is the centralized governing system.

The reasons of the corrupted archetypes outlined earlier are diverse and difficult to categories in a systematic way. It is difficult to offer a thorough analysis of the causes due to the design's intricacy. Corruption can be caused by emotional, financial, political, religious, or foreign factors both technology and social-cultural factors play a role. Individual people, organizational cultures, government bodies, and geographic locations all have different levels of corruption. Recognizing financial crimes requires a great deal of social, governmental, financial, personal, and business variables. Six factors of corruption were highlighted by Graaf⁵⁷. The author makes a distinction between bribery in low-income and high-income countries. Low salary and terrible working conditions are examples in dramatic reductions in barriers.

The main cause of corruption in Pakistan can be mapped out from the political and socio-cultural matrix of the Pakistani society which is currently being faced with a continuous loss of identity as well as the value system⁵⁸. Furthermore, given the wide view of corruption by various scholars as observed above it becomes difficult for one to determine the particular causes of corruption in a given country. Nonetheless, Javaid notes that in a Perception Survey conducted by the Transparency International Pakistan in 2004 revealed that there are several major causes that have contributed to the rise of corruption in Pakistan. These causes will be summarized in the table below.

Table 2. Causes of Corruption: Survey Summary

Lack of Accountability	31.68%
Low Salaries	16.54%
Monopoly of Power	16.43%
Discretionary Power	12.61%
Lack of Transparency	9.97%
Power of influential people	4.59%
Red Tapism	4.28%
Others	4.9%

⁵⁷ Ibid Graaf, 2007

⁵⁸ Ibid Javaid, 2010

Source: Javaid

In Pakistan, corruption serves as a motivator for civil officials and other low-wage workers. Through bribery, the processing cost can be reduced and the individual's time saved. Lack of information, lack of responsibility, market dominance, judicial independence, high market forces, low incomes, red tape, and the power of powerful people are all factors, as per a national corruption perception poll performed by Transparency International in 2009⁵⁹. Fraud, according to Iyanda⁶⁰, is caused by misuse of authority, political ineptitude, salaries and wages, a lack of accountability, and inadequate infrastructure internally and externally control, a lack of parliamentary accountability, and flaws in the legal system, culture, important persons, and insufficient anti-corruption initiatives are all issues that need to be addressed.

Furthermore, leaders and other strong officials frequently develop policies that benefit them at the detriment of others. These measures may also benefit their businesses or those of their relatives, resulting in corporate monopolies that stifle proper competition and cost the country a significant amount of tax income that would've been received in a more equitable environment⁶¹. Because some corporations and political figures have amassed far too much influence and riches, they are able to dominate the majority of government activities as well as strategy processes, providing a fertile ground for vice to flourish.

2.6 Effects of corruption in economic and political development

The major goal of this part is to demonstrate how corruption affects Pakistan's economy and politics. However, before we get started, it's important to understand what the term "development" means. Improvement

⁵⁹ Sayeed, A. (2010). Contextualizing Corruption in Pakistan. *Social Science and Policy Bulletin*, Lahore University of Management Sciences. Vol, 2, 9-18.

⁶⁰ Iyanda, D. O. (2012). Corruption: Definitions, Theories, and Concepts. *Oman Chapter of Arabian Journal of Business and Management Review*, Vol. 34, No.973, 1-9.

⁶¹ Sherazi, S. K., Iqbal, M. Z., Asif, M., Rehman, K., & Shah, S. H. (2013). Obstacles to Small and Medium Enterprises in Pakistan. *Principal Component Analysis Approach*. *Middle-East Journal of Scientific Research*, Vol. 13, No. 10, 1325-1334.

is described as a process that brings about positive change, advancement, or the introduction of societal, financial, physical, ecological, or demographic factors⁶². There are several scales and units that can be used to measure positive improvement in the midst of market growth. Whereas it is hard to identify the units used to measure increase in country's changes. Nevertheless, a number of academics have pointed out that Action potentials can be defined in a variety of ways. Hubert⁶³ divides political evolution into three categories: political, legal, and administration advancement. In other words, it refers to the expansion of a social administration building's capabilities as well as the processes that ensure people' well-being. This article will be separated into two sections: economic and political repercussions of bribery.

Fraud often benefits a few people monetarily, but it has a net cost to Pakistani culture in terms of reduced finances available for growth, increased unit cost of material source, and increased sufferings from vulnerable⁶⁴.

According to Farooq et al.,⁶⁵ rising amount of crime in Pakistan's financial plan have reduced the level of interest on new investments and impacted the level of interest on current infrastructure. As mentioned in Chapter 1, numerous government organizations, particularly land and finance, have been plagued by pervasive corruption, and as a result, the majority of their assets have been tainted by vice. Most of the time, initiatives will cost than they're supposed to, and as a consequence, there will be fewer resources accessible to direct other projects current events in the nation. New projects are routinely launched before current ones are accomplished, resulting in the majority of the old ones being left to degrade. In other cases, unscrupulous persons may suggest that the new devices be constructed, allowing them to inject extra commission that end up in the hands of a

⁶² Dimant, E., and Tosato, G. (2017). Causes and Effects of Corruption: What Has Past Decade's Empirical Research Taught Us? A Survey. *Journal of Economic Surveys*, Vol. 32, No. 2, pp.335-356.

⁶³ Ibid, Hubert, 2010

⁶⁴ Farooq, A., Shahbaz, M., Arouri, M., & Teulon, F. (2013). Does Corruption Impede Economic Growth in Pakistan? *Economic Modelling*, Volume.35, 622-633.

⁶⁵ Ibid, Farooq, 2013

select individuals. Ultimately, bribery has a substantial impact on Pakistan's economic growth by lowering the effectiveness of public expenditures and diverting funds to superfluous projects, as well as harming advanced technologies that are vital to the economic development of the country. Aside from impacting budget spending, corruption has a huge impact on budget revenue, which is critical for the country's future growth. One of the most pressing concerns facing Pakistan today is tax dodging and poor tax individual directors. The revenue paid is almost always less than the projected tax returns from specific areas. According to Chêne⁶⁶, the majority of business people in the country choose to commit fraud, and as a response, they conspire with tax authorities to get their taxes lowered. Bribes are paid to tax or customs officers, and in exchange, the businessman receives formal certifications exempting them from paying taxes. In other cases, citizens also pay low-level officers in the tax offices in order to be provided with the same treatment. This eventually leads to large deficits in the budgets.

According to Farooq et al. (2013), big budget deficits have major long-term consequences for the developing economy. Because of the huge deficits, the government is required to raise taxes to pay the deficit, making it difficult for many people to cut the cost of existence. Furthermore, because most of the government savings would be utilized to pay for the shortfalls, the deficits will have an impact on the region's long-term economic growth. According to the Global Competitiveness Report, Pakistan's GDP has not increased due to fraud, as shown in the chart below. Furthermore, big deficits in the nearish term may result in increased interest payments⁶⁷. As a function of the debts that have already accumulated as a result of increased shortfalls, the next administration is always faced with the problem and is forced to divert enormous amounts of government resources to cover the shortfall while neglecting to offer services to its residents.

⁶⁶ Ibid Chene, 2008

⁶⁷ Ibid Farooq, 2013

Furthermore, Pakistan's rampant corruption has an impact on the economy by creating a high level of risk and ambiguity when it comes to employment operations. Businesses find it difficult to thrive when they are looking for a case⁶⁸. Because businesses must deal with weakened government agencies as well as unscrupulous politicians who establish employment policies in the country, doing business becomes difficult. In an unstable world, it becomes more difficult for a company to function and prosper. Insecurity about the country's local politics diminishes the opportunities for private investment significantly. Furthermore, the overabundance of tren Pakistani corruption has harmed the country's corporate ethics (Haider, ad Din and Ghani 2011, 778). Stockpiling, black money, stockpiling, and deceiving authorities have all become prevalent practices across the country. These problems are linked to the country's high level of corruption, which has caused firms to adapt in order to succeed in such a hostile climate.

GDP per Capita in Pakistan since 1990 and 2012

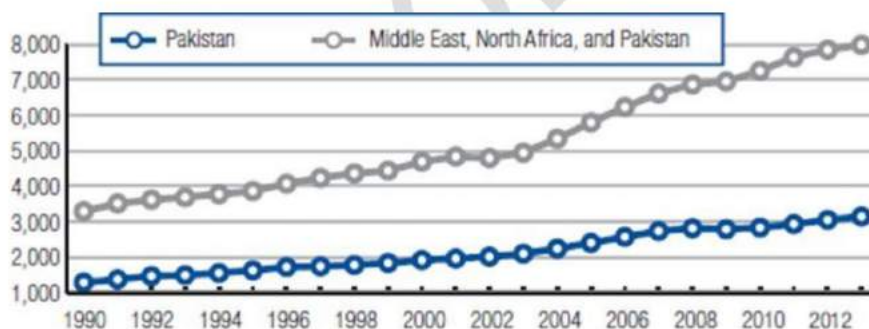


Figure 2. Source: Global Competitiveness Report (2015)

2.6.1 Effects on Political Development

Corruption erodes one of Pakistan's most important assets of democratic

⁶⁸ Ibid, Shezari, 2013

power, which most governments across the world strive to protect and strengthen. According to Jackson et al.,⁶⁹ one of the most important jobs for any administration is to establish its own credibility, which allows it to garner citizens' support on critical development issues. The Pakistani government has failed to control corruption and so safeguard the legitimacy of its government order, resulting in national fragmentation and insecurity⁷⁰. Citizens have lost faith in the government and all of the existing mechanisms, resulting in major problems.

Pakistan's democratic growth is also threatened by corruption. People live in very bad social-economic conditions as a result of corruption, which has a significant impact on the democratic process (Jackson et al. 2014). As previously said, bribery has an impact on national tax organization, public spending, and the credibility of the present system of government, all of which have an impact on economically and politically progress. Moreover, because of widespread corruption, ordinary citizens may have no say in governance because the officials they elect serve only the interests of a few privileged people. Furthermore, today's party seats are purchased freely, and this is a good thing the voters are still haunted by the subject. As a result of this approach, criminals such as drug lords, slumlords, and black merchants wield political power. They are licensed to function freely because of their powerful influence⁷¹. In many situations, these folks rip away a chosen leader's actual represented characteristic through the democratic system.

Furthermore, because Pakistan's political landscape is rife with corrupt individuals with deep ties to the government, there is a collapse of peace and justice, as the policemen and judges are still unable to carry out their duties due to the widespread nature of bribery. As a result, dastardly villains can get away with any crime because there are no meaningful laws and systems in place to control them, and they can simply bribe the cops. This

⁶⁹ Jackson, J., Asif, M., Bradford, B., & Zakria Zakar, M. (2014). Corruption and Police Legitimacy in Lahore, Pakistan. *British Journal of Criminology*, Vol. 54, No. 6, 1067-1088.

⁷⁰ Ismail, A., & Rashid, K. (2014). Time Series Analysis of the Nexus among Corruption, Political Instability and Judicial Inefficiency in Pakistan. *Quality & Quantity*, Vol. 48, No. 5, 2757- 2771.

⁷¹ Ibid, Jackson, 2014

issue has also resulted in an increase in crime, such as drug selling, murder, thievery, and criminal enterprises, among other things, at all levels, causing extra agony and anguish to the general public.

2.7 Strategies to reduce corruption in Pakistan

By analyzing the existing literature, this section will review the policies that have been enacted to assist remove corruption in Pakistan. Moreover, based on an understanding of the various causes of government corruption, recommendations for the best approach to assist combat the problem will be made.

A numerous studies have also looked into the multiple methodologies used in Pakistan to assist stop the practice. One of the most influential studies was by Javaid, who claimed that the existence of a tracking and management procedure can reduce corruption in any person or region. In the 1960s, the provincial Anti-Corruption Organization and the Immigration Department Agency were established to aid in the battle against corruption in the country, according to Javaid⁷². However, Khan (2016) claims that the police right winged unit was found to be the most dishonest in the country. As a result, bribery became widespread It was no longer under the hands of the government. Moreover, according to Javaid⁷³, the most significant attempt to combat vice at the state level was in 1996 during the 2nd Benazir, when the serving President Farooq Leghari established the Ehtsab Committee. His initiative was backed up by the next government, but it fell short due to moral concerns over the experiment. Khan⁷⁴ also mentions that “over the years, various significant entities have been established to assist control these, including the National Accountability Bureau (NAB) in 1999 and the Public Procurement Regulatory Authority” (PPRA). Despite this, all of these bodies failed due to the enormous amounts of corruption that had infiltrated them.

The National Accountability Bureau is the government's top anti-corruption agency. It inherited all of the anti-corruption authorities' powers that had

⁷² Ibid, Javaid, 2010

⁷³ Ibid , Javaid 2010

⁷⁴ Ibod, Khan, 2016

existed in the republic since liberation. Even if a different organization is conducting the examination, the agency has the ability to do so. Because the agency is self-contained, it is not under the control of any ministry. It is in charge of confirming complaints, making inquiries, and then conducting an investigation into the matter. When it comes to fighting corruption, the NAB has a lot of work to do. Lack of political will, insufficient people, and funding challenges are all prevalent problems.

The anti-corruption agencies have been given the authority to investigate allegations of fraud (Ali 2018). In various provinces, ACEs deals with corrupt public officials. ACEs work in tandem with the NAB and focus on public-sector corruption. Rather than dealing with wrongdoing in a systematic way, the Federal Ombudsman deals with specific accusations. It attempts to address abuses committed by a regional institution, a governmental officer, or bad administration⁷⁵. The inspector general is in charge of looking at governmental accounting. The Trafficking victims Protection Act of 1947 and the National Accountability Bureau Ordinance of 1999 are two anti-corruption laws in Pakistan.

CHAPTER THREE

METHODOLOGY

The primary objective of this study was to find out the views of corruption, infringement of integrity, typologies and how the Agency was prosecuted to

⁷⁵ Ali, Z. (2018). Anti-corruption Institutions and Governmental Change in Pakistan. South Asia Multidisciplinary Academic Journal.

control corruption and violation of integrity. The best answers to these topics and challenges were selected through qualitative tools (Interviews). Therefore, we performed interviews with different grade officers and officials in this research. We contacted the Director General, the department head (NAB), with a Letter of Authorization from PIDE for access to information on policy documents and interviews with NAB KP staff before interviews were launched. The letter outlined the aim of the study and ensured that the data were anonymous and confidential because of its sensitivity. The responders were also asked not to expose their identities. The responders were promised that the confidential information they provided with us will not be accessible to anyone. However, some respondents were even unwilling to let voice recording, so that all the points were documented in writing for their comfort. Each grade officer had the way to engage his/her experiences and to honestly reflect on the issues posed. A total of 15 officers' interviews are included in this investigation. Most of the officers, followed by Deputy Directors, were assistant directors. The expert and freshly recruited policemen were careful to be included in interviews. A snowball sampling method was applied for selecting the officer, based on the willingness of the police. This technique helped identify more experienced NAB officers. As this method is therefore not likely to be sampled, the results of these studies cannot be extended to the entire NAB-KP or to the entire Department in the country. However, the results of this exploratory study can be used as a basis for future research.

CHAPTER FOUR

RESULTS

4.1 Understanding of corruption and integrity violations

This information has been collected through official and informal interviews. It was aimed at recording their understanding of how corruption and integrity infractions are understood and how they understand the NAB definition of corruption. In other words, the goal was to determine if NAB officials are equally committed to corruption as the public in Pakistan had in general (Javaid, 2010). Since the word corruption is therefore more understandable, the word corruption was used more often compared to infringements of integrity throughout interviews? It is also important to mention that officials have been asked in their own perspective and understanding about the definition of corruption in NAB. Two separate definition kinds have therefore been noted. The results on corruption and violations of integrity are as follows. Since the purpose of creating a National Accountability Bureau was to reclaim the plundered cash from corrupt officers and individuals, most of them identified corruption in terms of plundered money. One interviewee has described corruption as “the plunder of public money and the adoption of other modes of operation. Money is between the State and the State, everyone involved in the plundering, including abuse of authority, through illegal methods.” Another interviewee said that “common notion of corruption is money plundering.” However, few participants contested, enlarged and linked this notion to injustice. An interviewee, for example, stated that “corruption is seen as plundering money, but that's not sound... injustice is real corruption, I think.” Similarly, one interviewee broadened the definition of devastation, since he said “corruption is fasaad fil arz, which means any behaviour that causes catastrophe for people living on earth.... The definition of corruption I think of is fasaad, devastation...” There seem to be limited comprehension of corruption at the National Accountability Bureau (NAB) and the officials described it in only a few ways instead of defining the behaviour. One of the respondents, for example, said that “corruption can involve simple misappropriation ... and the appointment of nepotism staff is another kind of corruption.” Another interviewee stated that “corruption of the NAB law covers illicit gratification, misuse of authority, assets derived from illegal resources,

issuing of illegally-imposed SROs, defrauding people in general...”

When the officials examined the common definition of NAB, they focused on the personal interests of government officers. One respondent, for example, said, “I believe that any conduct carried out to his own goal by a serving government official and everyone who supports this involves the exact definition of corruption. Another respondent also stated that “the responsibility of the government officer is to serve the community and to distort the basic foundation of everyday work and to pervert the entire idea of corruption into its own profits” Interviews with a few officials show that they confuse the ideas of corruption and violations of integrity. For example, they believe that failure to execute the obligation or failing to do it appropriately, and even silence is corruption in their view. For example, it was said that “if the government entrusts a responsibility to you and you do not take it as a suitable action, corruption will be considered. If authorized money is used other than for the specified purpose, then the term corruption is also employed...”

Another respondent stated that “corruption is not only about giving and taking money to manage something illegal, but it's also corruption to keep quiet.” This also runs counter to prior reactions to definitions that focused on plundered money as corruption. In a focus group interview with newly hired officers, the most extensive definition was recorded. According to them, “corruption constitutes a misuse of authority to earn money, as well as the use of influence...every conduct against a law and proceedings established, whether or not done to achieve monetary benefits, is viewed as corruption.” In another discussion of the focus group, it was disclosed that the focus on corruption was on the government official or a private individual who plundered or misappropriated public funds. Recovery of the looted sum is the definition of corruption by NAB. Most corruption concerns misappropriated government treasury cash. There are two circumstances, however, where money other than public treasuries is also included; these are voluntary bank defaults and deception on the general public. Likewise, appointments made without regard for merit may not affect the public coffers at that moment but will have repercussions after some time since they may be inefficient and may not perform correctly. It can be concluded from the aforementioned

definitions that officers sometimes broaden the significance of corruption and define it too narrowly. Since the organization's mandate is to recover looting money, these conducts are therefore considered corruption when monetary transactions have taken place, but many other sorts of conduct that do not involve money are not treated as seriously. What this means is that the official definition of corruption and that supplied by NAB officers differs. Even within the NAB officials, different persons are different in defining and understanding corruption. If there is a definitive difference/disagreement or incomprehension of the definition, the investigation and prosecution may be seriously impacted.

4.2 Understanding of typologies of corruption and integrity

Violations

This section briefly outlines officials' thoughts on the typologies of corruption and violations of integrity. It was intended to determine which sorts of behaviour are regarded and are not corruption. In most interviews, the respondents referenced section 9 of the National Accountability Ordinance, 1999, rather than the sorts of corruption. Nevertheless, the often highlighted sorts of corruption were illicit gratification, malversation, misappropriation and cheating on the general public in several interviews. In Section 9 above, all four sorts of corruption are described. For example, one interview noted that "unlawful gratification is another key sort of corruption, other than abuse of authority..." A significant issue emphasized throughout the interviews was that one kind of corrupt behaviour may be associated with other kinds of corruption. For example, one respondent claimed that "kickback is also included by the head of misuse of authority that may be either nepotism or favouritism." A question may emerge that the punishment of the crime is increased by placing too many categories of corruption on a case? The answer is just 'no.' It is because, according to NAB law, all sorts of corruption are regarded identical and hence the same punishment is granted. One significant point to mention is that all 12 of the offences described in section 9 of NAO do not deal with the different types of corruption only as the latter includes assistance or support in the practice of corruption and thereby also

helps enable corruption. Since the organization deals with reclaiming the looted cash of the public, illicit monetary advantages are consequently regarded among other non-monetary corruptions. The respondents said in a discussion group that “monetary advantage and criminal use of power are two key elements of corruption. Corruption could also be intellectual in nature, predominantly in universities, and a breach of confidence is yet another way of addressing corruption, be it publicly or in private.” In another group discussion, it was also mentioned that the main source of corruption is multiple aspects of corruption and abuse of authority. “It is also corruption if laws are not adopted which may alter society well, because behind such indifference, passivity and laziness there are hidden reasons.”

4.3 Understanding on anti-corruption mechanisms

This section highlights the replies from several interviewees regarding anti-corruption mechanisms and related challenges. It was established that NAB is not autonomous in nature under any government. The NAB Anti-Corruption Mechanism is normally divided into three parts: first, the verification of complaints; and, secondly, the investigation and last, where we can arrest. Section 18 of NAO (1999) outlines three sources for sources of information regarding corruption; the complaint is recorded as a suit motto and is filed by the department itself. On that basis, complaints might be submitted directly to NAB. When a complaint is reported, a concise brief is drawn up to include the name of the plaintiff and that of the department or person against whom the complaint has been lodged to date. The brief is then prepared by the Deputy Director for the Additional Director, and the Deputy Director gives enough reasons for continued processing of the complaint. The brief will subsequently be placed before the Regional Board where collective decisions are determined. The ultimate conclusion taken is the result of the brainstorming of 5 or 6 people, who were subsequently filtered by the replies to a number of questions. A factor which we cannot disregard during joint decision making is the amount of funds involved. However, while looking at other regions, the amount may vary. Furthermore, it is not important for NAB to categories matters in its internal processes under certain kinds as

indicated in section 9. However, as an observation, at least every instance is simultaneously covered by four or five types. The penalty imposed at the conclusion of the day does not range from kind to kind, but section 10 states explicitly that a punishment or penalty is applied if a charge is imposed on any kind of corruption.

During interviews with officers it was learned that although enforcement is an important part of the anti-corruption apparatus, it is a matter of knowledge and prevention. More, NAB authorized a request to introduce a chapter on anti-corruption in the curricula of pupils enrolled in schools. Interviewees added that "one cannot prevent others from doing wrong if they even practice religion in letter and in spirit; but it is a pessimistic view, and therefore awareness of corruption must be generated between different sectors of society that one should not say that another should stop doing wrong, because others would not pay attention to it." The NAB activities can be separated into three sections; firstly the verification of complaints (CV), secondly investigations and lastly investigations into where NAB can arrest. Sometimes there is adequate evidence at the CV stage to question the accused. During the investigation, the accused is asked to record and bio data from many departments. All situations are carefully discussed on a weekly basis with the Director General. The accused have two choices before the third phase: voluntary return (VR) and plea bargaining (PB). The VR may also be used to the DG if the accused accepts his wrongdoing and shows readiness to return the stolen public money to the Exchequer government. In contrast, the plea deal takes effect when the accused is arrested. Plea bargain here varies from VR as when PB has been taken advantage of the criminal is no longer in prison, and therefore is no longer detained and declared free. After use of VR there is no penalty imposed, but it should be mentioned that VR is given to the accused as an option, but in case of a serving government officer, VR is prevented so that it is penalized by plea bargaining and in order to create dissociation for the accused/convict so that the public money is not looted in future. Ideas like VR and PB were derived from industrialized countries' anti-corruption laws in the world.

The reason behind VR was exposed in numerous interviews and interviewees objected to the conventional conceptions (see Javaid, 2010) of the

organization's VR and PB policies. For example, an interviewee indicated that "The underlying principle behind the usage of Voluntary Return is to be preliminary during an inquiry and to achieve three objectives if recovery takes place via it. I. Firstly, a fundamental aim of restoring; II. Secondly, a speedy recovery takes place without prolonged investigation phases; and III. Finally, the department's officers are relieved of their long, tedious investigative tasks and, when the case reaches the court, are also saved the time it takes while in trial."

Besides this, many interviewed people felt that "penalty is not going to bring public funds back to the treasury, thus the NAB exercises voluntary return, whereby the accused returns the plundered sum for him and protects his employment, benefits and privileges." In reply to questioning cases for VR and PB, many officers believed that "NAB policy is to prevent serving government officials from receiving VR, but to facilitate instances involving a kind of bribery by fooling the general public with VR, so that public money can reach its owners. We will not serve VR if the government officer serves, but we will send him a plea bargain to punish him, and we will repay money." However, due to inherent social and political conditions in the country, several exceptions to this principle exist. From the aforementioned debate and information it can be concluded that in the eyes of the officers the NAB anti-corruption apparatus is commendable. Most of the NAB officers supported the VR offer on the basis of saving time and money while at the same time achieving the vital goal of recovery. Many other poor countries praise these anti-corruption systems (including China). The NAB officers justified their VR and plea bargaining methods to help with the least efforts in retrieving the looted public funds.

4.4 Most Prevalent Types of corruption cases prosecuted in NAB

This section highlights and analyses the results of interviews with the most common types of corruption in NAB KP. This section also provides information on various causes and justifications for corruption. As indicated in the preamble to the law, the main purpose of the organization is to recover the plundered amount of the public, and its application will then be secondary

to that primary objective. Consequently, the most sorts of corruption that this agency works with are monetary and to be recovered in the national exchequer. With particular reference to KP, numerous NAB officers have indicated that most of the cases concern land revenue, road construction departmental complaints and mudariba fraud on grounds of cheating. An interviewee said, for example, that "activity accrual matters are often handled, and subsequently instances involving the misuse of authority take a second place... A misuse of authority may possibly either in procurement fields or in appointments.... Cases in which people are deceived are also often referred to NAB, for example the case of mudariba, and such cases are caused by mismanagement and misappropriation." The reasons why such complaints are received by people who have been cheating are that rules and regulations that have been laid down so far but are not always implemented in letter and spirit, and in conjunction with officers in the hierarchical structure who work in team in order to achieve the desired results is merely the rhyme and reason for the preponderance of these cases. In addition, greed and awareness of status are also important in this regard. The disparity between wages and the provided authority is large and should be determined in the light of the officer's position. In combination with this, the copy syndrome effect is sharp enough for any intelligent person to see, absorb and use. Interviewees said that even if caught redundant, it is difficult to show illegal gratification together with the existing legal system in the nation. In the interviews, it was claimed that "cases of unlawful gratification do not exist, as when the person who is going to get the money is raided and caught in red hands, he suddenly takes a turn, saying he wants to throw the cash back. A magistrate is also escorted to the court to confront this, so that NAB would be alert to technical knowledge of the judiciary." There have been some complaints against the judicial system in that country, which has rendered NAB's efforts fruitless, as one interviewer has stated that "the core question is that if our courts punish the convict, the High Court or the Supreme Court acquits the convict, making all of our efforts unnecessary and fruitless. Arrest on our part is a very important privilege; it damages the reputation of the accused person and so creates dissuasion." Regarding minor sorts of corruption within the NAB-KP, the issue of the Statutory Regulatory Ordinance (SRO). Statutory Regulatory

Orders shall be issued to one person or a party when the objective is benefited, and then the other day it shall be discontinued. It plainly indicates that something which is essentially illegal has to be legalized and so the official issuing that particular SRO is liable for it. These kinds of corruption in Sindh are more common.

Chapter Five

NAB Law ordinance

5.1 NAB court has only speedy trial was the Nawab Sharif

On Wednesday, the Supreme Court directed all 24 accountability tribunals to speed up proceedings in relation to corruption without providing parties adjournments.

A three-judge SC bench led by Pakistan's Chief Justice Gulzar Ahmed also instructed the courts to make sure the evidence of various witnesses was recorded as soon as feasible.

The Bench also expected no adjournment to the prosecution and the National

Accountability Bureau (NAB) would ensure that all witnesses were made promptly before accountability courts. In addition, NAB President Javed Iqbal would oversee compliance with a letter and spirit court order and order disciplinary punishment against the persons found guilty of failure to follow the instruction of the court, observed the bench.

The Supreme Court expressed the hope of a swift decision on July 8 by the federal cabinet to establish 120 national accountability courts to eliminate an enormous backlog.

Earlier, Further General Prosecutor Sohail Mehmood has advised the court that, as well as setting up 120 accountability tribunals, Pakistani Procurator General Khalid Jawed Khan visited Prime Minister Imran Khan on Wednesday to discuss various undertrial issues before superior courts.

The other AG informed the Court that the Ministry of Law had previously submitted a thorough plan for the establishment of 120 accounting tribunals to the PM Secretariat for final approval. The SC then instructed the secretary of law to submit a report on the decision of 120 accountability courts to the bench.

An knowledgeable source told Dawn that a few more courts will initially be established up, and their number would eventually be increased to 120.

In the context of section 16 of the National Accountability Ordinance (NAO), the SC took on a suo motu case about the delay of proceedings before the courts, which requested a decision to be taken on corruption within 30 days. On 8 January, Justice Mushir Alam applied for the establishment, by the Chief Justice of Pakistan, of a special bench and launched a suo motu procedure concerning the delay in prosecuting the accused before trial tribunals.

The Ministry of Law reports that all 24 accountability tribunals are completely operational and there is currently no vacancy in the Court. During the hearing, the CJP raised concern at the appearance of Acting Law Secretary before the court, why the Ministry of Law did not adhocize by selecting permanent secretary.

The Court observed furthermore that the NAB Chairman submitted NAB Rules 2020 even before President for final approval on 26 Aug 2020 in accordance with its last order. The extra AG said that the law ministry will vet the rules and that the identical rules would be promulgated if found and that the court should thus approve this rule for another month.

Referring to a referee against Fateh Textile Mills President Goharullah Khan who had been pending before a NAB court as of 2016, the Supreme Court ordered that the remaining 21 of the 26 witnesses register testimonials when it re-opened the hearing on October 31, followed by a record of the statements of the accused and of the evidence on the defence on the next working days. The SC further instructed the court to rule on the reference in the next week and submit a report to the Court of Apex.

The allusion to corruption concerns the allocation of a compact 8,500 hectares block for the establishment, between the Fateh Group and a Ukrainian business through a joint venture, of the Lakhra Coal Fired Power Plant, but afterwards outsourced for sale after it was extracted from other companies. On 29 March 2017, the Supreme Court granted bail to all 11 accused in the reference.

In a second case, within 10 days, the SC requested a reply from the NAB prosecutor general on a pre-arrest bail plea brought in a corruption fraud of Rs 170 million by Daud Pota, a Tourism Department employee from the Sindh. According to his bail application, NAB had named him accused, although the scheme was uncovered by his assistance and cooperation.

Counsel Nisar A. Mujahid contended to the SC that his client was the whistleblower lauded by the NAB for his cooperation which led to the recovery of the Rs170 million embezzled money. However, the name of the petitioner was added to a list of accused persons when the reference was made and the amount of corruption was lowered to just 15 million Rs.

5.2 Over 250 graft cases pending trial before Sindh's six accountability courts

Statistics received by Dawn from prosecution as well as judicial sources revealed roughly 178 referrals to the four Karachi accountability courts awaiting disposal, 42 to Hyderabad courts and 37 to Sukkur accountability court.

These references were filed by NAB against politicians serving and former authorities from various officials of federal, provincial and municipal government, immovable tycoons, their family members, accused leaders and abettors.

These allusions relate to their alleged abuse of official authority, corruption and participation of corrupt acts in publicity-campaigns undertaken by government, the accumulation of property exceeding known sources of income, fraud involving amenities and commercial land, public cheating, etc.

At the end of June, forty- five references were pending at the Court-I (AC-I), Karachi, AC-II, 51 and AC-II and AC-IV, respectively. 42 referrals in AC, Hyderabad and 37 in AC, Sukkur were pending disposal.

Out of a total of 257 cases, in the first six months of the fiscal year, roughly 24 new references were set up by NAB in the six ACs in Sindh.

Over the last two decades, the remaining 230 references were filed and the trial was still pending for several reasons. Two references from 2005 were included in the old pending references. NAB filed the referrals in its anti-corruption campaign initiated by Pervez Musharraf, former military dictator, and then withdrew under the controversial Ordinance (NRO). But the two references was reopened when the NRO was pronounced null and void by the Apex Court.

In 2018, the AC-I decided on nine cases, and at the end of June 2019 as many.

Five cases were decided by the AC-II in 2018 and seven in 2019. In 2018 and 13 till June 2019, the AC-IV decided on 12 cases. There were no statistics on the disposal and pendency of the AC-III cases, which are also the administrative court of a accountability courts.

In accordance with Section 16 -A of the National Accountability Ordinance

(1999), the accountability courts should conclude a case trial within 30 days of filing the reference.

In Dawn's interviews, lawyers, the prosecution and legal sources blame one other for preventing the graft cases from being disposed of promptly.

The key reasons for prompt dismissal were 'slow' prosecution by NAB investigating officials as well as 'typical' defence counsel stalling tactics.

"There are thousands of cases waiting for a long period since the proceedings are moving at an inefficient speed due to numerous of NAB's investigating officials," stated a court officer.

"Initially, the prosecution agency files references containing volumes of 'photocopied' papers that afterwards become inadmissible during the trial. The IOs are therefore looking for adjournments virtually every day to bring the original documents," noted the staff.

Secondly, the sources indicated that in each reference investigators designated a huge number of people for prosecution witnesses, but most of the time, the IOs failed to produce their witnesses before the tribunal. "So either a witness is missing or an original text is missing on each day that leads to adjournments," stated the sources.

Judicial sources point to a recent order of detail passed by a judge of the AC-V who was irritated by the failure of the IOs (witnesses or documents) to produce evidence and made severe comments in that respect.

The prosecution, on the other hand, blamed the defence for unwarranted delays. "When a suspect hires a lawyer the lawyer uses every strategy in order to postpone the trial as long as necessary through requests for a small matter," a prosecutor said. "In almost every case, the defence lawyer would quickly transfer a request to a hospital outside the prison for the transfer of a client, alleging the lack of improved hospital treatment facilities in the prisons.

"They would even call health disorders like as depression, hypertension, diabetes, and so on chronic diseases that may put customers' lives in jails at risk," he stated. "Subsequently, the accused folks seek authorization to travel abroad for medical treatment, or even monitoring."

The Public Prosecutor referred to the cases of former Pakistani People's

Party Ministers Dr Asim Hussain and Sharjeel Inam Memon. Stakeholders considered a shortage of judicial capacity as current courts were overcrowded with cases to be one cause behind a delay in the completion of the trial within 30 days.

“The cases may appear to be less numbered, but each case includes inventories of documentary and eye evidence to be investigated, which is not humanely possible for judges to complete within 30 days,” they stated.

The Sindh High Court ordered the Federal Ministry of Law last year to establish three new courts of accountability in Sindh. Interestingly, formerly the federal government of Pakistan's Muslim League-N moved before the Supreme Court against the order of the high court stating that no new courts are to be established. The apex court subsequently suspended the high court ruling.

Lawyers claimed that the obstacles in swift trials were a breach of the fundamental rights of the accused who must remain in prison for months.

The superior courts have also appointed the responsible courts to carry out trials against Dr Asim and Sharjeel Memon on a daily basis. The accused also benefitted from the delays, as the SHC recently granted Mr Memon post-arrest bail in a case involving alleged corruption in an advertisement of government publicity due to the delay in the trial.

“Instead of increasing the number of courts, daily procedures in some instances ultimately effect trials in other cases,” an official says, calling for an increase in the number of courts to be the only way to assure rapid trials as stipulated by the law.

Chapter Six

6. Conclusion and Discussion

Interviews with NAB officers stated that the major goal of NAB founding was to recover stolen money in retrospect of the 1999 military coup and that economic sanction were put on Pakistan following nuclear explosions in 1998. The interviewees were asked two distinct questions first, their idea of corruption, and secondly, what the organization (NAB) views as corruption. Corruption has been demonstrated to be the plundering of public money by many processes. Very few interviewees reported that public office was misused for private gains. Since the plundered money from corrupt people is described in their preamble, the definitive corruption in these sentences makes sense. Moreover, few interviewers referred this notion to and regarded as real corruption, injustice and fasad (disaster/destruction). Those interviewees who could not correctly define it cited few sorts of corruption during their definition. For example, corruption categories include mistreatment, nepotism, illegitimate gratification and public cheating, etc. The lack of comprehension among most of the participants is apparent from the fact that the term was sometimes too broadly defined and sometimes too limited. The people interviewed also conflated the concept of infringements of integrity with corruption. For example, corruption is not or does not complete the duties properly.

Since the organization has to do with the recovery of the looted public money, unlawful monetary rewards and the illegal use of authority are among the main forms of corruption. With special reference to NAB-KP, most cases involve land sales, departmental road-building complaints and mudariba fraud based on public defrauding. Few interviewers nevertheless acknowledged that they received a considerable number of complaints against officials and individuals who have gained enormous fortunes outside their known sources. Authority misuse as a sort of corruption occurs largely in procurement and appointment. The reasons why such complaints are received by the deception of people in general are that rules and regulations, which have been established so far but are of unsatisfactory nature in letter and spirit, and together with officers working in teams to achieve the desired results, are

simply the rhythm and the reason behind the prevalence of such cases. Moreover, covetousness and perception of status are also important in this respect. The disparity between wages and the authority given is large and must be considered in the context of the officer's position.

The issuance of a statutory regulatory order (SRO) is believed to be the least recurrent types of corruption in NAB-KP. Legal Regulatory Orders are generally issued to a single person or a party once the targeted person benefits; they are then discontinued on the other day. It plainly indicates that anything that is essentially unlawful is legalised, and consequently the official issuing an SRO must be held responsible for it. These kinds of corruption cases are much more common in Sindh due to the vast industrial base, while the industrial set-up in KP is dying.

This study only focuses on studying corruption and violations of integrity among officials of the country's anti-corruption agency. The results show that the comprehension of officers needs to be increased to improve the organization's performance. This survey was not done among all the organization's personnel, but among the few selected officers. In order to generalise the findings, more investigations must to be carried out. In addition, it is also necessary to investigate other organizations with the same corruption control mandate, such as an Anti-Corruption Establishment, the newly created Ehtisaab Commission, and the Federal Investigative Agency.

Since this study was qualitative in nature, quantitative investigations are also advised in order to make the result more robust?

The involvement of the judiciary in the fight against corruption in cooperation with the anti-corruption agency was an important conclusion of this study. It is suggested that both these groups should be examined simultaneously to look at each other's expectations in order to make the anti-corruption movement in the country more effective. It would be quite fascinating to study the corrupt officers' case studies to see why they committed corruption.

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