



# TRANSPARENCY INTERNATIONAL INDIA

Quarterly

## EDITORIAL

### Shock Therapy

When the patient is etherized on the table, to use TS Eliot's words, it is necessary to give a shock that could start the circulation of blood and give life to the dying person. Something like this has happened to the nation that had been numb under the anomie of 'all goes', 'nothing shall ever happen', 'no use trying', 'none hears our voice', etc. Cynicism had taken hold of the senses and initiative, especially of the establishment that had come to a dead end, a precipice, and a cliff, all satisfied with the slow movement of the juggernaut.

One incident of the dastardly rape has shaken the conscience of the country Like the death of a vendor in Syria that had ushered in the Arab Spring, the death of rape victim Nirbhaya, an expression of courage and fearlessness, who despite the despicable happening had the urge to live, has shaken the slumbering giant of government. The sequence of events like the incident, life of the victim catching at a straw, demand for quick/instant justice, impatience of protestors, anger at not being heard by the authorities at the top, police coming in the way of torrent of emotion, barricade blasting and its consequences that further complicated matters, and belated reaction of the top echelons of leadership, spread like an epidemic, in spite of fast detection and arrest of criminals. Credit for the awakening must go media, social networking, and press.

The patriarchal comments were rejected outright and makers demeaned as belonging to retrograde thinking with constricted and moronic world view that denied women stature of equality, dignity, freedom, and autonomy. Politicians were on the back foot defending themselves.

The fallout of the death is a jolt to the administration and has created tremors in the political class. It is for the first time that most political parties have pledged not to field candidates with cases of atrocity to women pending against them. It is for the first time that the judicial administration shall institute fast track courts for such offences. It is for the first time that it has expressed the need for expeditious trial in such cases. It is for the first time that components of the criminal justice system and the wings of administration blamed each other in the public. And it is for the first time that they have acknowledged their responsibility for the acts of omission that had created a vacuum in power structure of law.

The students, the press, and the civil society have launched a movement that must be taken to its logical conclusion and bring about the desired change in the manner of governance. Let the martyrdom of the young girl with aspirations not go in vain.

### Board of Management Meeting

The BoM meeting was held on 8 Dec. The important item regarding amendment of the Rules & Regulations (R&R) was taken up in response to demand from members and the Membership Accreditation Committee. After discussion, the BoM approved denial and cessation of membership to anyone joining a political party; constitution of the Screening Committee for enrolment of Active Members; frequency of the meeting of the Screening Committee; formation of the Executive Committee that had started functioning since 2005 after approval of the BOM; election to be held by secret ballot and eligibility of only the Active Members to contest elections; and conferment of voting rights to all members that did not exist earlier.

It was also decided that no member should communicate with the TI-Secretariat directly as it was barred under Rule 3.6.6

### Annual General Meeting

The 2012 AGM was held on the same day and attended by 38 members. The meeting approved

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the amendments in R&R, proposed by the BOM earlier. The amendments shall come into operation after the Special General Body meeting approves the same on 2 Feb. This is a procedural requirement of the Registrar of Societies that was approached to make changes in the document.

The elections for due vacancies in the Board were postponed as these would now be held in accordance with the amended R&R. After the final approval by the Special GBM and formalities at the Registrar's office, the schedule of elections shall be announced. Prof. Mangla was appointed as Returning Officer for the elections in 2013. A 5-member non-BOM Screening Committee for the selection of the Active Members was constituted by the AGM.

The AGM laid emphasis upon value education. Its road map shall be prepared.

### **Corruption Perception Index – 2012**

India ranks on CPI this year at 94<sup>th</sup> position with a score of 36 on a scale from zero (highly corrupt) to 100 (very clean). Such a low score could be attributed to several scams and incidents of corruption. Bhutan and Sri Lanka scored 63 and 40 respectively. Last year, India ranked on 95<sup>th</sup> position out of 183 countries, with an integrity score of 3.1 out of a score of 10. However, due to change in the methodology, CPI score of 2012 is not comparable with previous editions.

### **CMS' India Corruption Study 2012**

According to CMS' study, conducted in the slums of Ahmedabad, Bangalore, Bhubaneswar, Chennai, Delhi, Hyderabad, Goa, Kolkata, and Mumbai, there is no respite for the common man from the menace of corruption. Over 60 per cent of slum dwellers feel that corruption has indeed increased in the past one year. Majority of them felt that corruption in public services, especially police, has grown as is evident from the protests for a strong Lok Pal Bill and other steps to curb corruption. The 'most often paid' amount in services was highest in police. Other findings include 23 per cent decrease in corruption in Ahmedabad as compared to 41 per cent in 2008. However, in all other cities the percentage registered a phenomenal increase with 96 per cent of the slum dwellers in Mumbai against just 17 per cent in 2008.

The incidence of corruption has doubled since 2008 in urban India from 34 per cent to 67 per cent. Out of those who were asked to pay, 84 per cent paid bribe to avail the services like monthly ration, ration card, new electricity connection, water supply, removal of garbage, OPD card in public hospitals and to register an FIR or remove name as an accused from police records. The study has recommended that social audit in urban slums would ensure better service delivery and plugging the gaps in the supply. It also proposes the Rights to Service for time-bound service delivery.

### **Integrity Pact (IP)**

TI India signed an IP MoU with Tehri Hydro Development Corporation on 3<sup>rd</sup> Nov at Rishikesh. This is the 45<sup>th</sup> undertaking to sign the pact.

A discussion was held on Oct. 17 on Corporate Social Responsibility (CSR), good governance, monitoring of the NGOs and linking of CSR's performance with general performance.

### **Seminar in Mumbai**

In association with the Shipping Corporation of India, TII organized a conference on "Making Integrity Work for Business" on 19<sup>th</sup> December in Mumbai to discuss effective implementation of IP and issues involved particularly with public procurement. It concluded that every tender document should have IEMs name. They should be involved till the tendering process is over.

TII took up the whistleblowers' cases of Shri Ram Padhy (NALCO) and Shri P.P. Sah (DVC) in relation to Whistleblower Protection in these PSUs.

Bidders meet on IP implementation in Hindustan Steel Construction Ltd was held at the Bhilai, on 30 Dec. it was widely attended by HSCL's bidders.

### **ALAC**

During the quarter, total number of complaints received was 241 (Ranchi - 106, Delhi - 96, Bhubaneswar - 39). Out of these, 170 were settled and 71 were pending because most of them related to RTI and pending Court cases. Centre-wise pendency of 71 complaints is (Ranchi - 21, Delhi - 36, and Bhubaneswar - 14).

ALAC Ranchi (i) facilitated the delivery of Voter ID Cards to Md. Imran Khan and his family through e-mail to Election Officer-cum-Deputy Commissioner;

and (ii) expedited the payment of salary dues from March 4 to Oct. 9, 1990, of Retired Sr Citizen Mr. G.N. Mishra, withheld by Industries Deptt, Govt of Jharkhand.

On the eve of Anti Corruption Day, awareness programs, essay, and painting competition were organized for students at Delhi, Ranchi and Patna. Besides, 12 Interns from different Law colleges did internship with ALAC, Delhi.

### Project Pahal: Shaasan Sudhaar Ki Ore

**Pahal Odisha:** Pahal was restarted in Odisha to empower poor people and women to seek their entitlements. A series of ten training programs on tools of good governance like RTI and RTS were organized in Nayagada in Odisha for around 600 people.

**Pahal Bihar:** A workshop on RTI was organized on Sept. 27 at Seva Kendra, Sadakat Ashram, Kurzi, Patna, for motivating 30 Post Graduate youth volunteers to disseminate information to people to empower them to fight against corrupt practices.

**Ward Sabha:** Pahal organized training for three Ward Sabhas in Sukhet and Kako in Jhanjharpur (Madhubani) and Madhupur village at Ujjan panchyat (Darbhanga) during the last quarter to train members to conduct affairs for proper and effective implementation of their decisions.

**Empowering people:** Three training programs on tools of good governance were organized for members of Panchayat Raj Institutions in Madhubani dist. Discussions were held with the trained RTI users thereby strengthening service delivery system.

**Observance of Int'l Anti-corruption, Human Rights and RTI Days:** (1) Consultation on "Corruption & Human Rights" in Madhubani on the Human Rights' Day. (2) Awareness programs among youths through painting and cartoon competitions to observe the Anti-corruption Day on Dec 9 organized jointly by ALAC & Pahal

**Activities:** (1) Training programs in Odisha and Bihar on RTI Day, and (2) Advocacy for transparency & accountability in the governance with different NGOs in Delhi for an effective and user friendly RTI.

### LECTURES/SEMINAR

- TI India's 4<sup>th</sup> Annual Lecture on 10 December 2012: Prof. Prof Dipankar Gupta delivered the TI India's 4<sup>th</sup> Annual Lecture on "Corporate

Corruption & Informal Labour: Role of Business Ethics" at India International Centre New Delhi. The first lecture was delivered by Lord Meghand Desai on 'Corruption and Development'; the second by Prof Bimal Jalan on 'Supply of and Demand for corruption'; and the third by Shri Jagmohan on 'Developing Values for dealing with corruption'.

- Prof Balbir S Sihag of Massachusetts University, USA, delivered a lecture on 'Kautilya's Ideas on Governance and their Relevance to Indian Conditions' on Nov 15. Based on his intensive research on the work, he concluded that the ruler himself must be a *Rajarshi* – wise, capable, farsighted and imbued with personal virtues of self-control, beyond temptations, and without caprice, falsehood and extravagance. He must regard his people like his children. As such Kautilya recognized the dynamics of governance. If the King continued to violate the *Rajdharm*, the people would not co-operate and might even conspire against the king to destroy him. Good governance is a sine qua non for a healthy civil society.
- The Chairman delivered talk in a seminar at Delhi Law University (13 Oct); National Academy of Direct Taxes on 'Fighting Corruption is inevitable' to the Foundational Course for All India Services (19 Oct); Symbiosis Law School at Pune on 'Role of Civic Society Organizations in Combating Corruption' (17 Dec).
- Vice-Chairman participated in a meeting of Social Responsibility Sectional Committee MSD10 of the Bureau of Indian Standards on Oct.25
- Ms. Kiran Agarwal, BoM Member, spoke on 'Good Governance' at the Symbiosis Law School (17 Dec).

### TI's AMM at Brazil

The annual membership meeting was attended by BoM Member Shri Pankaj Agarwal and ED Ms. Anupama Jha at Brasilia, 3-6 Nov. 2012.

### ANTI-CORRUPTION DAY

The Anti-Corruption Day was observed on 10 Dec. at Balwantray Mehta Vidya Bhawan. Greater Kailas Part II. About 30 students from 14 schools participated in the debate on the theme "Laws Against Corruption should be enacted in the Parliament, not on the Road".

### Applications for Active Membership

TII members, who are desirous to become Active Member, are requested to send their Application Form with details of activities on the prescribed form. This Form can either be downloaded from its website [www.transparencyindia.org](http://www.transparencyindia.org) or may be obtained from its Delhi office.

### ACTIVITIES OF STATE CHAPTERS

#### Rajasthan

The Chapter organized school debate competition; a National Workshop on Challenges faced by the Criminal Justice System in combating corruption and implementing the provisions of U.N. Convention Against Corruption at the Rajasthan Police Academy. On its initiative, RIICO, the nodal industrial PSU of Rajasthan Govt, circulated a Draft Integrity Pact for comments. The IP has been incorporated in the Rajasthan Transparency Act 2012. The rules thereof are under formulation.

#### Tamil Nadu

The Chapter organized meetings with (i) Vaishnav College for Women, Nungambakkam, on the RTI Act for seeking proper and prompt information; and (ii) the Karunalya NGO dealing with 65 beneficiaries from the Tamil Nadu Slum Clearance Board Resettlement area and women of Self Help Groups.

#### Uttar Pradesh

Shri U S Pandey visited Jaipur on 30 October and had discussions with the members of the Rajasthan chapter on setting of Advice/Helpline Centre.

He addressed officials on corruption effecting physical and psychic levels at DRM Northern Railway Lucknow on 2 Nov as part of observance of vigilance week. He explained how to conduct oneself so as to reduce corruption, and benefits of avoiding corruption. He also delivered a talk at Jain Girls Inter College, Basera, Muzaffarnagar at its annual function on 9 Dec on 'Ethical Character and Universal Brotherhood', emphasizing the need for eradication of greed leading to corruption.

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

<b>Delhi</b>	<b>011- 2623 2323</b>
<b>Patna</b>	<b>09304 22 0023</b>
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### Request

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