



# TRANSPARENCY INTERNATIONAL INDIA

Quarterly

## EDITORIAL

### We Love Scams

Startled? Yes. Strange? No. Why? Because every one feels a sense of catharsis when the high and the mighty are brought to the book. Do we like them indulging in corruption of any kind? Certainly not. So we are happy because they deserve exposure and legal castigation, at least being churned in the process, whatever the outcome. At last the blindfolded lady of justice lifts her veil and smashes with her scales those who have taken her for a ride and berated her strength.

We love scams because these had already occurred and nothing was done and could be done till these were out in the open. A wrong continues to be right till it is uncovered. The act of uncovering gives a sense of fulfillment and people gloat over the majesty of law that proclaims 'However high you may be, the law is above you'. Therefore scams smash the invincibility of the powerful who till their doing got uncovered into a 'scam' were comfortably ensconced in their confidence, pleasure, arrogance, and sense of security.

There are three reasons for a scam. One, the political rivals keep track of the secrets of decisions of those in power, their notes, documents, etc., to be used at an appropriate time to settle scores. That is why every politician, when questioned by law, clamors that he is a victim of 'political vendetta'. Not only the revelations are more frequent, but also the dormant investigations that were lulled into silence are woken up, and the agencies asked to approach courts for judicial remedies as 'new evidence has now come to light'. The second reason is the change of government when the new party in power seems to unload its burden of being oppressed by the vanquished when that was on the saddle by extricating the skeletons

from the cupboard. And the third factor is the adventure of civil society activists who find it easier to seek probe into interstices of power and find a suitable climate to sow seeds of inquisitiveness and finding details, fully supported by those who had been waiting for such an opportunity but could not handle them for various reasons.

The sight of a former chief minister in jail, denial of parole on false ground of need for treatment, investigation of a governor, or a minister who is compelled to say 'I welcome a probe so that I can come out clean', a government official with humungous jewelry, cash and deposits, or some one who has used his toilet or cushions to conceal cash that would now be washed out along with the dirt, or a registration of a case against a heavyweight on the instruction of a court as he had threatened the official of dire consequences and used his clout thus preventing police from being active – well, do these not make likable stories?

How satisfying is it for an ordinary person deprived of onions, medical treatment, a daily proper meal, a job, or a purposeful activity in life, suffering the hazards of driving on roads with potholes as big as mini ponds, etc., to see those who had had fed themselves on privileges granted by the 'people' whom they had manipulated into numbness by the dose of aspirations and then withdrawing from the factory of dreams to be behind bars, convicted, even though bailed out on admission of appeal by a superior court, or investigated into or awaiting trial?

Why we love scams is that all this would have continued under wraps. Before it became a scam, it continued to be a legitimate activity. Scam is a manifestation of a wrong caught. It is like measles that must come out, or a fistula that must burst. We love scams; the more, the better. Let these not rest in peace in mansion of forgetfulness. A fallen hero is a pleasant sight, though dismal.

### Board of Management Meeting

The Board of Management Meeting was held in the afternoon on 22 August 2015 at New Delhi, to discuss the proposed amendments in the Rules & Regulations and the Strategy Plan for 2016-2020, besides review of ongoing projects.

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### Special General Body Meeting

A Special General Body cum Strategic Planning Meeting was held on 22 August 2015 at the same venue. The object of the meeting was to consider the proposed amendments in Rules & Regulations that were necessitated over a period of time as well as to comply with suggestions of the TI's Membership Accreditation Committee.

After the proposed changes as circulated and discussed, the following main amendments were approved (1) Elimination of various categories of membership, including the clause on Active Membership. (2) Introduction of the cooling period for office bearers after two consecutive terms. (3) Simplification of the membership form and the Code of Conduct by dropping items that could not be verified or had any relevance. (4) Revising the role of General Secretary. (5) Cessation of the Executive Committee. (6) Substitution of the nomenclature of 'Chapter' with 'Centre' so as to give wider geographical coverage.

### Workshop on Strategic Planning

A workshop on SWAT Analysis and Strategic Planning was conducted on 23 August by Shri Manoj Nadkarni, Member of TI India. All members were invited to attend the meeting with offer of reimbursement of their travel and arrangements for boarding and lodging. The discussion on both the analysis and planning would help in formulation of the Strategic Plan subsequently. The views of all groups were analyzed for a clear picture and the direction that TI India would follow till the formal plan is prepared.

### Participation in AMM

P. S. Bawa, Chairman, and the Executive Director Ashutosh Kumar Mishra represented TI India at the Annual Membership Meeting of Transparency International from 30<sup>th</sup> August to 2 Sept. 2015 in Malaysia. They met the Chair and Vice Chair, besides members of the Board of TI-S. They also made contributions in various sessions on different topics.

### Integrity Pact

- Training program on Promoting Transparency in Public Procurement and Integrity Pact was held in collaboration with BEL and KIOCL on 23 and 24 July 2015 at BEL Campus, Bangalore.
- TII has been approaching central and state PSUs to sign MoUs with TII and implement Integrity Pact. During this quarter, presentations were made at Kolkata Port Trust. The Konkan Railways Corporation Limited has also approached TII to make a presentation on Integrity Pact.

- TII participated in a Survey on Beneficial Ownership conducted by TI-S.
- TII is collaborating with students' wing of IIT Bombay and IIFT Kolkata on issues related to promoting good governance and creating awareness among the youth.
- The state of Andhra Pradesh has shown interest in introducing Integrity Pact for construction of new capital city.
- Two members from TI-S, experts in procurement, had a Focus Group Discussion on 21 September with Members of the Board and some of the Independent External Monitors.

### International Conference on 'Integrity Pact and Probity in Public Procurement'

The international conference, supported by the British High Commission, was held at the Claridges Hotel on Sep. 17-18 in New Delhi. It had the participation of delegates from eleven countries. The Guest of Honour was Central Vigilance Commissioner K V Chowdary. Speakers included Mr. D K Sarraf, CMD, ONGC; Mr. B. Ashok, Chairman, Indian Oil Corporation Limited; Ms. Claire Tynte Irvine, British High Commission; Ms. Ilham Mohammad, Regional Coordinator, Mr. T.O'Leary, Advisor, Mr. Poortman, and Ms. Clair Martin, all from Transparency International, representative from leading public sector undertakings and government bodies; Independent External Monitors and vigilance officers; foreign delegates from Mexico, Mauritius, Maldives and Turkey; the representatives from financial institutions like the Credit Check, KPMG; companies like the Siemens, Jindal Stainless; Competition Commission of India; Sachin Taparia of the Local Circles; and Anti-Corruption Academy.

### ALAC

103 complaints were received at on Anti-corruption Helplines in Delhi and Patna during July – September. Some of the success interventions included an issue related to extension of Visa application of a foreign national pending with FRRO Branch of Delhi Police, resolution of the case of undue delay in disbursement of Insurance claim of stolen motorbike by National Insurance Company Limited, Delhi, and claim of LPG gas subsidy from gas agency.

### New Initiatives:

#### Election Integrity Pledge

To promote integrity in voting behavior of citizens, TII introduces its new tool "Election Integrity Pledge" was launched during Bihar

Assembly elections in selected constituencies. The pledge is a voluntary self declaration by candidates committing to eschewing bribe taking/giving, use of illegal money during the electoral campaign, abiding by electoral rules, etc.

### Seeking information under RTI Act, 2005

TII has been using the tool of RTI and getting vital information from the government and its related bodies on issues related to graft and or having a direct bearing on corruption landscape in India. During this quarter, information was sought from leading government bodies and companies on the issue of foreign bribery, beneficial ownership, corporate social responsibility, and loan disbursement by various public sector banks to one single entity.

### Syllabus on RTI Act

Shri P S Bawa, Chairman, participated in a discussion at the School of Social Sciences, Indira Gandhi Open University, to formulate syllabus for post-graduate course on the Right to Information, on the 19 August, 2015.

### Visit of APD officials from TI-S

Dr. Srirak Pliapat and Ms. Ilham Mohammad visited on 16 September in connection with the evaluation of TII work since the observations of the TI Chair in April 2015. They had detailed meetings with the Members of the TII Board.

### Engagement with the Government

#### The Chairman wrote letters to

- Prime Minister of India to issue instructions to the Government of Madhya Pradesh for investigation of the VYAPAM case that caught attention of the whole country by any agency other than the local police. (6 July)
- Shri Ram Naik, Governor of Uttar Pradesh, requesting for a fair enquiry into the conduct of Amitabh Thakur, IPS officer of UP and his wife, an activist by an independent quasi-judicial authority, besides providing physical protection to them. (20 July)
- Shri Satyendra Kumar Jain, Health Minister, Delhi, drawing attention towards rampant irregularities/corruption in private owned hospitals. (5 August)
- Chief Secretaries, Govt. of Haryana and Punjab requesting for holding workshops on the Right to Information Act. (27 August)
- Shri Nitin Gadkari, Union Minister of Transport, for adoption of the IP as the Ministry was expected to make huge investments in infrastructure projects. (27 September)
- Shri Rajnath Singh, Union Home Minister, to consider adopting Integrity Pact (IP) for all

October 2015

### Transparency International India

procurements in the Central Para-Military Forces under the Ministry of Home Affairs. (10 & 30 September)

- Secretary, Ministry of Corporate Affairs, to include anti-corruption and good governance as one of the activities for corporate social responsibility. (24 September)

### Other Activities

The following issues were pursued by Shri Ashok Jain, Board Member, during this quarter -

1. Appointments of CMD (NTPC), Chairman (WBERC and BBMB), were questioned through filing PIL in High Court of Punjab & Haryana.
2. Filed Money Suit in Court of Dhanbad on Aug. 19, which has been admitted on Sept. 10 against the former Chairman (DVC) and other officials for their alleged mala fide actions.
3. Participated in a hearing in CIC on Sept. 03 against Ministry of Agriculture, Govt of India, for non-supply of information in the matter of registration of bogus insurance, non-settlement of genuine claims of farmers, etc., for WBCIS in Rajasthan State. The Insurance Company has been directed by GOI to refund the money to Government for bogus registration and to settle genuine claims of farmers.

### Rajasthan Chapter

A coalition and network of civil society organizations consisting of the following organizations has been created

- Indian Institute of Public Administration, Rajasthan Branch
- Consultant , Commonwealth Human Rights Initiative, Jaipur ( signed an MOU)
- Management Development Academy, Jaipur,
- State Legal Authority for legal advocacy through Lok Adalat
- SIDART, an NGO dedicated to empowerment of women in rural areas
- Consumer Unity & Trust Society (CUTS) – an international NGO for Consumer welfare
- Bharat Mera Garv Abhiyan–dedicated for ethics & moral awareness among youth

Lecture by Shri T. Srinivasan, IAS (Retd), Chief Information Commissioner, Rajasthan, delivered on the operation of the RTI Act (Aug. 2015)

The chairman of the chapter participated in TV debates on issues of governance , anti-corruption & political interference in administration.

Memorandum on Anti-Corruption measures was presented to the Chief Secretary, Rajasthan. (5 September)

A letter was addressed to the Chief Minister, Rajasthan, on expeditious enactment of Lokayuta and Good Governance Bills.

Many lectures on transparency, accountability, and ethics in governance were delivered by Chairman and members of the chapter to officers of State Government in various training institutions. Articles and guest editorials in Hindi newspapers and magazines were contributed by R. Bhanawat, Member Executive.

### OBITUARY

\* **Admiral (Retd.) R. H. Tahiliani** \*

(12 May 1930 - 14 October 2015)

Admiral R. H. Tahiliani, former Chairman and then Mentor of Transparency International India, was an indefatigable crusader in the fight against corruption. He was forthright and firm in his convictions and expressed views openly and boldly. Under his leadership, TII as a civil society organization made noticeable progress in the fight against corruption.

Admiral Tahiliani helped to launch the India chapter of TI as a founder member in 1997. He served as Chairman practically from its inception until 2010. He had given suitable direction to the growth of the organization. It was his significant contribution that Integrity Pact was introduced in India. So far, 50 Public Sector Undertakings have signed MOUs with TI India, besides the Ministry of Defense having incorporated it in its Procurement Manual. This was a singular and unique contribution of our Mentor. He was passionate about it when he made a presentation to the Administrative Reforms Commission which had accepted the suggestion. The outcome is reflected in the advice given by the Government of India to all undertakings and the states for adoption of the processes of IP.

He was held in high esteem among the international community and even served as Member of the Board of TI. He was the Governor of the State of Sikkim where he excelled by his independent conduct of affairs.

We shall forever remain inspired by his example and hope to carry out the causes dear to him.

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**TI India's (ALAC) Anti-Corruption Help-Line  
New Delhi (011-2623 2323)**

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