

TRANSPARENCY INTERNATIONAL INDIA

(Swadeshi initiative against corruption)

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EDITORIAL

Quest for Justice

Injustice hurts. It torments. It hurts badly the dignity, the psyche, and social standing. It gnaws at the interstices of fairness. It pricks in the vein of blood that goes waste in effort to stop its outpouring. Injustice - the highest curse, difficult to endure; the most blasphemous ritual that not only degrades the receiver but also stultifies the giver. But if the latter does not appear to happen, then hard rock mind, word, and thought would be at work.

Three sound principles of justice are universally acknowledged. One, the receiver has a right to know the reason, argument, and basis on which decision has been taken. In the absence of display of logic on the part of the giver, the receiver is left in the lurch looking for grounds of denial. He looks for a black cat in a black room, conjures many inadequacies that appear feeble, again looks for imagined possibilities that do not appease him, and then continues feeling disturbed, confused, rudderless, and frustrated. This intrigues his sense of justice that gnaws at his soul as he has been punished in the dark by the so-called oppressor.

The second aspect refers too a right of being heard so that the feeling of something

remaining unsaid in defense against the allegations does not continue disturbing the mind. Any justice that is granted just by labeling someone as discarded, bad, undesirable, and underperforming without laying down the standard of performance, expectations, levels of outcomes, and range of activities is an act of injustice per se. As the Indian saying goes 'Why do you move while kneading the flour' reeks of unjust expectations. So first the standards, then the allegations, followed by the right to be heard, and lastly a reasoned conclusion alone can only make for proper justice. In other word, he has a right to catharsis so that the unsaid by him and the unheard by the other without the opportunity of saying so does not continue as an albatross around the neck.

The third step is the sense of appeasement that one gets by appealing to a higher authority on the assumption of fallibility that may betray the perception of the justice giver. In this way injustice gets reversed by the process of chiseling the reality to get into the surface by chopping off dross of unreasonable impressions, hidden biases, wrong guidance, or feeble evidence.

Thus the right to know, right to be heard, and the right to appeal are three pillars of justice. May all be guided by the trilogy as justice is an effective balm for the disturbed soul.

Integrity Pact

Training

During the period of January to March 2016, TII conducted two trainings on Integrity Pact and Public Procurement.

- Two day (January 20-21, 2016) training was conducted for the staff of Andhra Pradesh Capital Region Development

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Authority (APCRDA) at Vijaywada, Andhra Pradesh, on the issue of public procurement, Integrity Pact, ethical code of conduct and Whistle Blowing mechanism. The training was attended by over 50 officers from various departments of accounts, outsourcing, procurement, vigilance and personnel. The feedback of the training was very encouraging. The training was widely covered in the regional news papers of Andhra Pradesh.

- Two day training program was conducted for the staff of Nevyeli Lignite Corporation (NLC) at Nevyeli, Tamil Nadu, in February 2-3, 2016. The training, apart from covering the topics of probity in public procurement and Integrity Pact, also introduced the topic of permissible level of negotiation in public procurement. The training program was inaugurated by Shri Acharya, Chairman and Managing Director of NLC. The training was attended by over 170 NLC officers and was widely covered in the regional newspapers of Tamil Nadu.

Evaluation of Integrity Pact

For the first time, TII took up an assignment to monitor and evaluate Integrity Pact in a government organization. In this endeavor, TII signed a Memorandum of Understanding (MoU) with The City and Industrial Development Corporation of Maharashtra (CIDCO), a leading Maharashtra PSU, for a period of one year on 15th February 2016. The signing of the MoU was part of the 'Make in India' program conducted for the state of Maharashtra to boost manufacturing in the state. The MoU was signed between Chairman, TII and Shri Sanjay Bhatia, Vice Chairman and Managing Director, CIDCO. Shri Fadnavis, Chief Minister of Maharashtra advised all the Maharashtra PSUs to adopt Integrity Pact which served as a shield against corruption in public procurement.

The MoU constitutes monitoring the implementation of Integrity Pact in CIDCO

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since December 2015, conducting series of training courses for staff and vendors of CIDCO and conduct a vendor perception survey to gauge the popularity of Integrity Pact among them. The first survey of Integrity Pact analysis was conducted from March 8-13, 2016 at CIDCO's office at Belapur, Navi Mumbai.

Adoption of Integrity Pact

Subsequent to the circular of the Central Vigilance Commission, dated February 25, 2015, suggesting Public Sector Banks to adopt 'Integrity Pact' in their procurement processes, Transparency International India had been persistently writing to leading government banks for adoption of anti-graft instrument. As a result, the Reserve Bank of India has adopted Integrity Pact.

National Dairy Development Board has approached TII for guidance on adoption of Integrity Pact in their public tenders. The negotiations are on. It is expected that the NDDB would adopt Integrity Pact.

ALAC

49 complaints were received at Delhi on anti-corruption helpline and 22 initial contacts were made at mobile ALAC during the quarter Jan-March 2016.

1. ALAC wing of TI India received complaint on its Anti Corruption helpline number New Delhi from M/s Production House (Name changed) about unjustified delay on part of the Ministry of Home Affairs (MHA) in granting permission for shooting of the film titled "Happy Bhaag Jaayegi" at Wagha Border, Amritsar. The ALAC team, headed by Pankaj Kumar, took up the matter and helped in seeking final order of MHA.
2. A complaint was received against Delhi Jal Borad for harassment of a family by the local mafia. He was advised to immediately inform the police. A petition under the RTI Act was drafted form DJB. The victim was assured of fair investigation as per his complaint. After duly following up with the concerned

authority, the petitioner was delivered justice.

PAHAL

Awareness camps were organized in Danapur on entitlements of people under various welfare schemes, and legal ways to get their dues without bribing. The camps were conducted with the help of volunteer Sh. Raj Kumar. Fresh proposal for funding has been prepared and would be sent to donor soon.

OBITUARY

The Last Gandhian

Shambhu Dutta (Sharma Ji)

(9.9.1918 – 15.4.2016)

Just short of a century, Shri Shambhu Dutta (Sharma) completed his life's journey with fortitude, achievement, and left a legacy of warriors for social causes. He was the founder of Transparency International India, invited by Peter Eigen to start a national chapter in 1997. He conceived the indigenous organization, guided its operation, steered it through difficulties, and made a lasting contribution in the direction of combating corruption and seeking good governance. He had actively participated in the drafting of the Right to Information Act, strongly pursued the legislation for the Lokpal, raised strong voice for protection of the whistleblowers, and disqualification of candidates facing charges in heinous criminal offences.

He lived as a true Gandhian in words, deeds, appearance and thoughts. An inspiring personality, he had a clear vision, specific plans, and an indomitable energy to steer the functioning of organizations he was connected with. His contributions to the TII, Gandhian Satyagraha & Service Brigade, and the Servants of Peoples Society would forever be acknowledged.

An ethical stalwart, totally committed to tasks at hand, highly articulate in expressing his opinions truthfully, forcefully, and

without any camouflage, he was a rare human being who shall continue to inspire and guide us all for all times. Rarely one finds such a person who lived a fulfilled life dedicated to causes that are socially relevant and ethically satisfying.

Engagement with the Government

The Chairman wrote letters to

- Shri Narendra Modi, the Prime Minister, on March 2, 2016 regarding hike in Airfare during Jat agitation and requested that during such occasions, air travel should be declared as an essential service and regulated under the existing Essential Service Act.
- Shri Rajnath Singh, the Union Home Minister, and Director General, Central Reserve Police Force, on March 2, 2016, to hold an enquiry and fix responsibility for inaction during the agitation by officers of CRPF in whose presence crimes of violence and disorder were committed, on the ground that they had awaited orders from authority. It was also proposed that gaps be filled in their training program so that the sense of absence of legal power is removed from its functionaries on the basis of provisions in the Code of Criminal Procedure and the Indian Penal Code which provide extensive powers to officers at the spot for taking legal action without awaiting orders.

Other Activities

Chairperson participated in the activities at Vijayawada, Nevyeli, and CIDCO, Mumbai. He also spoke during a seminar on *Arthik Swachhta*, organized by the Assam Rifles, Shillong (15 March), seminar at National Law University, Delhi, (19 March), seminar on Smart Cities organized by the Global Compact (12 April), and lecture on 'Ill Effects of Corruption' at The Environment & Research Institute (TERI) on 13 April.

Special General Body Meeting

(12 March 2016)

A Special General Body Meeting was held on 12 March 2016 in view of the emergent situation caused by TI Board's six 'proposals for transformation' of TI India, presented by Dr Srirak Pilpat, Regional Director Asia Pacific, Transparency International, on 4 March. The proposals were subsequently withdrawn. TII had been writing to TI for the basis on which various decisions with regard to notice, withdrawal, and rejection of appeal was made. There has been no response thereof.

Arbitration

Consequent upon problems with Transparency International, the parent body, TII has sought arbitration under the TI rules. Response of TI is awaited.

Activities of State Chapters

Uttar Pradesh Chapter

- UP chapter sent suggestions to Honorable Supreme Court of India on procedure for selection /appointment of High Court & Supreme Court Judges.
- Took steps for quick disposal of criminal cases pending against sitting M.Ps/M LAs of UP.
- Members of the chapter participated in a meeting (9 February) by Society for Fast Justice, Lucknow, on issue of 'Save Judiciary, Save Nation'.
- Members also participated in Nyaya Yatra, (10 February), organized by Society for Fast Justice. The object was to draw attention towards dire need of quick justice and eradicating corruption.

TI India's (ALAC) Anti-Corruption Help-Line

New Delhi (011-2623 2323)

Rajasthan Chapter

- On January 1, 2016, Shri Panchsheel Jain, a Member of Advisory Committee of TII's Rajasthan Center fasted for a day to spread the message of peace, transparency in public life and strive for a corruption-free society.
- On January 19, 2016, Shri I. C. Srivastava, Chairman, TII Rajasthan Center addressed State Service Officers of various services at Officers' Training Centre, Jaipur.
- Shri Srivastava presided over a session on Community Engagement & Women Empowerment at International Conference on Sustainable Development Goals organised by UN Global Compact Network India & SIDART on February 17, 2016.
- Shri Srivastava presided over a conference on Emerging Challenges in Education. He stressed on transparency, accountability and sensitivity in implementing policies, among other things.
- In this quarter, RTI Cell of TII Rajasthan Center was set up at the Prakrit Bharti Academy premises. The training courses are proposed to commence from July 2016.

It is being contemplated to conduct election to Transparency International India's Board of Management (BoM) in month of June/July 2016. Detailed information will be send to all members soon.

Request

We depend upon our well wishers to provide financial support of any amount. We value their contributions, which may be sent to Transparency International India, Qr. No-4, Lajpat Bhawan, Lajpat Nagar-IV, New Delhi-110 024, by cheque or draft alongwith your PAN Card Number. Such contributions are exempted from Income Tax under Section 80 G of the Income Tax Act.