

MINUTES

“Transparency International India’s Stakeholders Meet”

12th September 2014 (10:00 am to 1:00 pm)

Lecture Room2, India International Centre Annexe, Lodhi Road, New Delhi-110003

Welcome Speech: Dr. S. K. Agarwal, Chairman, TII



Dr. Agarwal welcomed all distinguished guests and conveyed thanks to all for their gracious presence. Describing TII’s activities and projects in anti-corruption movement briefly he discussed the implementation of the citizen’s charter to avail hassle free public service and pointed out how filing of public interest litigation was crucial for systematic changes in the direction of improving governance and accountability. Describing Lokpal Bill as a progressive move, Dr.

Agarwal pointed out how TII had been actively engaged in advocating its adoption since 1997 study of the citizen’s charter in 2002 19 states have enacted their right to services act. penalty clause if promise time bound services are not delivered.

Presentation by Mr. Ashutosh Kumar Mishra, ED, TII

Ashutosh Kumar Mishra, Executive Director, TII made a PowerPoint presentation in which he highlighted the purpose of Stakeholder’s Meet as to take feedback from different Stakeholders so as to make a collaborative effort to promote good governance. Sharing the mission of TII, he described some of the success stories and tangible results achieved as a result of the efforts of TII. In particular he discussed about Integrity Pact, Development



Pact, FK Exchange and various other activities like surveys, training programs, filing RTIs undertaken by TII from time to time. Talking about Integrity Pact he said that it is basically a formal agreement between government authority and bidders for public contracts and fund disbursement to be understood as a process rather than as a certification. Elaborating on the point he said that once a company adopts Integrity Pact that doesn’t mean that the company has become ethical or clean, rather it is a process or mechanism that is facilitated by Independent External Monitoring in the organization. He further stated that adoption of

integrity pact is applicable in all sectors and all types of contracts and the objective of introducing Integrity Pact has been to enable companies to abstain from bribing and malpractices. In the end it enables governments to reduce high cost and distorting impact of corruption to achieve social, economic and development goals.

Describing TII's efforts to adopt Integrity Pact he said that TII has been supported by CVC, Ministry of Finance, Ministry of Defense and department of personnel and training who have issued different circulars, official memorandums for Integrity Pact. Second Administrative Reform Commission has also recommended adoption of integrity pact in the public sector undertakings. He shared some of experiences from different PSUs like ONGC, RINL, IOCL and their viewpoints.

He also talked about Development Pact, another project advocated by TII aimed at demanding political accountability from the political representatives. He also touched upon the FK Exchange program which is a mutual exchange programme between TI chapters whereby the different chapters get to learn about various anti-corruption programmes and activities of each other.

Presentation by Mr. Pankaj Kumar, Deputy Director ALAC & PAHAL

Mr. Pankaj, Deputy Director, **ALAC & PAHAL** made a PowerPoint presentation on the two Projects discussing the modalities of their working and benefits.

Mr. Pankaj said that Project ALAC is the most prestigious and popular project of Transparency International worldwide and elaborated how Transparency International's Advocacy & Legal Advice Centre (ALAC) provides free and confidential legal advice and remedies to witnesses and victims of corruption and in doing so offers a simple, credible and viable mechanism for citizens to pursue their corruption related complaints and empowering them in the fight against corruption.

He said ALACs seek to help the victims of corruption by advising them suitably on legal remedies available to them, and helping them in drafting of complaints, legal papers etc. And that ALACs also play a critical role in identifying "corruption hotspot" that demands reform or official action.

The core purpose of ALACs according to him is to inform citizens about their legal rights, provide legal assistance and equip them to take action on the cases of corruption that they have been victims of.

Explaining the modalities of working of ALAC he stated how ALACs popular helpline numbers are installed to facilitate large number of complaints. The complaint is received from the complainant through a helpline number or through the ALAC Walk-in Centre or through E-mail & post. Thereafter, the complainant is advised about the legal remedies available to him and accordingly it is left to the complainant to decide whether he wants to proceed or not. In case the victim decides to pursue his/her case, he/she is provided with all the support required like drafting the complaint, preparing Legal Papers, approaching the right departments.

He also discussed the successful journey of Project ALAC from Europe to India and worldwide. He said 90 ALACs are now open & 60 countries now have fully operating ALACs. As per estimates, 140,000+ citizens have contacted ALACs as on 01 January 2014.

Elaborating on the project PAHAL, he said *Pahal* is a grassroots initiative of Transparency International India which since its inception has reached to more than 20,000 rural people to empower them to demand and access their entitlements from government. Describing its key objectives and activities he said that the team *Pahal* provides training to volunteers in rural areas on tools of improving governance and facilitating social audit of various welfare schemes and supporting regular meetings of Ward Sabha/ Gram Sabha. He also discussed about the success stories of *Pahal* in Bihar.

Open House Discussion on: Areas of Collaboration with TII to promote Good Governance in India.

The session was moderated by Ashutosh Kumar Mishra, Executive Director, TII.

Mr. R.B. Kushwaha, CSR Head, Pawan Hans Helicopters Limited opined that Independent External Monitors are nominated in the organization to see the procedure in tendering. But we do not have any mechanism to get feedback from them as to how effective is their role in the organization. Citing his own experience, he said how they nominated one external monitor long back but that has remained only a formality. He stressed how we have evolved a mechanism but constant monitoring to ensure effectiveness of the IEM mechanism has been neglected which we need to focus upon.

Agreeing with the points of Mr. Khushwaha, Mr. Ashutosh Kumar Mishra, pointed out that TII's endeavor has also been to make IP more effective and that TII has been engaging with IEMs by organizing a meeting with Independent External Monitors to know what are the issues involved. He pointed out how in 2012 TII in collaboration with The Management

Development Institute, Gurgaon did a survey and that since at that time Pawan Hans had not adopted Integrity Pact TII is in the process of sharing feedback with it.



Mr. Somyajit Sethi from **Deloitte**, talked about Project ALAC and *Pahal*. About ALAC he said that we are basically representing law forum and doing a good job at it but probably we are not strong enough and not prevailing throughout the country. He stated that most of the success stories related to the projects have come from Bihar and northern part of the country with the southern part totally absent from the map. To expand the coverage and spread of both Project PAHAL and ALAC was according to him the challenge that has to be addressed.

Ms. Sumeeta Banerjee from **UNDP** sharing her views talked of three areas related to ALACs that require attention. One, the training and capacity building of the lawyers and the Para legal volunteers who are the people who actually go door to door at village level. She stated how recruitment and training of Para legal volunteers has been a new scheme of government though NGOs have been knowing about it for over a decade. She stated that UNDP basically works within the mandate of national governments as its partner and the Department of Justice has shown interest in the area. She also pointed out how TII can work as a facilitator in social audit which again requires building capacity in the states. She stated how last year they had a conference with Dr. Mahesh Shah who was the lead under whose guidance lot of interesting pilots have been going on in various countries in the implementation of government programs. Having said that, she pointed out that in the area of special audit or monitoring of schemes there is no organization that is willing to go and capacity of smaller NGOs in states is limited, so if we build huge cadger of NGOs with the capacity to facilitate social audits at local level especially in states like Jharkhand, Chhattisgarh and some other states in the north it would be a huge contribution. She suggested how this is one area where TII could contribute and further modalities could be discussed.

Identifying third area that requires attention as that of youth volunteerism she stated how UNDP has just entered into a collaboration of Ministry of youth on developing a national cadger in building capacity of youth volunteers and that UNDP would be happy to focus on anti-corruption issues and building capacity of youth volunteers.

Lastly, talking about Lokpals she stated that as evident from TII's brochure, the organization has already done something in this area. What is required now is to bring in International experience and look at how some of the more advanced countries that have governed anti-corruption laws and what kind of challenges they have faced in the implementation of ombudsman law and anti corruption laws. In a nutshell, she suggested if TII could explore the possibility of bringing in the experiences of four or five countries for information sharing in the form of conference it would be great.

Mr. C.K. Vishwakarma from HAL raised an important issue of finance **and stated that since no organization can survive without finance**, we have to find out ways to generate funds either by government grants or through recovered amount, some portion of which must be allocated to investigation agency that is doing this job. Government should think it as a policy matter that some portion be given to investigating agency that would automatically generate huge funds. Second, he pointed out the need for system correction so that everybody knows what should and what should not be done in which TII can play a role. Lastly, he pointed out that all taxes must be paid right from the inception level.

Ms. Tina Mathur from **LOGIN**, said that it was very interesting to hear about all the initiatives that TII has undertaken, especially those at the grass root level that include strengthening the PRIOs, advocating and volunteerism. She stated that experience sharing from across the region in whatever initiatives that TII has been undertaking would be of great help and that their organization would be able to support some of the learning events in getting more information about the ground realities of implementing of these kind of initiatives, how they have happened in other countries like Mongolia, Bhutan, Bangladesh, Pakistan and Afghanistan. She ended by saying that their organization would be happy to support TII in this endeavor.

Summing up and Vote of Thanks

Shri Pankaj Agarwal, **Vice Chairman, TII** summed up the event conveying vote of Thanks to all stakeholders present at the meeting.
