

### EDITORIAL

#### Reluctant Legislators

Only those reforms are sustainable that have the backing of law. It is ironical that knowing the problem and the solution too, the legislature has assumed sphinx-like silence on the issue of electoral reforms. Reluctance of successive governments is reflected in ignoring recommendations of the Goswami Committee (1990), Indrajit Gupta Committee (1998), 170<sup>th</sup> Report of the Law Commission (1999), National Commission to Review Working of the Constitution (2002), Second Administrative Reforms Commission (2008), 244<sup>th</sup> and 255<sup>th</sup> Reports of the Law Commission, all composed of prominent legislators and judicial minds, besides the efforts of the Chief Election Commissioners urging the government to bring about election reforms. The chronology of recommendations was revealed by Prof. Jagdeep Chhokar during the Shambhu Dutt memorial lecture recently.

Not only has the parliament displayed cello-like impermeability to suggestions in erudite reports, but it had also collectively opposed and negated, through an amendment in Representation of People's Act, the decision of the Supreme Court in the famous ADR case that

held that all candidates contesting elections must declare their backgrounds with regard to education, criminal record, assets and liabilities so that the electors could make an informed choice. However, the Supreme Court set aside the amendment in law and all candidates are now obliged to divulge their antecedents.

The third irony is that never has any legislator shown concern to cleanse the system by proposing political funding to be completely transparent so that all funds are traceable; denying candidature to persons charge-sheeted in court for trial six months before the announcement of elections; and need for practicing internal democracy within the party

*Continued on next page*

#### Annual Subscription for Calander Year 2017

As per amended Rules & Regulation, TII members are required to pay Annual Subscription of Rs. 250. **The Annual subscription for the calender year 2017 is to be paid latest by June 30, 2017**, through cheque/draft in favour of 'Transparency International India', and sent at Qr. No. 4, Lajpat Bhawan, Lajpat Nagar- IV, New Delhi – 110024 or make online payment **through NEFT** and inform us through mail/sms before the due date **i.e. June 30, 2017, failing will not be eligible for voting rights in BoM Election.**

**HDFC Bank, Amar Colony,  
New Delhi - 110024**

- **A/c No.:** 14091450000014
- **IFSC Code:** HDFC0001409

Members may consider paying of subscription for 3 - 4 years together. **Please ignore if already paid.**

#### 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 80G of the Income Tax Act.

so that the best emerges and the cronies and undeserving family successors are left out.

The only support is available from the apex court that has now decreed that on conviction the elected representative has to vacate and cease to be a member. And it is again the Supreme Court that has triggered the issue of accountability upon political parties to inform the electorate how they would implement promises in the manifesto declared on eve of elections. It is also reasonable to suggest that candidates contesting elections in more than one constituency and succeeding in all must bear expenses of bye-elections. Similarly, in order to protect people from hazard of being targeted by local power satraps, the counting of votes must be totalized so that none knows which booth had cast in whose favor.

It may not be far-fetched to propose that candidates may also be debarred from contesting elections if they have defaulted on income tax or from whose possession unaccounted wealth has been found and penalized for the same by a competent authority.

We urge the legislators to accept responsibility for cleansing the system if they are touchy of 'interference' by the apex court on ground of principle of separation of powers. If one is silent, the other cannot remain quiet. It is in the interest of democracy that the issues of electoral reforms are resolved at the earliest.

### **Activities supported by the UK Prosperity Fund**

#### **Seminar in Collaboration with J&K RTI Foundation, February 28, 2017, Kashmir**

Transparency International India (TII) in collaboration with Jammu and Kashmir Right to Information (JKRTI) Movement organized seminar on 'Combating Corruption through Tools of Good-Governance' at Public

April 2017

Administration and Rural Development, Srinagar, on February 28, 2017. Chief Guest in the seminar was Justice Bashmir Ahmad Kirmani, member of State Accountability Commission. He lamented the existence of corruption and loss of spiritual values. The seminar was attended by RTI activists, local entrepreneur and members of civil society. Shri Zaffar Iqbal, Member of Transparency International India from valley, while sharing his experience in the anti corruption work, said that the transparency in each government department was missing. Executive Director, TII, Shri Rama Nath Jha, briefed the audience about TII, history, and present work of organization. He urged for strengthening of the anti-corruption institutions and legislations in the State.

**Patna Consultation Meet February 19, 2017:** A consultation on the theme of 'Combating Corruption through Tools of Good Governance' was held in Patna.

**Discussion at Sikkim University February 22, 2017:** A discussion was held with law students at Sikkim University at Gangtok, Sikkim. The discussion focused on shortcoming of the present Prevention of Corruption Act and how adequate changes could be made in the present Act by adopting some provisions from UK Bribery Act and FCPA.

**Meeting with the Tea Board of India, February 25, 2017:** A meeting was held with The Tea Board of India representative based in Siliguri, North Bengal. The meeting was about the anti-corruption policies (suggested in UK Bribery Act) that vendors exporting tea especially to UK should adopt.

### **Integrity Pact**

**Memorandum of Understanding with CIDCO, March 8, 2017, New Delhi:** CIDCO signed a Memorandum of Undertaking with TII for training their staff and vendors on public procurement and Integrity Pact. MoU signed

between Shri Vinay Kargaonkar (IPS), ADG & CVO, CIDCO, Navi Mumbai and Shri Rama Nath Jha, Executive Director, TII.

### ALAC

**Shri A. K. Jain, Treasurer, Participated in RTI Training program at Ranchi:** Five day training program was organized on Right to Information (RTI) Act and Transparency at Srikrishna Public Training Institute, Ranchi. Shri A. K. Jain shared his experience and views on RTI as an activist. Dr. Vishu Rajgadia, Secretary, Jharkhand Centre of TII also shared his views.

**Suggestions sent to DoPT for RTI:** The Department of Personnel and Training, Government of India has invited comments/suggestions on a new set of draft rules to implement The Right to Information Act 2005. TII made some suggestions in a tabular form and sent to the Department.

**Complaints received during last quarter:** Between December 2016 and March 2017, 56 initial complaints were received at Delhi through ALAC Helpline and email. These pertained to cases of corruption and citizen's grievances.

### Annual Lecture

**Adml. (Retd.) R.H.Tahiliani Memorial Lecture, January 29, 2017, New Delhi:** To acknowledge the contribution of Adml. (Retd.) R. H. Tahiliani, the annual lecture was held in his memory. It was delivered by Justice G.S. Singhvi, former Judge of Supreme Court of India, and Chairperson of the Competition Appellate Tribunal, on 'Ethics of the constitution'.

### Engagement with the Government

**Meeting with British High Commission, January 11, 2017 :** Shri Rama Nath Jha, ED, TII, Shri P S Bawa, Advisor, TII & Shri Pankaj Kumar, PD, had a meeting with Shri Arif Ghauri, Governance Adviser, DFID & Shri Jaydeep

*April 2017*

Biswas, Senior Governance Adviser, DFID at the British High Commission, Delhi, on 11th January 2017 to discuss the progress made by the Government of India on its commitments made during the Anti-Corruption Summit earlier held in London.

### Other Activities

Shri I. C. Srivastava, Chairman, TII, addressed International Conference on Striking the Right Balance: Integrating Ethical Business Practices on 21<sup>st</sup> February, 2017 at New Delhi in ITC Maurya jointly organized by CII in partnership with International Anti Corruption Academy (Vienna, Austria).

A meeting was organized with Mr. Martin Kreutner, Dean & Executive Secretary, International Anti-Corruption Agency (IACA) and Shri I.C. Srivastava, Chairman, TII.

Shri I. C. Srivastava, Chairman, TII, chaired Technical session on Industry, Entrepreneurship & CSR for sustainable development at Amity University campus, Noida, on 23<sup>rd</sup> March 2017.

**Letter Sent to the Member of Parliament (MPs) :** Around 750 appeal letters were sent to the Members of the Parliament of Rajya Sabha and Lok Sabha for early passage of pending Anti-Corruption Legislations.

**IDRF Project Proposal:** IDRF project proposal was sent on theme of *Promoting tools of Good Governance & Transparency through multiple interventions in state of Bihar and Jharkhand.*

### State Chapter Activities

#### Rajasthan Centre

HCM Rajasthan State Institute of Public Administration, a State government institute for senior officers of Rajasthan State, invited Shri J. K. Sachdeva, IAS, (Retd.) on December 14, 2016 for discussing the role and duties of Public Authority under the provisions of RTI, Act. The

programme was attended by around 23 senior officers from various departments including PHED, Irrigation, JVVNL etc.

The Centre in collaboration with HCM Rajasthan State Institute of Public Administration organized a lecture by Shri Alok Kulshreshtha, retired Senior Executive of Nationalized Bank and life member of TII on December 15, 2016, on the role and duties of SPIO under the provisions of RTI, Act. The programme was attended by around 23 senior officers from various departments including PHED, Irrigation, JVVNL etc.

On December 17, 2016 Shri I.C. Srivastava, Chairman, TII addressed students and faculty at Rajasthan University Law College in a seminar on Reforms in Judiciary, presided by Shri P. C. Jain, retired Judge, Rajasthan High Court.

On December 28, 2016, State Institute of Health and Family Planning invited Shri JK Sachdeva to discuss salient features of RTI Act with around 25 doctors of various hospitals and dispensaries. The participants were highly appreciative of the programme as most of the doctors were unaware of the provisions of the Act.

### Uttar Pradesh Centre

Annual General Meeting of U.P. Centre of TII was held on March 15, 2017.

**TI India's (ALAC)**  
**Anti-Corruption Help-Line**  
**New Delhi (011-26 23 23 23)**

**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

### Donation Received

Name of Donors	Rs.
<b>1. Shri Chaman Lal, IPS (Retd.)</b> 197 G, MIG Flats, Rajauri Garden New Delhi - 110087	<b>10,000/-</b>
<b>2. Shri M. M. Rajendran</b> 3, G.S.Colony, Ganapathy Nagar Teynampet, Chennai- 600018	<b>1,000/-</b>
<b>3. Justice S. N. Bhargava</b> 20/46, Ambedkar Marg, Renu Path Mansarovar, Jaipur - 302020	<b>11,000/-</b>
<b>4. Mrs. Pratibha Arun Puranik</b> C-202, The NY Apartment Near Galeria, Sushan Lok, Phase -2, Gurrgram	<b>2,500/-</b>
<b>5. Prof. Madhu Bhalla</b> C-82, JVTs Garden, Chattarpur Extn. New Delhi - 110074	<b>10,000/-</b>
<b>6. Shri D. N. Patodia</b> 45, Alash Neen Marg, DLF City-II, Gurugram	<b>1,500/-</b>
<b>7. Mrs. Kiran Agarwal, IAS (Retd.)</b> 281, Supreme Enclave, Mayur Vihar Phase - I, New Delhi - 110091	<b>10,000/-</b>
<b>8. Shri I. C. Srivastava, IAS (Retd.)</b> 4 k- 26, Jawahar Nagar, Jaipur- 302004	<b>10,000/-</b>
<b>9. Maj. Gen. B. K. Mehta</b> D- 136, Defence Colony, New Delhi - 24	<b>4,000/-</b>
<b>10. Shri Rama Nath Jha</b> 11, Maya Apartment, F-Block Vikash Puri, New Delhi- 18	<b>10,000/-</b>
<b>11. Lt. Gen. Sushil Kumar</b> C-30, Defence Colony, New Delhi -24	<b>500/-</b>
<b>12. Shri H. L. Chauhan</b> 4-La-4, Jawahar Nagar, Jaipur - 004	<b>10,000/-</b>
<b>13. Shri S. R. Wadhwa</b> W-107, Ground Floor, GK- I New Delhi - 110048	<b>20,000/-</b>
<b>14. Justice Kamleshwar Nath (Retd.)</b> "Gunjan" C-105, Nirala Nagar, Lucknow - 226020	<b>20,000/-</b>