



TRANSPARENCY INTERNATIONAL INDIA

Quarterly

EDITORIAL

Many shades of corruption

Corruption is defined as use of public (entrusted) authority for private gain. In legal parlance, it implies a public servant accepting or obtaining gratification other than legal remuneration for performing his duty. Even though 'gratification' is 'not restricted to pecuniary gain estimable in money', yet it is often construed in terms of money. However, there are two areas that get into this category. One is the coercive tactics adopted by the official that have the consequence of delay or denial on flimsy grounds a righteous claim that forces the intended beneficiary to pay, known as 'speed money' to lubricate the sinews of power. The other aspect pertains to collaborative venture when both the public official and the beneficiary gain, the former by using his authority and power to give undeserved advantage to the latter.

Besides the above vicious aspects, other shades of corruption are less visible. Since element of money is missing as the official does not 'obtain' or 'accept' any gratification, other shades elicit scant attention of the media, people, and the leaders. But it would be naïve not to consider these as corrupt practices because the result has negative consequences and the outcomes are affected adversely. The 'creative' practice of engaging contract labor on regular work enables employers to skip all aspects of laws

designed to cover health, safety measures, risks, provident fund, etc. The second aspect is 'corrosive corruption' that works as a termite when public official indulges in personal comfort, profligacy in public expenditure, misuse of resources, and tolerates waste that could lead to destruction and damage of precious food grains by not providing for timely measures to protect the yield. This is an aspect of indifference that goes unnoticed except a short reference in the media without fixing any responsibility. And the third shade consists of 'casual corruption' that includes absenteeism of teachers from rural schools, paramedics from health centers, officials from their seats, besides lethargy in work, unresponsiveness to public-client, and permitting impunity as a consequence of his inability to invoke laws.

Whereas all corruption is attributed to the public official, it is no less atrocious when people use public property for private gain, when public spaces are encroached upon, private houses are extended on public spaces, and taxes are evaded. Similarly, individuals or business houses using private money to manipulate and distort the system to their advantage by corrupting the public official with temptations is no less reprehensible.

It is then imperative to focus on non-monetary and non-public official aspects of corruption for the mere reason that these adversely impact upon growth and intended benefits on the one hand, and distort systems on the other thus rendering these ineffective and creating a sense of impunity and lawlessness.

Transparency International India

Qr. No. 4, Lajpat Bhawan, Lajpat Nagar-IV,

New Delhi-110 024, India

Tel. (011) 2646-0826 / 4063-4797

Fax : (011) 2642-4552

Editor : P. S. Bawa

E-mail: info@transparencyindia.org

Website: www.transparencyindia.org

SPECIAL GENERAL MEETING

In compliance with Sections 12 and 12 A of the Societies Registration Act, 1860, a Special General Meeting was held on 2 Feb. to consider the proposed amendments in TII Rules & Regulations (R&R) as approved in BOM and AGM on 8 December 2012. After discussion, the proposed amendments with marginal changes were approved.

BOARD OF MANAGEMENT MEETING

The BoM meeting held on 11 March discussed issues raised by the Membership Accreditation Committee (MAC). The Chairman informed that TII had responded to all points raised by them, besides agreeing with most of the suggestions made by Justice Kamleshwar Nath. It was decided to comply with formalities with the Registrar of Societies seeking amendment of rules, and plan for the forthcoming elections after taking action on inducting suitable and eligible Active Members. It was also pointed out that members corresponding directly with the TI/S created misgivings with the MAC. It was decided that the members must desist from this practice.

Chairman P.S. Bawa expressed desire to step down as he had completed three years. Justice Kamleshwar Nath, a senior member of the Board, was unanimously elected as chairman.

INTEGRITY PACT

Round Table Discussion on prevalence of cartel and collusive corruption in Indian industries was organized on 23 January at Delhi. It was attended by officials from C&AG, Indian Oil, BHEL, MOIL, HSCL, and others. Based upon the discussions, the IP Cell has launched a survey on the theme. The Cell has also compiled selected cases of collusion.

A Manual on procurement has been finalized. It shall be released soon.

Director (IP) visited ONGC, PGCIL, EIL, THDC

and AAI offices in relation with review of implementation of the Integrity Pact.

Director (IP) and Ms. Shristi Karki, FK fellow from Nepal, participated in the Bidders meet organized by TCIL. They also participated in the IEM review meeting.

Chairman and Director (IP) met Chairman & CMD of ONGC on 7 January, to explore possibility of assisting the Corporation so that their investments on Corporate Social Responsibility delivered as intended.

PROJECT PAHAL

Odisha:

450 women and tribals in Nayagadh District were trained on tools of good governance. They were also inspired to use this knowledge. They filed 70 RTI applications for seeking information. Efforts shall be made to cover more areas with the assistance of local partners.

Realizing the importance of the training to PRIs, other Panchayats had demanded training camps in their jurisdiction.

Bihar

Trained volunteers had filed 90 RTI applications and helped others in filing 256 applications, demanding action, transparency and accountability in governance and service delivery. As a result, two more wards of Sukhet and Kako village conducted Ward Sabhas.

Advocacy and Networking

Director (*Pahal*) participated in a conference at the Institute of Rural Research and Development (IRRAD), Guragaon, on 1-2 March on Good Rural Governance and Citizen's Participation on the theme of 'Accountability at Grassroots - Experiences and Learning'.

ALAC

During Dec 2012 and Feb 2013, its Helplines were contacted by 89 persons in Delhi, 71 in Jharkhand, 84 in Patna and 23 in Odisha.

State level Focus Group Discussion on **“Empowering Citizens through Transparency & Civic Participation”** was organized at Patna on 31st January. Shri R N Tiwari, Addl Secy, (Vig) Govt of Bihar, shared candid thoughts and data relating to his Department. Among others, it was attended by more than 100 participants, including Government officials, academicians, lawyers, media, and civil society activists. Agriculture Secretary Vivek Singh, Dir (Social Welfare) AP Singh, State Election Commissioner, and other representatives from Ganga Flood Control Commission, Bihar Power Holding Company; Bihar State Electricity Board, etc.

ALAC organized a Citizen’s meet-cum-Nagrik Sahayta Shivar at Raghunath Pur Block, Siwan, on 19 Jan. with the help of local administration and NGOs. It discussed the issues of good governance and corruption.

A panel discussion-cum-workshop on **“Empowering Women for Curbing Corruption”** to mark the International Women Day on 8 March was held at Bhubaneswar. It was presided by Dr. Bimalendu Mohanty, Chairman, TII-Odisha Chapter. Among others, it was participated by Smt. Kasturika Patnaik, former Chairperson, Odisha State Social Welfare Board, Sri A.B.Tripathy, former D.G. of Police, Odisha, Prof (Dr) Padmaja Mishra of Utkal University, Smt. Seema Bahinipati, eminent social worker, and Padmashree D.P.Patnaik.

Dir and Asst Dir. (ALAC) participated in ALAC Global Workshop at Berlin from March 24-29, 2013.

STRATEGY 2015

In order to discuss with stakeholders the Strategic Plan in accordance with the Strategy 2015, released by TI/S, a meeting was called on 25 February at TII office. The ED was assigned to give a final shape to the plan, in consultation with the Chairman, so that it is adopted and implemented by all the State Chapters.

LECTURES/MEETINGS

- Chairman P. S. Bawa discussed activities of TII with students and Prof. Julian Gasper, May’s Business School, Texas A&M University, USA, at the office on 9 January.
- Meeting with Professors from the Law Schools was held on 8 February in order to involve the faculty and students on issues pertaining to governance and corruption. It was participated by representatives from Jindal Global Law School, ITM, Amity Law School, Galgotia University and National Law University, Dwarka.
- Chairman spoke at a seminar on Police Reforms on the subject of ‘Police in Democratic Polity’ at the India International Centre, on 19 February.
- P. S. Bawa attended a conference on Promoting Integrity and Accountability at Kathmandu, organized by the TI Nepal chapter, on 14-15 March. He spoke on ‘The Role of Civil Society in Seeking Good Governance’ and shared ‘Anti-Corruption Experiences–Initiatives and Recent Movements’.

GOPAC

In a meeting to facilitate the interaction between Global Organization of Parliamentarians against Corruption (GOPAC) and members of civil society organizations on 25 March, GOPAC Secretary General said, “GOPAC’s mission is to assist parliamentarians in their advocacy and legislation to make governments accountable and transparent”, that it worked in cooperation with parliamentarians, civil society, non-governmental organizations and the private sector. He hoped that the Development Pact as advocated by TI India could be helpful in creating the TI Chapter in India. Among others, it was attended by the representatives from UN Global Compact Network India, Foundation for Restoration of National Values, Chetna, and World Association for Value Education.

APPLICATION FOR ACTIVE MEMBERSHIP

All the TI India members, who are desirous of becoming Active Member, are requested to send their application on the prescribed form. This Form can either be downloaded from TI India's website:

www.transparencyindia.org or may be obtained from TI India's Delhi office.

CHAPTER ACTIVITIES**Rajasthan**

Annual Lecture on RTI was delivered by Shri T. Srinivasan, Rajasthan Chief Information Commissioner on 18 March. It was followed by a discussion in which students and the youth actively participated.

The Chapter lobbied with the government and Anti-Corruption Bureau, Rajasthan, for creation of additional courts especially for anti-corruption cases.

The Government of Rajasthan has enforced Transparency Act & Rules with effect from 11 January, providing for transparency in procurement of goods and services.

In an outreach program, the Chapter enabled Kalyan World School to organize a debate on anti-corruption measures. Similar debate was held among teacher-trainees in Indian Overseas School.

TI India's Advocacy & Legal Advice Centre (ALAC) Anti-Corruption Help-Lines

Delhi	011- 2623 2323
Patna	09304 22 0023
Ranchi	09334 40 2323
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