

# SATYAMEVA JAYATE

"Never doubt that a small group of thoughtful, committed citizens can change a nation; indeed, it's the only thing that ever has."

— Dr. Margaret Mead

## A glimpse of some of our news:

- Two witnesses interrogated for Satyendra's murder die of poisoning.
- Sarita and Mahesh killed.
- Doctors trade in kidneys
- PM's nephew pushed out of train for stopping eve-teasers.
- Sixteen years after the Deorala case, all accused discharged for lack of evidence.
- Judge issues warrants for arrest of the President and Chief Justice of the Supreme Court for a bribe of Rs.40000/-.

Citizens now want to say "ENOUGH". We will not tolerate dishonesty and corruption anymore. Our own complicity and apathy create conditions for a corrupt and unethical society. Civil society will castigate the corrupt and dishonest acts, instead of being meek bystanders.

Satyameva Jayate has been inspired by the martyrdom of Satyendra Dubey. He is not the first Indian to have become a martyr for the cause of honesty. However it has triggered a great revulsion towards dishonesty and corruption in society. Like Mangal Pandey, maybe Satyendra will catalyse a people's movement of epic proportions.

We have become a society, which rewards the dishonest and penalizes the honest. All sections of elite appear to feel they are trapped in a 'System' and a society from which there is no deliverance. Most of them accept and adopt dishonesty in a wide variety of situations. There appears to be a feeling of "learned helplessness" in most of us. The elite complain about the prevalent dishonesty and corruption. However, most of them have improved their own living conditions very well inspite of this; or benefiting from this?

This is a plea for a more honest India. We can become a better country only when we as individuals decide to be more honest. Corruption is a disease, which is corroding our National moral ethic because

of our dishonesty. We can change this. The people of India resolve that Satya is our Dharma. We will apply the test of legality to discriminate between right and wrong. Even if we disagree with a law, we will work towards changing it, but will not accept thwarting it. This change, this catharsis, can happen if leaders in all areas -- religion, business, bureaucrats, academics, and political take an active part in this process. If some of our leaders do not change,

We The People will; and they will follow. Let us all make a concerted effort in 2004 for an honest India.

This is a Common Man's effort to exercise the power of "ONE". You can join today,- NOW. Take this booklet and draw inspiration from atleast something written in it.

*Copy it and give it to friends. If you make 10 copies by Xerox, it will not cost more than 100 rupees. Send atleast some copies to cities other than your own. Translate it and distribute it. If you like, use only a part of this booklet and add your own articles, but do keep this going. We can start an avalanche.*

The answer lies in the famous words of Alexander Solzhenitsyn:

"It is infinitely difficult to begin when mere words must move a block of inert matter. But there is no other way if none of the material strength is on your side. And a shout in the mountains has been known to start an avalanche..."

*shailesh gandhi*

Mera Bharat Mahaan..  
Nahi Hai,  
Per Yeh Dosh Mera Hai.



## CONTENTS

<i>The Saga of Satyendra Dubey</i> .....	<b>Shabnam Minwalla</b> , Sr. Journalist .....	2
<i>Tipping Point</i> .....	<b>Nandan Nilekani</b> , CEO, Infosys .....	4
Corruption - Is a Two Way Street .....	<b>Tushar A. Gandhi</b> , Peace Activist.....	5
<i>Sathyam Eva Jayethe?</i> .....	<b>Shanker Singh, Nikhil Dey &amp; Aruna Roy</b> , MKSS.....	6
<i>'Truth is the only safe ground to stand on'</i> ...	<b>Deepak Parekh</b> , Chairman, HDFC .....	9
<i>Living Death of a Whistleblower</i> .....	<b>shailesh gandhi</b> .....	10
<i>Sukhasya Moolam Dharmar</i> .....	<b>R. Gopalakrishnan</b> , Executive Director, Tata Sons .....	11
<i>No Room for Cynicism or Despair</i> .....	<b>Jayaprakash Narayan</b> , National Co-ordinator, Lokasatta .....	13
<i>Remedies against Corruption</i> .....	<b>Y.P.Singh</b> , I.P.S.....	15
<i>Be The Rock</i> .....	<b>Dilip D'Souza</b> , Author .....	16
<i>Common Man's Initiative</i> .....	<b>R. K. Laxman</b> .....	18

# The Saga of Satyendra Dubey

*Shabnam Minwalla, A Senior Journalist*

On the last Sunday of November, newspaper readers in the country woke up to a six-column headline and a dismal sense of déjà vu. 'Whistle-blower said don't name me. Govt did. He was shot dead' told a shocking tale. But although the details were new, the essence was familiar—recounting the hopeless struggle of an individual against a venal, all-powerful system. And although Bollywood gives its gun-toting vigilantes a fighting chance, most of us know that reality is much more dismissive of lone crusaders.

Despite the appalled reactions--everything ranging from the predictable 'This country is really going to the dogs' to the resigned 'There is no way out of this mess'—the story seemed headed for the attic like so many others of its ilk. Except that the Indian Express decided to follow up on its exclusive and managed to uncover even more horrific details. And that IITians around the world came together to voice their anger over the plight of their Institute-mate. Indeed, the murder of Satyendra Dubey seemed to break through the wall of apathy and force people to speak up.

Behind the death of the thin, bespectacled engineer on November 27, 2003, lies the story of a remarkable life. Born in Shahpur village in Bihar, five kilometers from the nearest telephone pole, Satyendra was the son of a clerk in a sugar factory. He topped his village school in the Std X exams and is famous as its only alumnus to have gained admission in an IIT. The earnest youngster got into the Department of Civil Engineering at IIT (Kanpur) in 1990 and, despite initial problems with language and grades he graduated with excellent marks.

Although an array of glittering tomorrows—anything from a scholarship at an American university to a high-paying private sector job in an Indian metro—beckoned, Satyendra opted to work for "his country". So in 1996 he

joined the Ministry of Surface Transport as an Assistant Executive Engineer.

Of course, cynics could well have sneered that this was the most lucrative option of them all. But Satyendra proved them wrong four years later when he angrily turned down his first cash-stuffed envelope—and with that the opportunity to spruce up his parents' humble, hay-strewn house, buy a few gadgets for himself, and sweeten life for his six siblings. It was, however, after he was put in charge of a 60-km, 450-crore stretch of the Golden Quadrilateral Project that he encountered full-blown, institutionalised corruption.

Soon after his transfer to Koderma in June 2002, Satyendra realised just how deep the rot had spread—and just how much dross was being foisted on the country in the name of the Golden Quadrilateral. He happened upon sloppy project reports, contracts awarded on the basis of forged documents, huge advances doled out to contractors and rampant subletting to petty contractors who lacked the technical ability to work on this mega-project. And everybody, from government engineers to MNC construction companies to local thugs seemed involved in what he described as a "loot of public money".

Like so many of us who consider ourselves honest and superior, Satyendra could well have satisfied his conscience by refusing to participate in the corrupt activities. But the 31-year-old felt compelled to go one step further and tackle the mess. On November 11, 2002 he sent a letter to the Prime Minister, describing the nightmarish turn that this dream project had taken.

Of course, Satyendra realised he was challenging dangerous elements--but he understood the functioning of government well enough to know that an unsigned letter would go straight into the waste bin. So putting his life and faith in the

Born on 11th of March, 1973 in Shahpur village in Siwan district of Bihar about 15 kilometers from the birthplace of Dr Rajendra Prasad, first president of independent India.

Father: Sh Bageshwari Dubey, a clerk in the nearby Sugar factory earning a small salary.

Mother: Smt Lalmati Dubey, housewife.



Brother: Dhananjay, doing B. Tech. from Institute of Technology, Banaras Hindu University.

Sisters: 5 sisters. Two sisters Suman and Manju who are elder to him are married. One younger sister Pushpa is also married. Two younger sisters Kusum and Bebi are doing their graduation from Delhi University.

hands of the PMO, he attached his name on a separate sheet of paper and requested that his identity be kept a secret.

That this faith was misplaced soon became apparent. The PMO didn't bother either to investigate the charges of corruption or to protect the identity of its courageous informant. Indeed, Satyendra's letter yielded only negative results--threats from those he had complained against and a reprimand from his bosses at NHA for writing to the PM. For in an act of murderous negligence, the PMO handed over both the letter and the sheet with Satyendra's particulars to the Ministry of Road Transport and Highways. There, at least eight officials scanned it before passing it on to the National Highway Authority of India. Which was why it was hardly surprising that the informant's identity was leaked to the culpable contractors and officials in Koderma.

Little wonder then that lots of feathers were ruffled and financial interests threatened when it transpired that Satyendra—who had meanwhile been transferred to Gaya in Bihar—was to return to Koderma as one of the big bosses. As project director he would be in charge of releasing funds for an extensive swathe of the under-construction highway. And someone decided that there was just too much to lose.

At 3am on November 27, 2003, Satyendra arrived at the Gaya railway station from a trip, only to find that his car was nowhere in sight. Upon calling home and finding that the Tata Sumo had encountered starting trouble (possibly a sabotage), he decided to take a rickshaw. Somewhere along the way he was shot dead by unidentified assailants.

As is routinely the case with such inconvenient investigations, it's very likely that this murder case would have been relegated to the dump of unsolved cases in Bihar. Except that something about this story touched a chord of indignation in the country. Perhaps it was the fact that Satyendra was a golden boy from IIT; perhaps it was the heartbreaking photograph of his parents in their bare, impoverished house; perhaps it was the initial indifference of the PMO which excused itself by saying, "Numerous letters come in everyday.."

The outcome of that collective anger is remarkable: almost 50,000 citizens have signed a petition demanding action from the government, the media is closely monitoring the twists and turns taken by an increasingly bizarre investigation. The PMO and the Government went into an extensive coverup mode after nine days. Most heartening is the widespread outpouring of

support and sorrow from a cross-section of society. "Make all those rascal contractors sleep on the road next to each other and run them over by a roadroller," wrote an agitated individual to the Indian Express last month, voicing a common sentiment. Concurred another, "Every official who signed that letter and refused to act should be sacked. The PMO must be made to apologise publicly."

Indeed, it is important to punish the guilty—not only those shadowy individuals who pulled the trigger but also the officials who, while ignoring his request for confidentiality and passing around his letter, virtually signed Satyendra's death warrant. But while we demand accountability from others, we also need to acknowledge our own responsibility, to understand that everytime we remain silent when a friend slips a fifty to a hawaldar or brags about pataoing a customs officer, we are contributing to the forces that killed Satyendra.

In a country starved of icons, Satyendra Dubey stands for much more than impressive batting figures or silver-screen charm, he stands for the realisation that every individual has a role to play in the battle against corruption. As one letter-writer pointed out, "If we do nothing beyond writing a few angry letters to the media or the PMO, the deeply-entrenched mafia will be back in a short while. It is time we united and did something more concrete." This realisation can achieve much more than avenging a single death—it can save lives of the Satyendras of tomorrow.

---

*Epilogue by shailesh : The case was taken over by the CBI from the Bihar police. They took custody of the rickshaw puller Pradeep Kumar, who had reportedly witnessed the murder and took him to Delhi. It was declared that Satyendra was killed by robbers. Pradeep Kumar was seen around the CBI office for about two weeks. After that he is reported missing.*

*The CBI also took two people for questioning Mukendra Paswan and Sheonath Saha. They have died of poisoning. All of this happened by end of January, 2004.*

Dhananjay Dube (Satyendra's younger brother) lamented after this; " I read the complete news about the two suicides.....Now any hope that was there for justice has vanished.....Really no hope left..... "

There has been no investigation into the corruption charges detailed by Satyendra Dubey.

# Tipping Point

Nandan Nilekani - CEO, Infosys Ltd.

Often in human history, a stray incident has the ability to create a firestorm, and grip the hearts and minds of the people. When a society reaches such a tipping point, it sets off an inexorable chain of events with lasting and profound implications. India's fight for freedom can be traced back to the ignominy that Gandhi suffered on the platform of Pietermaritzberg South Africa in 1893. The rise of civil rights in the US can be traced to the treatment meted out to Rosa Parks in a bus in Montgomery Alabama in 1955. The martyrdom of Satyendra Dubey has the same electrifying feel. A nation whose potential and human capital has been subordinated by an inefficient, often corrupt and unresponsive system is finally beginning to draw a line in the sand.

Today the key limiter of India realizing it's full potential is the quality of its governance, especially in the public space. Governance implies fairness, honesty and transparency in all dealings. It implies that the revenues of the state are raised in a clear and transparent way. It implies that costs are incurred in a fully transparent way, based on the best choices and suppliers. It implies that the way decisions are taken on how money is raised or spent is visible to all stakeholders. Good governance allows markets to flourish where markets make sense. It encourages and regulates markets where that is the right thing to do. And where markets fail it invests in the social infrastructure to create an arena of opportunity and a level playing field.

Good governance also implies that the state will provide safety and security for people of all castes, creeds and religions. That rule of law will prevail, and none especially the rich and powerful are immune from prosecution. It implies that meeting the Human development goals of combating poverty, illiteracy and infant morality are as important as achieving economic growth in GDP terms.

Today India is the largest reservoir of young talent in the world. Over the next 20 years, we are faced

with the enormous challenge of meeting the aspirations of these young people. We have to create jobs by the millions, and give them a sense that there is equal opportunity for all, and the cards are not stacked. If these young people start doubting the integrity of the systems, and its fairness, then they could well turn into the largest pool of alienated young people in the world. This risk for our society and polity are enormous. The only solution is to dramatically improve the quality of public governance, reward merit, eliminate foul play, and encourage honesty.



Today we have the tools of modern governance available at our finger tips. If we are able to implement modern artifacts like financial accounting systems, e-governance, modern construction and building processes and materials, Geographical Information systems, the transparency and accountability of having public data on the Internet, simplify the rules of property ownership and use modern techniques for planning, the benefits are enormous.

In addition the efforts to create more transparency in the whole electoral system, - from the antecedents of the candidates to the means of funding, - will help in ensuring that the leadership of the country is in the right hands. As development and jobs and equity became the focus of concern of the people, hopefully the system will respond to those urges.

Today we are at the crux of changes that could have far reaching impact. If we do all that we can, all it requires is positive attitude, commitment, honesty and perseverance - we can create a whole new society that our children can be proud of. And Satyendra Dubey's martyrdom will not be in vain.

## **Request to Business leaders of India**

- *Appraise the honesty of your managers.*
- *Refuse to give bribes directly or through the device of agents and consultants; if this is too difficult, quantify it and decide to reduce it by 20% every year.*
- *Set targets for getting bribe-takers trapped;- One per hundred crores turnover per quarter.*
- *Encourage your managers to own up when they make mistakes, and be prepared to do it yourself. Create a culture of refusal to cover-up. Make honesty and ethical values part of your Mission statement.*

— Common Man

# Corruption

## *Is a Two Way Street*

*Tushar A. Gandhi, Managing Trustee of Mahatma Gandhi Foundation & Peace Activist*

With the Telgi Stamp Paper scam and the Satyendra Dubey murder on the national conscience, corruption is back again on the front pages and on prime time TV. But one of the dangerous aspects of corruption that we seem to overlook, is our own active participation in nurturing corruption and our lack of concern about blowing the whistle on cases of corruption that come to our notice. If we don't change we will never be able to change the system.

My great Grandfather Mohandas K. Gandhi, the Mahatma, emphasised, "We must be the change that we wish to see in the world." In the fight against corruption this message will have to become a habit. We will have to become more upright, more honest and more responsible, if we want to successfully battle the demon of corruption, which has engulfed every aspect of our lives. Today the majority of us have become so inured to corruption and corrupt practices that many of us equate being corrupt or practicing corruption with being 'practical'!

It is very easy to condemn all politicians, bureaucrats and the police for being corrupt. But who corrupted them? Who continues to bribe them in return for out of turn favours, for turning a blind eye or to sanction illegitimate demands or business practices? It is you and me who are largely to be blamed for these practices. If we stop corrupting, it will become difficult for us, but we will definitely starve the demon of corruption to death.

While on the topic of corruption, I feel that the time has come when the famous three monkeys of Mahatma Gandhi must be reinterpreted. The small sculpture, the only decorative piece on my great grandfather's work desk, depicts three monkeys, one with hands firmly covering the eyes - 'See no evil', the second with hands clasped over the mouth - 'Speak no evil'; and the third with fingers firmly planted in the ears - 'Hear no evil'. Today in the fight against corruption we will have to depict these monkeys in a new light.

In the fight against corruption I would like to reinterpret the actions of the monkeys. We must not be like the monkeys. The first one, 'See no evil', with hands clasped over eyes, should remind us not to turn a blind eye towards evil, in this case corruption, but to report it and fight against it. The second monkey, 'Speak no evil', with hands gagging the mouth, should remind us not to keep quiet when we experience or see evil acts, in this case don't keep mum, when you notice corrupt

acts or practices, raise your voice in protest and also report them in a voice loud and persistent enough to be heard. The third monkey, 'Hear no evil' with fingers stuffed firmly in the ears, should remind us not to turn deaf when evil is reported to us or a plea for help is addressed to us. In the fight against corruption this monkey should remind us not to turn a deaf ear towards complaints of corruption and not to shut out the plea for help and assistance.



But to become effective fighters against corruption we will have to first become clean. We will have to stop participating in acts of corruption, which feed the demon of corruption. We will have to stop pointing fingers and learn to open our inner eye and keep a watch on our selves. When we stop corrupting, corruption will become extinct.

I will conclude with an anecdote which I recall. While travelling by Rajdhani from Delhi to Mumbai a few years back, I shared the compartment with two traders, one from Delhi and the other from Mumbai. They got talking; the trader from Delhi was a cloth merchant and was boasting how they never counted the currency notes while depositing them in their bank account. His practice was to send an envelope containing bakshish for the bank teller, who would then count the notes and deposit them in the merchant's account. Soon the two traders started discussing corruption and corrupt politicians. The Delhi trader fancied himself to be one of the characters popularised by the angry young man of Hindi cinema, Amitabh Bachchan. He came up with a solution for ridding Indian politics of all the corrupt politicians. He wanted to line all of them up and mow them down with a sub machine gun. At this juncture I jumped into the conversation and said that after he had mowed down all the politicians I would borrow his gun and kill him. The trader was very astonished that I wanted to kill him instead of worshipping him for ridding my country of evil. I explained to him, "After you shoot down all the corrupt politicians, a new lot of uncorrupted politicians will take their place. Then you or some one like you will send them envelopes stuffed with Bakshish for doing their work and soon the new lot will also become corrupt. So after you have killed the older corrupt politicians, to protect the new lot, I will kill you."

# Sathyam Eva Jayethe ?

*Shanker Singh, Nikhil Dey and Aruna Roy*

What is truth ?" Pontious Pilate asked of Jesus and did not wait for an answer.

It was the summer of 1991, and the MKSS was on a dharna and hunger strike demanding the payment of minimum wages to workers on government run drought relief works. The dharna was a lively energetic affair. We mixed the speeches with the chanting of slogans and the singing of songs all day through and well into the night. There were impromptu skits, ironical plays and innovative sloganeering.

The Tehsil office, in front of which we had pitched our tents also housed the SDM and the DySP. The young children of the SDM learnt the slogans and were soon chanting them at home. The SDM told us later, that this coupled with the distress of his wife that the curse of the poor would affect them personally brought the adversary home, and drove him quiet mad.

The DySP's father was a truly religious man, who would not even eat food off his son's earnings lest it be tainted with the graft that many police officials take in this country. He brought food grain from his own farm. After a couple of days the DySP made a request to us that we tone down the volume of the microphone as his father did several hours of dhyam every day. Even though the mike continued unabated, and in a sense disturbed his 16 hours of dhyam every day, we learnt from the family later that he followed the happenings on the mike, and became one of our strongest supporters. He told his son, and the others in the police, that ours was a battle for truth and justice, and he had no doubt in his mind that we would win our battle. In fact he challenged his son, that if the protesters outside did not achieve their demands he would change the title of the book he was writing. The book was called "Satyam Eva Jayate".

These were the stories that sustained us through our worst periods, confirming the goodness in human beings, and the capacity to transcend the boundaries and stereotypes of oppression. This was in feudal Rajasthan in 1991, where centuries of well entrenched hierarchies had never been challenged. But goonda politics and State terrorism had not yet taken the shape and proportion of other parts of India, and battles for justice were respected even by some who were on the other side. Even more important was the unshakeable popular faith that the truth would eventually prevail.

Recent events however, have raised ugly and uncomfortable questions about our tolerance and respect for honest and humanitarian efforts, which even begin to question injustice.



The murder and gunning down of Sarita and Mahesh, and of Satyendra Dubey in two separate incidents are indicators of a diseased polity, where questions cannot be asked and it is dangerous to tell the truth. No matter how many hoardings and advertisements we may have to show India's shining face, honest middle class Indians cannot dupe themselves on the quality of India's governance or the fascist tendencies which have now surfaced in our polity.

The horror however, lies deeper. One cannot accept the passivity of a people who let everything be, without collective outrage and demands for justice. These are people who have lost their lives because they dared to ask questions of a corrupt establishment. The message is that if we question, we could face death, while the State and its machinery carries out a charade of investigation and action. Where is the rule of law ? All institutions of regulatory justice, from the thanedar to the Supreme Court judge, from the Patwari to the Prime Minister are in the dock.

Let us look at the numbers of innocent lives that have been lost for expressing an opinion and speaking the truth. India has a long track record of people who have lost their lives for our cause. Shankar Guha Neogi, Safdar Hashmi, Ghulam Rasool , Chandrashekhar, Satyendra Dubey and now Sarita and Mahesh. Here are good courageous people who were killed only because they have pursued the truth, and fought injustice. Their sacrifice has been noticed and acknowledged, and even though their killers have not been brought to book, their deeds and their lives will serve as an inspiration to the many others who will follow their quest. There are hundreds of poor and courageous people whose acts of courage have gone unnoticed and unsung. Their poverty and their oppression has reduced them to invisibility.

The greatest contribution of all these people is that their lives and struggles were for truth and its basis for justice. The State has always been a monolith of

indifference. But it has now become a promoter of violence and is itself a tool in the hands of criminals and corrupt people. It even fails to fulfill its commitment to the lowest denominator of governance; the protection of the life of its people.

Despite a rigorous constitution ( under constant threat of being amended by the rising right wing ) and the structure of a democracy, the Indian State shows no evidence of a commitment to truth, ethics in governance, or the equitable and just social structure it is supposed to promote. Almost all regulatory institutions of justice have been corrupted by the lack of principles and the acceptance of opportunism as the only code of conduct. The rule of law has failed to deliver in its most basic sense - protect the poor, the minority and the dissenters. The Indian State is adept at the game of posturing and using every ploy to cover the reality of its corrupt character. The signs, slogans and mottos are of this pattern. The irony is that the very Golden Quadrilateral Project that is being celebrated to make us feel good as a nation consumed Satyendra Dubey. It is in reality also a crude attempt to snuff out his questions, the smoothness of the road belying the rot that lies below. A symbol of our continuing hypocrisy. What can we as ordinary citizens do to break this bubble. Can we learn from the struggles of people even less powerful than ourselves, who refused to be subjugated by oppression, corruption, and deceit? Can we keep alive the faith that the truth will always prevail?

For the MKSS,- a poor workers and peasants organization,- the struggle for minimum wages and land being fought in 1991, soon got transmuted into the right to know. It became extremely important to prove the truth by exposing the deliberate deceit of the ruling elite. Democracy provides spaces that must be protected, and used. It is not enough anymore just to make a demand. We need to know how money is spent, allocated and indeed how policy is framed. We want a share of governance, which is our constitutional and fundamental right. It is the philosophy of democracy. The fifteen year long struggle in rural Rajasthan for bringing out the truth by using the Right to Information as a weapon provides important lessons for us as committed, but ordinary citizens.

There has always been the strong individual who has fought battles on behalf of society. There have also been collective struggles against State hypocrisy and its false assurances. As we face the crisis of intolerance, injustice, and lies backed by a huge propaganda machine, we must all explore the potential of collectively using the people's Right to Information as a tool to expose and fight corruption in the public domain. This seemingly academic issue is now an intrinsic part of many

struggles for livelihood and survival. Implicit in this is a basic faith in the ability of people to decide what is best for themselves, and the premise that uncompromising openness is vital to the health of a society.

These are some lessons drawn from the Campaign on the Peoples Right to Information. Its efforts to uncover the contradictions, and put before the people the dual and split personality of the State, has the immense potential of mobilizing public opinion and rousing the people from the apathy that they are victims of, and thereby causing great discomfort to ruling power structures. Cynically speaking, this is the only fear that they have, because it may transform itself into votes, which may remove them for power.

One of the most fundamental pillars of democratic functioning is the recognition of an inalienable Right to the Freedom of Expression. While the freedom of speech is its most obvious manifestation, it is important to realise that the concept encompasses much more. An exploration into the Right to speak and express dissent, will lead us to the understanding that it must be accompanied by the explicit Right to ask questions and demand answers.

We are faced in this country by the firmly established culture of secrecy, and silence. Western patenting is a crude method of appropriating knowledge when compared with the mystification, seclusion and exclusion moulded into bureaucratic and caste hierarchies in India. It has reached a point where it has become self defeating. A culture of silence is also well developed. We are sullen, unhappy, comprehending, suffering; but silent. That is our collective ethos, developed by others but shared by most of us, - predominantly by the affluent society and its aspirants.

There are some very important ingredients that went into making the Right to Information a peoples issue in Rajasthan. The first was a recognition of the fact that there is much that the people already know. The oppressed certainly know the reasons for their exploitation. It is a part of their daily existence. The figures are the statistical story of their oppression, and the mechanics provide irrefutable clues about the source of affluence of many others. Unfortunately, the literate world is not interested in recognising such information. Does one need to wonder why? Who after all is interested in the detailed examination of the story of their ill gotten wealth? The most convenient solution is to ignore and label irrelevant, any such information.

It is therefore of vital importance to provide recognition to such information. To force reality upon a world practiced in self-deception. This of

course is easier said than done. It involves a process of gathering, collating and collectively analysing the information so that the internal contradictions and bare faced lies of the rulers stand exposed. It requires setting one set of facts against another; one set of statistics with another; and contrasting one stated reality with another. This is not an academic battle, but the foundation on which competing ideologies are built. If we are to work towards the construction of a peoples ideology this process is imperative. The movement for the Right to Information was born from one such collective understanding of ordinary people in Rajasthan. The simple but straight forward demand of access to detailed records of development works, including bills, vouchers, and muster-rolls has snowballed into a nationwide debate on transparency and accountability of the State. How was this demand formulated?

Some of the roots lie in a struggling groups collective understanding of relationships and power equations in a changing socio- political scenario. Village people have known what their reality is. But for any kind of socio-politico change, comprehension of their own reality has not been enough. They have had to comprehend the mechanics of power and the idiom of a so-called democratic polity. Since authority is vested in structures that span a large canvas, their comprehension of their own small specific reality has been dismissed often as trivial or insignificant.

The Government has thrived on a culture of secrecy and silence-an inheritance from its Colonial past. Occasionally, the pressures of democracy have forced them to reveal information under duress But this information is so general, that no clarity or benefit can be derived from it. In focusing on the muster rolls, bills and vouchers a nerve end has been exposed. A beginning has been made to fight for the State's accountability to its own people. It has taken them to the more fundamental questions of transparency of functioning and democratic sharing of power and responsibility.

Enough has been said about peoples knowledge, not to have to re-define it. But it would be interesting to see it in the context of the present struggle. Whenever working village women and men in Rajasthan have got together they have always brought with them a wealth of information about their work and development. There are detailed accounts of work sites. Who worked, how they were cheated, what materials arrived and to whom they went-very often not to the work site. These accounts are some- times coloured by biases but always minute in detail and inter-related with many other happenings. Peoples evening chats in rural Rajasthan are dotted with exchanges of this sort. Working people have also

tried to use this method of collecting information, mainly culled and through the oral tradition in their interaction with modem structures like the Panchayats. Non-payments of minimum wages and the cheating on work sites however could never be substantiated by them, because officialdom countered it with. "But the papers do not say so." Semi literate and literate workers began noting down the information in their little diaries- one was flaunted in public view in the dharna in Beawar in 1996, as a parallel in essence and substance to the Jain diaries! Even then official documentary evidence always went contrary to what people knew was right.

So a demand for transparency began in 1996, which was new only in that it grew out of a peoples struggle. Since the campaign was fashioned by ordinary people, they used common sense to fashion the tools with which they could fight. The success of any tool that has universal application is its simplicity and ease of application. The campaigns singular contribution is the presentation of the demand to know in a manner in which ordinary citizens denied their basic rights could ask questions of the huge monolith of government, and its unofficial beneficiaries. Seemingly simple things like food, shelter, housing, health and employment transfer themselves for the poor into the right to know and the right to live.

In the present context the most important tool we have is the democratic, constitutional right to know what people we elect to power and their colleagues the civil service do in our name. It is an inalienable right which cannot be denied. It is a tool that can be used to begin to shift power from a small set of self motivated ruling elite to the people. If we want to commemorate the heroic actions of people who have laid down their lives for this cause, we must not just raise a cry in their name, but also relentlessly question as they did. The only way to really defeat the killers of Satyendra Dubey, is to uncover the truth behind every segment of the Golden Quadrilateral project. There have to be as many requests for information as there were letters in support. Similarly, we need to demonstrate that the killing of Sarita and Mahesh will not terminate their cause, but in fact encourage so many more to get active that the voices cannot be stamped out. This is not the charter of only the poor and oppressed, and of committed activists, but of every citizen of this country who has respect for the rule of law and a society based on equity, equality and justice.

*Shanker Singh, Nikhil Dey and Aruna Roy are activists working with the Mazdoor Kisan Shakti Sangathan (MKSS) and the National Campaign for the Peoples Right to Information (NCPRI). Aruna Roy is also National Convenor...*

# 'Truth is the only safe ground to stand on'.

*Elizabeth Cady Stanton (1815 - 1902)*

*Deepak Parekh, Chairman, HDFC*

A nation that won its freedom on the strength of a non-violent movement. A nation that was essentially seen as peace loving and progressive. That was the India of the past. But even the most far-sighted amongst us could surely not have foreseen India in her current state of affairs, an India that is reeking of corruption. It was in such an India that Satyendra Dubey raised his voice against what he felt were gross malpractices and was promptly silenced...forever. It is the Dubey's of this world who pursue their dreams, the hopes and desires of their parents, who need to be encouraged. An early loss of this child is a loss to the nation as a whole. This despicable crime committed on an honest individual should not be allowed to go waste.

The specifics of this case are public knowledge, so I shall not delve into them any further. We are all aware too, of the huge public outcry that followed Dubey's murder. The time has come to look at real, practical and long-term solutions. Dubey was associated with the building industry, one that is considered vital to India's progress. The fact that adequate protection was not accorded to a young and honest professional is highly deplorable. How can the country progress? We need to change. It is often seen that when such cases are being probed, there is a tendency for the inquiry to drag on endlessly. We need to ensure that this doesn't happen always. The guilty must be exposed and justice served without delay, and the process should not stop at this. It is crucial that we address this problem in totality.

Corruption has been rampant in the Indian system of administration; so much so that we have almost come to accept it in the course of our lives. Every other day, we hear of some scam or the other that our sleuths and sting operators manage to uncover - Hawala scam, stock market scam, fodder scam, fake stamp paper scam - you name them. Corruption has permeated right down to the grass root levels. India ranked 83rd out of 133 countries in the global Corruption Perception Index (CPI), 2003 released by the Berlin based anti-corruption watchdog, Transparency International (TI), recently. A shame really! Even the few good men in power are forced to enact the roles scripted for them by their less scrupulous

colleagues. And you can hardly blame these men. They are the ones who offer some semblance of sanity to an otherwise crazed system. It would also be worthwhile to note that to fight corruption at various levels is not the task of politicians alone. All of us, the politicians, the business fraternity, prominent personalities and the public at large, need to join hands to fight this demon.



In the jargon of analysts and experts, Dubey was what one would term a 'whistle blower'. These are individuals who expose a rot in the system within which they themselves operate. The role of a whistle blower is one that is viewed with speculation by certain quarters. Questions are floated as to whether the whistle-blowing act is ethically right or wrong. The 'Time' magazine had nominated three women as its 'Persons of the Year 2002'. All three women were whistle blowers who played their part in exposing some serious lapses and scandals in their respective organisations. The website [www.whistleblower.org](http://www.whistleblower.org), bluntly states: "Whistleblowers' actions may save lives or billions of dollars. But rather than receive praise for their integrity, they are often targeted for retaliatory investigations, harassment, intimidation, demotion, dismissal and blacklisting." This suggests that whistle blowing needs to be viewed more closely and it may be deemed necessary to provide a constitutional basis for it.

What can be done to protect these brave men and women who dare to stand up for the truth? Where does all of this leave Indian governance? Perhaps something similar to a witness protection program must be in place to shield the whistle blower from harm's way after the expose has been carried out. A system that encourages whistle blowing would help arrest practices that are illegitimate and unethical too. It is of paramount importance that as a nation for us to prosper, we must always side with the truth - a safe ground for all of us.

*"All that is necessary for the triumph of evil is for good men to do nothing."  
--- British Parliamentarian Edmund Burke*

# Living Death of a Whistleblower

— *shailesh gandhi*

Employee number 08791 is in service in the Indian Oil Corporation,- a Government of India undertaking,- for over 35 years. In July, 1995 he incurred the wrath of his superiors for not releasing Paraffin Wax when ordered to do so. Employee 08791 had refused to obey this illegal order since it contravened the Essential Commodity Act. Ever since then, he has been denied promotion for his folly of refusing to commit illegal acts.

However this foolish employee 08791 again complained of corruption and irregularities worth crores in 1999. His spirit still revolted against dishonesty. Number 08791 wrote to various authorities to stop the corrupt practices and take action against the guilty officers. Since nobody was willing to act, he wrote to the CVC in May 2000 to complain about the corruption. The establishment decided that such impunity could not be tolerated by number 08791 and used the very simple instrument of a chargesheet. He was accused of indiscipline for complaining against the corruption of his seniors! He has been ostracized and given no work from that time onwards. The Central Vigilance Officer of the Ministry of Petroleum, investigated the charges and gave his findings in June 2002, which stated,

" For the above mentioned lapses, Shri PVS, Shri SJA,...etc. of IOC need to be held responsible and proceeded against.

As regards Shri M.K.Tyagi, the Chief Sales Manager, IOC, it is incorrect to say that he has made false allegations. In my view, it is a case where a subordinate pointed out to his seniors the inappropriateness of certain actions that were prima facie not in line with the communications received from the Ministry, pricing policy etc. particularly in regard to HSD. It is recommended that IOC management may be advised to close the disciplinary proceedings against Shri M.K.Tyagi in this regard".

Mahendra Kumar Tyagi employee number 08791 an alumnus of the illustrious Roorkee Engineering College (now an IIT), is a broken man today.

His chargesheet has not been vacated! He has approached the CVC for relief and been told that it cannot do anything. It is difficult to comprehend this bizarre case.

He has been in the same post since 1993,- Chief Manager. His contemporaries have all got many promotions in this period and some have become Executive Directors. He has knocked at most doors. Nobody is interested in this old man of 57, who has not accepted the 'System'. He wastes away without any work; he is valuable as an example to frighten young impudent officers who might have dreams of pursuing honesty. We must act to give him some justice. We cannot allow any power to continue making such a humiliating and debilitating example of the Living Dead for being guilty of impertinent honesty.

## A WORD TO TEACHERS

"He will have to learn, I know, that all men are not just and are not true. But teach him if you can, the wonder of books.. but also give him quiet time to ponder the eternal mystery of birds in the sky, bees in the sun and flowers on a green hillside.

In school, teach him it is far more honorable to fail than to cheat...

Teach to have faith in his own ideas, even if everyone tells him he is wrong.

Teach him to be gentle with gentlepeople and tough with the tough.

Try to give my son the strength not to follow the crowd when everyone getting on the bandwagon...

Teach him to listen to all men; but teach him also to filter all he hears on a screen of truth, and take only the good that comes through.

Teach him, if you can, how to laugh when he is sad... Teach him there is no shame in tears.

Teach him to scoff at cynics and to be beware of too much sweetness.. Teach him to sell his brawn and brain to highest bidders, but never to put a price on his heart and soul. Teach him to close his ears to a howling mob.. and stand and fight if thinks he is right.

Treat him gently, but do not cuddle him, because only the test of fire makes fine steel. Let him have the courage to be impatient.. Let him have the patience to be brave. Teach him always to have sublime faith in himself, because then he will have faith in humankind.

This is a big order, but see what you can do. . He is such a fine little fellow my son!

— Abraham Lincoln"

# SUKHASYA MOOLAM DHARMA

R. GOPALAKRISHNAN  
Executive Director, Tata Sons

One of Chanakya's sutras has inspired the title of this piece. Happiness is rooted in ethics is what the title means. Values and ethics become the concern of all citizens.

Values are valuable only when they can be effectively handed down from one generation to another. If values get eroded beyond a certain point, they lose their social relevance. This is the reason why common people in society should concern themselves at a pragmatic level with the issue of ethics and values. Indian Business people in particular, are very busy adjusting to the new paradigms of competitiveness and productivity and those who are successful, renew their self-confidence in the economic domain. But moral uncertainty and self-questioning remain. These will not just go away.

I recall two newspaper reports I read at Frankfurt airport a few years ago. The International Herald Tribune reported about Indonesia, "Syarifuddin bin Murdali and Abdullah bin Sarmili are to face trial in Tangerang and could face up to two years in prison if convicted. They are alleged to have distributed 200 leaflets in May 1997 during the parliamentary elections. In these leaflets, they had urged Mr. Suharto's family to publicly reveal their assets and business interests and had demanded that the Government stamp out corruption."

The second report was from the London Financial Times of the same date and was about Vietnam. "Two local businessmen and a government official, convicted in Vietnam's biggest corruption scandal, were yesterday executed by a firing squad in Ho Chi Minh city, a court official said. The three men were part of a mafia-style business network, which flourished with increasing wealth and foreign investment in the country. Pham Huy Phuoc, a former boss of the Communist-run Texesco Company, and the two others were sentenced to death at a trial for embezzlement, bribery and causing losses to the State. It became a showcase trial to exemplify Hanoi's resolve to stamp out corruption, which has grown out of control since liberalisation began in the late 80's."

Quite contrasting outcomes from two countries in the same economic region at the same period. Who is right? What is right? How do you tell? Why is there corruption and erosion of

moral values in the first place? These are vexing questions with no simple answers.

All Indians have an idyllic impression that someday in the hoary past, we had no poverty and that morality reigned supreme in public and private life. We call this Ramarajya. It is a utopian concept, not a reality in history. India had corruption even during the Mauryan times when the Arthashastra was written. Saint Tiruvalluvar wrote his Kural sometime between 200 BC and 700 AD. "Better the poverty of the wise, than wealth got with infamy. Those who do what is forbidden may get their ends, but will come to grief".

For a moment, let us focus on corruption, which is only one aspect of ethics and values. What is the role of the individual in a society?

Simplistically, there are two types of corruption - there is the American variety, where a few indulge in it for huge sums of money. Day to day activities progress quite smoothly. Then, there is the Indian variety, where a large number indulge in it for relatively small sums of money - at every check-post, at every police station or for every railway ticket. S.N. Sangita has published a research study in 1995 in the Indian Journal of Public Administration. It confirms that corruption arising from transactions of public service providers with citizens is the most pervasive form of corruption. Incidentally, in terms of the volume of complaints, Karnataka was found to be much worse than U.P. and Bihar! With respect to slum dwellers, Chennai and Bangalore lead other cities in the matter of small-time corruption. The average amount paid as bribe per case had Bangalore in the lead (Rs.850), followed by Ahmedabad (Rs.500) and Pune (Rs.350).

**"Better the poverty of the wise, than wealth got with infamy. Those who do what is forbidden may get their ends, but will come to grief"**

Actually, Bofors and Jain Hawala show that our country has the American and Indian varieties. Our situation is cancerous, more dangerous than AIDS. It has the potential to decimate the basic structure of society and social behaviour. The blame of corruption rests equally heavily on him that gives and him that takes. As individuals and as business people, we



can adopt a four point code to judge our own actions.

#### A. Normative Code

In any society, particularly in a democracy, there has to be a basic moral consensus binding at least the majority of its citizens, and to which the majority conforms most of the time. Our country has a strong religious tradition, grounding a normative moral code which, in turn, supports its own democratic political order, e.g., respect to elders, conservative in borrowing (hence high savings), not flaunting wealth and so on. So when in doubt, one practical test we can subject our transactions to is whether it fulfils the normative code of behaviour.

#### B. Transparency Code

If this transaction were to appear in the public domain, would I be able to hold my head high and defend it? The transaction gets a clear tick if I am truly convinced that I can.

#### C. Consistency Code

Is it consistent with my profession or myself? If a doctor advises you to quit smoking while he himself is puffing, he is not being consistent. If a finance minister fails to pay taxes, his utterances would be at some considerable discount. So the proposed transaction gets a tick if you judge it to be consistent with yourself.

#### D. Goodsleep Code

Conscience manifests itself by disturbing your sleep. Am I likely to sleep well after I do this transaction, or will I constantly worry?

I reckon that all of us adopt some sort of a pragmatic code in the conduct of our business. The words may be different, but the idea is surely there. However, how we behave when the idea is seriously challenged is the key point. All of us have participated in social discussions on this subject and in my experience, it typically goes like this:

The group quickly externalises the issue with an attitude of we're okay, somebody else is not okay. Next, the virtues of a totalitarian system and the frailties of a democratic system in a population with so much illiteracy gets discussed. Then, inevitably the group identifies the politician as the villain of the piece. Finally, the drifting discussion is brought to a happy end by some sane person hoping that somebody will do something about it some day - hopefully, in our lifetime, in which case the silver lining of a Ramarajya may yet return to our dreams!

Let me conclude by saying that throughout human history, men have been subject to miseries of two kinds : those inspired by nature (famine, floods, etc.) and those that human beings misguidedly inflict upon each other. Our bondage to the ravages of nature is fast diminishing. But the evil that men inflict upon each other has not diminished in the same degree. No man is wholly free, and no man is wholly a slave. Surely we do believe, all of us, that there is nothing in human nature that makes these evils inevitable. Let us go out and do something with the conviction that it counts. Each of us can make a difference, even though we may think of ourselves as being very small. If you think small things cannot make a difference, go to bed with one single mosquito.

A charter of Citizens duties for an Honest India:

1. We will be honest in our thoughts, words and deeds.
2. We will accept the law in letter and spirit to decide what is honest and right.
3. We will not seek to interpret law in a manner, which subverts its spirit.  
Finding loopholes in the law is not smart;-it is corrupt.
4. We will not give or accept bribes.
5. We will pursue the cause of honesty in all spheres and work to reward it, and ensure punishment for the corrupt and criminals.
6. We will ostracize the corrupt and dishonest.
7. We accept that the common good will benefit most individuals.
8. When in doubt about whether an act is ethical, we will ask ourselves whether India will be better off if everyone acted in the same manner as we propose to.
9. We accept we are fallible. When we fail or lie, we will admit to wrongdoing, and not cover up.

# *No Room for Cynicism or Despair*

Jayaprakash Narayan

The brutal murder of Satyendra Kumar Dubey is a timely reminder of the turbulent times we are going through. In India of today, corruption, organized crime and political power are coming closer to each other, forming a dangerous triangle. Sometimes they are indistinguishably fused.

Nothing moves us more than the poignancy involved in a tragedy of this kind. A bright and upright technocrat, a corrupt and insensitive system, heroic struggle against the plunderers of the public exchequer, ruthless mafias, and a tragic end to a promising life which had so much to offer to the family and nation - all these constitute a recipe for despair and self-flagellation. But life must go on. Our first task is to provide some support, however ineffective and incomplete, and solace to the bereaved family. And our greater task is to honestly look at what has gone wrong to make such a tragedy possible, and do everything to prevent the need for the martyrdom of a future Satyendra.

Corruption and crime have been integral to our governance system for decades. Civil servants like R P Noronha have graphically described the rise of 'mafia' (the expression was probably not known to Indians then) during the price control regime of the Second World War. After Independence, many such criminals quickly acquired political influence. But given the strength and integrity of the first-generation leadership of free India, they were largely contained. But the institutionalization of license-permit raj and the rigorous controls saw crime syndicates and mafias thriving. The rising illegitimate and unaccounted expenditure in elections and corruption which became endemic in the hospitable climate created by an opaque political funding mechanism and the abnormal state control of most economic activity created space for these criminals to operate with political patronage. The ineffectiveness of our justice system gave them impunity in a large measure.

However, much of the criminality was mediated by the license-permit raj, and acted in the grey area to facilitate economic activity in the face of rigid and counterproductive state controls. And most corruption was in the economic sphere of decision-making, as ample opportunities were available to state players to extend patronage distorting markets, and to law-breakers to make money through smuggling and black marketing. Soft crime, corruption and controls coexisted without serious visible repercussions except on the economy, and the society was increasingly inured to corruption. Illegitimate money power led to political office, and the patronage extended by

those in authority made politicians, bureaucrats and holders of monopoly through licenses, permits and quotas extremely rich. No one complained, because the sufferers were the ordinary, faceless citizens who were victims of extortion in the form of petty corruption, and consumers who had to pay exorbitantly for shoddy goods. A low level of equilibrium was created, resulting in the 'Hindu' rate of growth, and growing corruption and increasing marginalization of honest entrepreneurs, officials and politicians.



But economic reform process forced on the country by the fiscal and balance of payments crisis of 1991 changed all that, and disturbed this cosy equilibrium. As license-permit raj was dismantled, the opportunities for corruption in economic areas of decision making dwindled. As entry barriers and tariffs came down, internal and external competition increased. Quality and supply of goods improved quite dramatically, and prices came tumbling down, or at least were arrested. And yet, the entry barriers in the political system remained intact. Exorbitant sums of money illegitimately spent gave an almost unbeatable advantage to candidates. And expectations of returns in multiples once you ascend the ladder of political or bureaucratic power continue to create an enormous demand for illegitimate funds. The Indian political and governance system are addicted to this inexhaustible supply of illegitimate funds. The closure of supply lines of the old license-permit raj did not diminish this appetite for ill-gotten resources. The system continues to be fuelled by corruption. Honesty is increasingly incompatible with survival in Indian political life. Many individuals are still honest, but institutionally governments and most major parties are founded on an entrenched system of corruption.

As the traditional supply lines have dwindled in the liberalized free-market regime, new and more dangerous lines had to open up. There are many areas from which the state cannot withdraw in any economic system. Public order, crime control, rule of law, justice, public works, health care, education, and natural resources development - these are the areas in which new forms of corruption are now seen. The Telgi stamp scam, Satyendra Dubey's murder, the CAT examination

papers' leakage, and the Ahmedabad sting operation obtaining warrants of arrest against the President and Chief Justice of India are but telling illustrations of these newer, and more dangerous forms of corruption.

*What is the lesson we must draw from this?*

Economic reform is obviously necessary. But if it is unaccompanied by political reform to change the nature of the power game, corruption will take more disingenuous and vicious forms. Satyendra is a tragic victim of this dangerous trend. And if we do not address the systemic roots of this crisis, he will not be the last one.

*What should we do now?*

Satyendra would probably have lived if he had an effective support system to fight the battle against corruption along with him. He was a helpless victim in a cruel and complex maze of a bureaucratic system and criminal-politician nexus. Civil society needs to respond to this challenge. One way is to create a tangible support mechanism for courageous public servants fighting Corruption with a big 'C'. Lok Satta is moving in this direction, and a website [www.corruptioncombatindia.com](http://www.corruptioncombatindia.com) has been registered, and it will soon be functional. Public servants and private citizens can furnish documented cases of corruption of a significant magnitude on the assurance of complete confidentiality. A panel of experts will extend tangible support in carrying forward the fight against corruption by a variety of means - accessing and involving honest elements in anti-corruption agencies, waging legal battles where necessary, publicizing gross corruption, and forcing the politicians and decision makers to stop the plunder and plug the loopholes.

Second, the putrid pathogens of corruption and crime can only be countered by the sunlight of publicity and exposure. Civil society and media should work closely with honest public servants - in bureaucracy or politics - to expose and sustain public interest, as well as institute mechanisms to curb corruption. Whistle blowers' protection, right to information, legislation to expose and penalise false claims, simplification and transparency of tax

procedures - these and other mechanisms are available to curb corruption. But relentless pursuit, detailed knowledge, thoroughbred professionalism and informed advocacy are needed to put them in place.

Finally, no amount of supply side curbs will help unless the unholy and inexhaustible demand for illegitimate funds in our political system is curbed. That needs a thorough overhaul of the electoral system. Three big changes are needed to enable decent and capable citizens to climb up the political ladder and survive in office with integrity and make a real difference - internal democracy in political parties' choice of candidates; some form of proportional system of representation enabling breakdown of political fiefdoms and election of worthy candidates; and direct election of the executive at the state and local levels with clear separation of powers. A national campaign for electoral reforms is necessary to force these changes on the system. Politicians are human beings too. They respond to people's urges and incentives. What we need are changes in the incentive structure. The recent gains in the form of better voter registration, candidate disclosures, an excellent funding reform law, tightening of anti-defection provisions, limiting of the size of council of ministers, changes in Rajya Sabha election - all indicate that the political system is willing and ready to act to improve things. What is more, all parties have acted together in bringing about all these changes.

There is still hope. Satyendra's tragic end should not lead us to cynicism or despair. We have a lot to live for and fight for. The very future of our children, and the potential of our nation are at stake. Simple, but fundamental political reforms, coupled with improved delivery of justice will surely minimize corruption and break the back of organized crime syndicates.

*The author is the National Coordinator of LOK SATTA movement and National Campaign for Electoral Reforms.*

*E-mail: [loksatta@satyam.net.in](mailto:loksatta@satyam.net.in); url: [www.loksatta.org](http://www.loksatta.org)*

***Prayer to the Spiritual and Religious leaders of India***

- *All of you say that if we pray together with sincerity God will listen.*
- *If all of you preach honesty and a drive against corruption in 2004 India will listen.*
- *Challenge your followers about their acceptance of dishonesty and corruption.*
- *You have the power to really drive India towards a better Nation.*

— *Common Man*

# Remedies against Corruption

Y.P.Singh IPS

Most of us, sometime or the other, have been assailed by corrupt elements. Some feel bad, for they have to shell out something which otherwise they weren't required to. Yet many a time, they themselves drive corruption for the reason of attendant pecuniary gain therefrom, e.g. mutual connivance in tax evasion.

Taking cue from the foregoing, we can classify corruption under two headings. Corruption by non-co-operation and Corruption by co-operation.

Either way, since corruption creates inequities in the society and inhibits the dynamics of a free economy, leading to a stunted economic growth, we all must resolve not to tolerate it even if we are to gain from that.

There are several remedies which are available to a person confronting corrupt officers.

The easiest and the most effective remedy is to engage a corrupt officer into a bribe deal and then get him trapped red-handed through anti-corruption agencies, while accepting bribes. Under section 24 of Prevention of Corruption Act, a statement denoting an agreement to offer an illegal gratification to a public servant, cannot be held against the person making such a statement.

To get a public servant trapped red-handed, a written complaint is required to be given to the anti-corruption agencies. For the state government employees and its undertakings, it is the local vigilance or the anti-corruption bureau, which takes action. For the central government departments and undertakings, the local branch of the Central Bureau of Investigation (CBI) handles such matters. For moffusil areas, where there is no branch of the CBI, the local office of the Anti-Corruption Bureau or the Vigilance Bureau of the State is empowered to act.

There is an apprehension among the public that their complaints may not materialise into a case because the personnel of the agencies may establish a nexus with the tainted public servant. These apprehensions are unfounded, at least till the trap is effected. The chance of manipulation of the case appears only during the course of investigation after the trap.

A corrupt man if he accepts bribes leaves a trail behind. This is reflected in two spheres. One is by abusing his official position to commit irregularities. Another is to amass wealth disproportionate to his known sources of income. A vigilant citizen can get a corrupt officer apprehended that way, either by secretly passing information to these anti-corruption agencies, or by lodging a formal complaint.

There are scores of corruption matters which are not taken up by the anti-corruption agencies, due to lethargy, or because of corruption, or else for

extraneous reasons. What should be done by a person in such circumstances?

An aggrieved entity can report the matter of inaction of these agencies to their superiors. However, experience suggests that since most of the corruption is institutionalised wherein there is a tacit agreement of the seniors with the juniors to practise corruption, little is expected from pursuing such remedies. However, these futile attempts are also not so futile because they provide a base to seek remedies elsewhere.

The next recourse could be to lodge a complaint with the Lokayukta in state matters, and the Central Vigilance Commission in issues pertaining to the Centre. Though these agencies do not have statutory powers to enforce their orders, nevertheless, their pronouncements are treated with respect and come handy in further remedies, such as a writ petition in the High Court or the Supreme Court, from where they can be enforced through the issuance of an appropriate writ.

Depending on the context of the case, one could go to other places, too. Since corruption violates the human rights of a citizen, recourse can be sought from the State or National Human Rights Commission. The procedure here is uncomplicated and the results are obtained before long. In a similar way, recourse could be had from other agencies, too, such as the Minorities Commission, Women's Commission, SC/ST Commission.

Where corruption relates to a violation of the statutory act, in that case there are myriad judicial and quasi-judicial bodies established to tackle the issues. For example, we have the SEBI, SAT, Company Law Board, etc. to tackle corruption in the stock market and companies. Similarly we have got RBI under the Banking Regulation Act to tackle corruption in the banks. If the provisions of these acts are carefully studied fertile avenues could be traced out through improvisations of strategies.

While most of despair at the futility of the crusades, we must not do so. For, it is a historical prescription that to vanquish an evil a Herculean and a long drawn out endeavour is called for. Most of us, in the fatigue of taking long strides, relinquish our quest amidst scepticism. If our tenacity doesn't wane there is no reason why success shall not smile on those committed to fighting the Satan.

*\* The author is an IPS officer from Maharashtra cadre and writer of the novel Carnage by Angels. Currently he is working on his second work of fiction based on research in the bureaucratic corruption at high places.*



# Be The Rock

*Dilip D'Souza, Author & Computer Scientist*

I was once arrested, along with some 60 others, for travelling in the ladies' first class compartment. Let me admit right away: I have nothing convincing to say in my defence. I learned my lesson and I won't do it again.

But it was an enlightening experience while it lasted. At the Bombay Central police station, we were given two choices: spend the night in jail, or pay Rs 500 bail and go home. In both cases, we had to appear in court the next day to pay our fines. Since I didn't have Rs 500 on me, a nearby guardian angel had to bail me out. When I left, every one of my partners in crime was still there. I looked forward to renewing my friendships with them in court.

The next day, those hopes were dashed: I was the only one who turned up. The Only One. While I waited for the judge, a clerk beckoned to me. "Why have you come here?" he asked in an astonished whisper. "Bas unka haath garam karna tha!" "You should have just warmed their hands!"

I assume you know, as I knew immediately, what that euphemism means. Apparently the others had all "warmed" some grasping hands and gone home.

Was I to feel contrite, angry, righteous or just plain stupid? Whatever, I paid my fine. It was hefty enough that I knew for sure I would never set foot in that compartment again.

Now here's the irony, especially if you are a first-class lady. A few weeks later I watched another pathetic lot being rounded up from the same ladies' compartment in the train I was on. To my utter amazement, one of my fellow criminals was among them. What are the odds on that? But apart from that, whatever he had paid the policemen that night had clearly not been enough to teach him the lesson I learned. No doubt he believed that traveling illegally was worth the risk of warming cop hands once in a while.

How much of that warming goes on every day? The thing is, it's bad enough that you can pay bribes to officials who are very willing to take them; bad enough that ill-gotten gains are nearly a birthright today; bad enough that values are to laugh at. But corruption is about more than these.

Corruption breaks down the very rules we live by.

We have good laws in this country. We have clearly spelled out mechanisms to punish those who break those laws. Whether it is for me occupying the ladies' compartment or for hate-crazed maniacs setting innocents on fire, punishment aims to ensure that the crime won't happen again.

Except, evading punishment is now an easy, routine matter. My friends in that compartment

found that out. When it is so easy, those very laws are undermined. They cease to have the punitive powers they were intended to have, because there is always a way to escape their effect. (No wonder that man in the ladies' compartment was a repeat offender).



As more and more people realize this, more and more people flout our laws. One day, we're warming hands to avoid a heavy railway punishment. Another day, a coffin scam erupts. A third day, mobs slaughter hundreds of Indians on our streets. In every case, the criminals know they will get away: in fact, the more ghastly the crime, the more likely it is that the criminals will get away.

And somewhere along the way, the few nuts who try to stand against this perversion get what's coming to them. What, in this climate, they should only expect to come to them.

That's what happened to Satyendra Dubey.

For that's the other fall-out of tolerating corruption. Criminals come to power over us. Being criminals, they will necessarily strike out at anyone who is a threat. Anyone who exposes their crimes.

Indeed, that's what happened to Satyendra Dubey.

People ask, what can we do about all this? Corruption is so widespread, so entrenched, how can we ever hope to fight it?

Difficult questions. And yet, let me hold out some hope. Become, in yourself, the rock on which the tide of corruption founders. Meaning, return to those values that we now laugh at. Put them to use. Meaning, don't ever go down a one-way street. Pay the fine if you do and are caught. Never offer a bribe, for anything. Never take a bribe. Pay your taxes.

You get the idea; I'm sure you can come up with many more such measures. Don't dismiss them as silly and ineffectual. Remember instead how few of us actually follow them. Even one of them.

And while you're about it, here's one more suggestion: speak out, stand up, against the criminals. Satyendra Dubey did it. Yes, he got killed. That's because he stood alone. If he had had hundreds of others, a host of Indians fed up as he was with corruption, standing alongside him, he would be alive today. That's the lesson to take from his tragedy.

Yes, Satyendra Dubey stood up. Remember this: he wasn't very different from you and me.

## Swaraj

*India must indeed have Swaraj but she must have it by righteous methods. Our Swaraj must be real Swaraj, which cannot be attained by either violence or industrialisation. India was once a goldenland, because Indians then had hearts of gold. The land is still the same but it is desert because we are corrupt. It can become a land of gold again only if the basemetal of our present national character is transmuted into gold. The philosopher's stone which can effect this transformation is a little word of two syllables-Satya. If every Indian sticks to truth, Swaraj will come to us of its own accord.*

— Mohandas Karamchand Gandhi  
Written 70 years back in Unto This Last.

*Where do we stand today?*



*There is no copyright for anything in SATYAMEVA JAYATE.*

*We encourage you to copy whatever you like.*

*Copy it as it is, get some articles from others or write your own views.*

*Corporates will hopefully print a few thousands and give them away.*

*We hope Newspapers and magazines will freely use the articles.*

*Write articles on this subject and 'publish' them.*

*If you wish to, send them to us at [shailesh@satyamevajayate.info](mailto:shailesh@satyamevajayate.info),  
or post them to*

*B2, Gokul Apartment, Podar Road, Santacruz(W), Mumbai 400 054.*

*Send us stories with supporting documentation on hard copy on **Whistleblowers**.*

*We will try and carry them on the Web at [www.satyamevajayate.info](http://www.satyamevajayate.info)*