



रेलटेल  
RAILTEL

A Government of India  
Undertaking

भारत सरकार - रेल मंत्रालय  
रेलटेल कार्पोरेशन आफ इण्डिया लिमिटेड  
नई दिल्ली

**RAILTEL CORPORATION OF INDIA LIMITED**  
**GOVERNMENT OF INDIA - MINISTRY OF RAILWAYS**  
**NEW DELHI**

# सतर्कता बुलेटिन **VIGILANCE BULLETIN**

नवम्बर 2009

**NOVEMBER 2009**

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## **MESSAGE**



I am happy to note that Vigilance cell of Railtel is bringing out their second Vigilance Bulletin on the occasion of Vigilance awareness week.

The main purpose of the Vigilance Awareness Week is to educate officers and staff about the cancer of corruption. Corrupt practices adversely affects the users confidence in the system. A cleaner and more transparent administration is possible only when the need for reform is generated from within.

I convey my sincere appreciation to the vigilance cell for taking the initiative and putting an excellent effort in bringing out this bulliten.

एसके वाशीष्ठ

**(S.K. Vasishta)**  
**Managing Director/RailTel**

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## संदेश



मुझे यह बताते हुये अति प्रसन्नता हो रही है कि रेलटेल के सतर्कता विभाग द्वारा सतर्कता जागरूकता सप्ताह के उपलक्ष्य में द्वितीय सतर्कता बुलेटिन का प्रकाशन किया जा रहा है।

सतर्कता जागरूकता सप्ताह मनाने का मुख्य उद्देश्य है कि हम अपने कर्मचारियों और अधिकारियों को भ्रष्टाचार से होने वाली हानि से अवगत करा सके। भ्रष्टाचार के परिणामस्वरूप उत्पन्न हुई दोषपूर्ण कार्यप्रणाली पर से आम लोगों का विश्वास समाप्त हो जाता है। एक पारदर्शी और साफ़-सुथरा प्रशासन का निर्माण तभी संभव है जब हम स्वयं इसकी आवश्यकता अनुभव करें और इसे अमल में लाने हेतु प्रयास करें।

मैं रेलटेल के सतर्कता विभाग की हार्दिक प्रशंसा करता हू कि उसने अपने सकारात्मक प्रयासों के द्वारा हमारी कार्यप्रणाली को दोषरहित बनाने में अपना योगदान दिया और साथ ही सतर्कता बुलेटिन का भी प्रकाशन किया।

एसके वशीष्ठ

(सुधीर कुमार वशिष्ठ)

प्रबंध निदेशक

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## **MESSAGE**



The role of vigilance department is basically to sensitize the managers and executives of corporation to adopt good and ethical practices in exercise of administrative and managerial authorities. This supports in fighting corruptions. The RailTel Corporation has created in house the following systems:

1. Checking of websites for currency of contracts.
2. Checking of tender details.
3. On line monitoring of bill payments.
4. Vigilance Complaints on websites.

In this bulliten these aspects are being broughtout to educate the officers & staff and for ensuring transparency in the official activities in the organisation.

It is hoped that that above mentioned inputs now be found more useful. Any suggestion for improvements are always welcome.

A handwritten signature in black ink, appearing to read 'Anshul Gupta', with a long horizontal stroke extending to the right.

**(Anshul Gupta)**  
**Chief Vigilance Officer/RailTel**



## संदेश

सतर्कता विभाग की अहम भूमिका अपने सभी प्रबंधकों और कार्यकारी अधिकारियों के हृदय में उस संवेदना का संचार करना है जिसके द्वारा उचित व नैतिक रूप से प्रशासनिक और प्रबंधन प्राधिकरण संबंधी सभी कार्यों को निबटाया जा सके। भ्रष्टाचार के विरुद्ध लड़ाई में सतर्कता विभाग एक अचूक हथियार की भांति कार्य करता है। रेलटेल कॉर्पोरेशन के द्वारा निरोधक सतर्कता प्रशासन हेतु अपनायी गयी लाभकारी तकनीकें जो कि निम्नलिखित हैं:

- क) अनुबंध की मुद्रा हेतु वेबसाइट की जांच;
- ख) निविदा विवरण की जांच;
- ग) बिलों की आन-लाईन निगरानी;
- घ) वेबसाइट के ज़रिये सतर्कता संबंधी शिकायत दर्ज करना।

हमारा लक्ष्य इस सतर्कता बुलेटिन के माध्यम से अपने कर्मचारियों और अधिकारियों को पूर्णतः सतर्क बनाना व पारदर्शी बनाना है।

अतः यह आशा की जाती है कि उपरोक्त बिन्दुओं की उपयोगिता से रेलटेल की कार्यप्रणाली को अधिक कुशल, पारदर्शी और उत्पादक बनाया जा सकेगा। तथा प्रशासन में सुधार हेतु आपके द्वारा दिये गये सुझाव या सलाह का भी सतर्कता विभाग द्वारा सदैव स्वागत है।

(अंशुल गुप्ता)

मुख्य सतर्कता अधिकारी

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### **PLEDGE**

WE THE PUBLIC SERVANTS OF INDIA, DO HEREBY SOLEMNLY PLEDGE THAT WE SHALL CONTINUOUSLY STRIVE TO BRING ABOUT INTEGRITY AND TRANSPARENCY IN ALL SPHERES OF OUR ACTIVITIES. WE ALSO PLEDGE THAT WE SHALL WORK UNSTINTINGLY FOR ERADICATION OF CORRUPTION IN ALL SPHERES OF LIFE. WE SHALL REMAIN VIGILANT AND WORK TOWARDS THE GROWTH AND REPUTATION OF OUR ORGANIZATION. THROUGH OUR COLLECTIVE EFFORTS, WE SHALL BRING PRIDE TO OUR ORGANIZATIONS AND PROVIDE VALUE BASED SERVICE TO OUR COUNTRYMEN. WE SHALL DO OUR DUTY CONSCIENTIOUSLY AND ACT WITHOUT FEAR OR FAVOUR.

हम सत्यनिष्ठा से प्रतिज्ञा करते हैं, भारत के लोक सेवक, कि हम अपने कार्यकलापों के प्रत्येक क्षेत्र में ईमानदारी और पारदर्शिता बनाए रखने के लिए निरंतर प्रयत्नशील रहेंगे। हम यह प्रतिज्ञा भी करते हैं कि हम जीवन के प्रत्येक क्षेत्र से भ्रष्टाचार उन्मूलन करने के लिए निर्बाध रूप से कार्य करेंगे। हम अपने संगठन के विकास और प्रतिष्ठा के प्रति सचेत रहते हुए कार्य करेंगे। हम अपने सामूहिक प्रयासों द्वारा अपने संगठनों को गौरवशाली बनाएंगे तथा अपने देशवासियों को सिद्धांतों पर आधारित सेवा प्रदान करेंगे। हम अपने कर्तव्य का पालन पूर्ण ईमानदारी से करेंगे और भय अथवा पक्षपात के बिना कार्य करेंगे।

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### **CANONS OF FINANCIAL PROPRIETY**

1. Always observe standard of financial property i.e. :
  - a. Expenditure should not prima-facie be more than the occasion demands and exercise the same vigil in public expenditure as in respect of your own money.
  - b. Ensure that your power of sanction of expenditure does not directly or indirectly come to your own advantage.
  - c. Ensure that the money is not used for the benefit of a particular person or a section unless the expenditure is insignificant or directed by court of law or is in line with policy/custom.
  - d. Ensure that the amount of allowance granted to meet the expenditure of a particular type does not become a source of profit to the recipient.
2. Avoid as far possible post-facto regularisation.
3. Always follow the laid down instructions and codal provisions.
4. Be fair, impartial and transparent in all dealings.
5. Do not exceed your power of matter; where higher authority's is to be taken or finance concurrence is to be taken, ensure that such approvals or concurrence are taken in advance before taking action.
6. Do not bypass any laid down instructions or codal provisions.
7. Do not excessively secretive where not required.
8. Do not sign any document without having read or understood it.
9. Avoid shortcuts.

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### वित्तीय औचित्य के सिद्धांत

1. वित्तीय मर्यादा के मानकों का हमेशा पालन करें, यानी कि
  - o मौक़े की मांग से अधिक खर्चा न हो । तथा खर्च में वही सतर्कता बरतें जो स्वयं के धन के संबंध में बरती जाती है ।
  - o यह सुनिश्चित करें कि आपकी स्वीकृति की शक्तियों से आपको स्वयं को लाभ तो नहीं पहुंच रहा है।
  - o यह सुनिश्चित करें कि सार्वजनिक धन किसी व्यक्ति या समुदाय विशेष के लाभ हेतु खर्च तो नहीं हो रहा है जब तक कि यह खर्च नगण्य ना हो, न्यायालय द्वारा निर्देशित ना हो तथा रीतिरिवाज/नीति के अनुसार न हो ।
  - o सुनिश्चित कर लें कि किसी खर्च की प्रतिपूर्ति हेतु दिए जाने वाले भत्ते प्राप्त-कर्ता के लिए आमदनी का साधन तो नहीं बन रहा है ।
2. खर्च पश्चात रेग्युलराइजेशन को टालें ।
3. हर समय जारी किए गये निर्देशों एवं संहिता प्रावधानों का पालन करें ।
4. सभी कार्यों में न्याय।-सम्मत, भेदभाव रहित एवं पारदर्शी बने ।
5. अपनी शक्तियों की सीमाओं को पार न करें। जहां उच्च अधिकारी की स्वीकृति लेनी हो या वित्तीय सहमति लेनी होती हो वहाँ ऐसी स्वीकृति/वित्तीय सहमति कार्य होने से पूर्व ही लें ।
6. जारी किये गये निर्देशों एवं संहिता नियमों का उल्लंघन न करें ।
7. आवश्यकता से अधिक गोपनीय न रहो ।
8. किसी दस्तावेज के बिना पढ़ें/समझे हस्ताक्षर न करें ।
9. लघु-मार्ग न अपनायें ।

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## **BAD NEWS MUST TRAVEL FAST**

I have a natural instinct for hunting down grim news. If it's out there, I want to know about it. The people who work for me have figured this out. Sometimes I get an e-mail that begins, 'In keeping with the dictum that bad news should travel faster than good news, here's a gem'.

A lot goes wrong in any organisation, even a good one. A product flops. You are surprised by a customer's sudden defection to another vendor. Competitor comes out with a product that appeals to a broad news market. Losing market share is the kind of bad news that every organisation can relate to.

Other bad news may have to do with what's going on internally. Maybe a product is going to be late, or it's not going to do what you expected it to do, or you haven't been able to hire enough of the right kinds of people to deliver on your plans.

An essential quality of a good manager is a determination to deal with any kinds of bad news head on, to seek it out rather than deny it. An effective manager wants to hear about what's going wrong before he or she hears about what's going right. You can't react appropriately to disappointing news in any situation if it doesn't reach you soon enough.

You focus on bad news in order to get cracking on the solution. As soon as you're aware of a problem, everybody in your organisation has to be galvanised into action. You can evaluate a company by how quickly it engages all of its available intellect to deal with a serious problem. An important measure of a company's digital nervous system is how quickly people in the company find out about bad news and responds to it. Digital technology speeds corporate reflexes in any emergency.

In the old days, an organization's response to bad news was necessarily slow. Business leaders often learnt about problems only after they become serious, since the only quick way to pass information was to interrupt them with a phone call.

Before handling a problem, people had to dig up information in paper files or go down the hall to find somebody who knew something about the situation. Once the information was in hand, however late and incomplete, people conferred over the phone or faxed data to each other. Every step in the process was very time consuming. There was no way to gather scattered anecdotal information to get a complete picture.

Even with a combination of telephone and fax, it's hard to recognise a pattern of bad developments before it shows up in sales results. Even with mainframe computers storing customer's data in a centralized location,

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extracting information in a timely way is so hard that the stored data is seldom of much help in a crises. Though the dawn of the information Age means we can send information fast, most companies do not gather the key information about customer issues in one place. By contrast, a well-designed digital nervous system operates as an early warning system.

(Extracted from Business@ the speed of Thought By Bill Gates)

Do not awake me When you have good news to communicate, with that there is no hurry. But when you bring bad news, rouse me instantly, for then there is not a moment to be lost.

(Napoleon Bonaparte)

There are four sorts of men  
He who knows not and knows not  
he knows not : He is a fool-shun him  
He who knows not and knows he knows not:  
he is simple teach him;  
He who knows and knows not he knows:  
he is asleep wake him;  
He who knows and knows he knows :  
he is wise follow him.

- An Arabian Proverb

Desire lead to Dreams.....  
Dreams can be fulfilled if they are supported by

- Direction
- Dedication
- Determination
- Discipline
- Deadlines

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## **WHAT MAKES A FIVE-STAR TRAC (Transparency in Reporting on Anti-Corruption) SCORE?.**

A five-star company will typically:

- Have an overall code of ethics and a detailed anti-bribery code
- Be a communication on progress compliant signatory to the UN global compact and a member or supporter of other relevant anti-corruption initiatives (such as PACI or the ICC, or a sectoral initiative such as EITI, or a supporter of the Business principles for Countering Bribery)
- Make explicit that its anti-bribery code applies to all employees to business partners, and the other relevant groups such as board members their families and close associates.
- Have an explicit and detailed policy which makes clear that bribery, kickbacks and similar are not permitted
- Prohibit facilitation payments and commit to recording and reporting these when they occur.
- Have clear guidelines on giving and receiving gifts and hospitality, including upper limits, and have awareness of the cultural context of gift giving.
- Be committed either to not making political contributions, or to making explicit and public when such contributions are made.
- Show an awareness that lobbying activities are an area of potential corruption concern, and commit to transparency regarding lobbying activities.
- Not tolerate bribery and corrupt practices by its business partners, and encourage and assist them to have robust anti corruption policies in place.
- Communicate its anti-corruption policies to employees and agents and provide extensive training to employees and agents.
- Have a robust, confidential reporting system in place, and a commitment not to victimise bonafide whistle blowers, and have a system in place to provide less formal guidance and advice on these issues.
- Regularly review its policies and monitor and act on breaches, and have its system externally monitored and verified/audited.
- Report a range of meaningful key performance indicators (KPIs), such as those recommended by the Global Reporting Initiative (GRI).

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## भ्रष्टाचार मुक्त समाज : मेरी जिम्मेदारी

आज के प्रतिस्पर्धा के युग में एक आम आदमी किसी न किसी तरह से या तो भ्रष्ट व्यवस्था से व्यथित है या भ्रष्ट चीजों में लिस है। इसे किसी की आवश्यकता कहें या आदर्श जीवन मूल्यों का अभाव कि लोग अपने आप को भ्रष्टाचार जैसे दैत्य से नहीं बचा पा रहे हैं।

यह बड़ी विचित्र और कड़वी बात है कि लोग दूसरों की भ्रष्टता पर उँगली उठाते हैं जबकि अपनी भ्रष्टता को नजरंदाज करते हैं।

आज भ्रष्टाचार के प्रति जागरूक होने की बहुत जरूरत है, यह जागरूकता व्यक्तिगत और किसी संगठन के लिए बहुत जरूरी है। किसी भी संगठन में भ्रष्टाचार जैसे बीज को आम आदमी में से कोई एक बोता है लेकिन उसकी वजह से बदनाम होता है पूरा संगठन और पूरा समाज। जैसे कि कहावत है कि गेंहू के साथ घुन भी पिसता है, अतः जो लोग इससे दूर रहते हैं वो भी व्यवस्था के अर्न्तगत इसकी चपेट में आ जाते हैं।

इस क्रम में सरकार ने बहुत से कदम उठाये हैं और केन्द्रीय सतर्कता आयोग जैसे संगठन बनाये हैं जो भ्रष्टाचार मुक्त समाज के लिए उत्तरदायी हैं। इसे सकारात्मक दृष्टि से देखा जाय तो निश्चित तौर पर लोग भ्रष्टाचार के खिलाफ सतर्क हुए हैं। उन्हें कुछ गलत करते हुए भी कम से कम एक बार सोचना पड़ता है। इसमें मीडिया की भी एक बहुत बड़ी भूमिका है जिसकी वजह से देश में बहुत से बड़े घोटालों का पर्दाफाश पूरे देश के सामने किया जा रहा है।

लेकिन इन सबसे ऊपर भ्रष्टाचार को जड़ से समाप्त करने के लिए सिर्फ "मैं" जिम्मेदार हूँ। मैं हूँ इस देश का एक आम आदमी, एक एहम वोट, एक एहम कड़ी देश के विकास की, एक एहम पहलू देश की ईमानदारी छवि का। और इसके लिए मुझे अपने जीवन में चाहिए आदर्श जीवन मूल्य।

अरुण सिंह रावत

सहायक

प्रबंधक /तकनीकी

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## **A CORRUPT MAN CANNOT BE A GOOD FAMILY MAN**

The owner of wealth earned through corruption to be a super flop at the family front. They become so disturbed in their effort to earn money that neither they are able to become good husband nor a good father. These surprising facts have been revealed through a survey conducted by specialists. According to the the specialists, corrupt people got more angry and are arrogant.

Senior cancer specialist of Dharamshala Cancer Institute and Member of All India Meditation Society. Dr Puneet Gupta has done a deep research and minutely studied the mental and domestic conditions of corrupt people through a non-government organisation named "Chetna". According to Dr. Puneet Gupta, a corrupt, a corrupt person remains sick inspite of being physically healthy. The desire to earn money is so dominating on his mind that he is not able to pay any attention either to his family or to his society. Not only this, he imbibes certain other qualities because of corruption but he is always full of anger and arrogance. That is why such people remain cut of from the society.

Dr. Gupta has told that corrupt person is so involved in himself that he does not remember anything else. He does not carry out his responsibility towards his family or society. Emotions like love and faith get away from him. He may be having a comfortable bed but sleep evades him. Inspite of a complete family and physical comforts, he neither gets peace nor rest. He is not liked by the society.

According to the specialists, corrupt people are now turning towards spiritualism. They have realised that only spiritualism can bring them peace. Dr. Gupta has stated that according to the spiritual persons, evil qualities are much more than saintly qualities in corrupt people. That is the root of all problems. If a corrupt man increases his saintly qualities through yoga and meditation, he can lead a peaceful life.

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## **‘भ्रष्ट व्यक्ति अच्छा गृहस्थ नहीं हो सकता’**

भ्रष्टाचार से कमाई गई अकृत संपाति के स्वामी वैवाहिक फ्रंट पर ‘सुपर फ़्लाप’ साबित होते हैं। धन कमाने की जुगत में ऐसे व्यक्तियों का मन इस कदर अशांत हो जाता है कि वह न तो अच्छे पति बन पाते हैं और न ही अच्छे पिता। यह चौंकाने वाले तथ्य विशेषज्ञों द्वारा किए गए सर्वेक्षण में सामने आए हैं। विशेषज्ञों के मुताबिक भ्रष्ट व्यक्तियों में गुस्सा और अहंकार सबसे अधिक पाया गया है।

धर्मशिला कैंसर इंस्टिट्यूट के वरिष्ठ कैंसर विशेषज्ञ एवं आल इंडिया मेडिटेशन सोसाइटी के सदस्य डा० पुनीत गुप्ता ने गैर सरकारी संगठन “चेतना” के साथ इस संबंध में एक गहन शोध किया है और भ्रष्टाचार में लिप्त लोगों की मानसिक व घरेलू स्थितियों पर बारीकी से अध्ययन किया है। डा० पुनीत गुप्ता के मुताबिक भ्रष्टाचार में लिप्त व्यक्ति शारीरिक रूप से स्वस्थ होने के बावजूद अस्वस्थ रहता है। दौलत कमाने की चाहत उसके दिमाग में इस कदर घर कर जाती है कि वह न तो अपने परिवार पर ध्यान दे पाता है और न ही समाज पर। इतना ही नहीं, घूसखोरी के कारण उसमें कुछ ऐसे गुण आ जाते हैं कि गुस्सा और अहंकार हमेशा उसे घेरे रहते हैं। इसलिये ऐसे व्यक्ति हमेशा समाज से कटे-कटे रहने लगते हैं।

डा० गुप्ता ने बताया कि घूसखोर इंसान अपने आप में इतना मग्न रहता है कि उसे कोई और चीज याद नहीं रहती। न तो वह अपने परिवार के प्रति जिम्मेदारी का निर्वाह कर पाता है और न ही समाज में अपने दायित्व का। प्रेम और आस्था जैसी भावनाएं भी उससे दूर होती जाती हैं। नरम-गरम बिस्तर तो होता है मगर नींद कोसों दूर रहती है। भरा पूरा परिवार और सारे भौतिक सुख होने के बावजूद उसे न तो शांति मिलती है और न ही चैन। समाज में उन्हें पसंद भी नहीं किया जाता।

विशेषज्ञों के मुताबिक घूसखोर अब अध्यात्म की ओर मुंह करने लगे हैं। उन्हें महसूस होने लगा है कि आध्यात्मिक ज्ञान के द्वारा ही वह अपने चित्त को शांत कर सकते हैं। डा० गुप्ता बताते हैं कि अध्यात्म शिक्षा के अनुसार भ्रष्टाचारी में तमोगुण, रजोगुण काफी अधिक हो जाते हैं जबकि सतगुण कम हो जाता है। इसी कारण यह सारी समस्याएँ उत्पन्न हो जाती हैं। यदी भ्रष्ट इंसान सतगुण में योग व ध्यान के जरिए बढ़ोतरी करे तो वह शांति से अपना जीवन व्यतीत कर सकते हैं।

**(सौजन्य से हिन्दुस्तान, नई दिल्ली)**

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## IT to Root-Out CORRUPTION

Source: Corruption Monitor.com.

**Abstract:** - This document basically contends that; 'most of the economic crimes known as corruption occurs mainly due to the surreptitious or illicit Money transactions. The cash money plays the key role, as it enables the unscrupulous people to make money transactions without leaving any concrete records or proofs so it escape from its public, legal scrutiny. Thankfully now the good news is that the Information Technology (IT) today with its innovative "Electronic (E) Money Transaction" if made mandatory in combination with 'Biometric Identity' in all bank accounts can enable the Governments to root-out most economic crimes, as well other crimes. Only if there is a political will to get it done.

### **Introduction:**

Thanks to the era of Information Technology (IT) that our world galloping in today. With its widespread broadband Internet connections it is ushering a new economic age of E-commerce, E-business. Most important in this regard is its innovative electronic or the E-money ("credit card" its partial form) transaction technology, in which the money payment/receipt in-between any two parties necessarily conducted through a "third party", a bank or financial institution that provides this most important "financial service" and in the process all its "INFORMATION" gets instantly recorded in the digital data storage of this registered public financial institution. Under which it is impossible for any one to cheat, deny or hide the true accounts of their money and all its transactions from the public or legal scrutiny when authorized.

### **Traditional Reason for Hiding CASH Money -- Its Main Drawback:**

Traditionally the genuine reason for people to keep their money hidden and not to display its true amounts to the public is to PROTECT it from getting stolen, burgled or looted. Most importantly the fear of getting robbed or lost while carrying it around for the transaction evertheless from ages the cash money remained indispensable or quintessential for the economy to conduct the value (commodity) exchange or the trade most efficiently. However today this newly emerging innovative IT of Electronic Money Transaction (EMT) can fulfil all the needs of the traditional CASH money transaction far more efficiently. Together with, it would entirely remove all such potential threats or the genuine fears of robbery, stealing, theft, by this revolutionary technological system.

By the way, the main drawback of the traditional cash money transaction is that it is impossible practically to keep and maintain the records, accounts of all cash money transactions for its legal, public scrutiny. Its paper and storage cost alone would be so enormous let alone its labour cost and other

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factors. It is only the IT today with its E-money transaction record keeping digital technology, actually enables us to accomplish it. This document marks its beginning.

**Money Basically A Public TRUSTS:**

Money is basically a public TRUST. It puts a social responsibility and the legal obligation on all those who owns it over and above a given limit that they should maintain and submit its truthful accounts before the designated public authorities for its due legal scrutiny and not to use it for unlawful, illicit purposes. However the conventional cash money delivery between any two parties got no such effective technology to monitor and record its movements and know all its location all the times to prevent it from getting misused. Thus it becomes possible for the unscrupulous individuals to totally hide it or submit its false accounting before the legal authorities in breach of its public trust, and engage into many kinds of its “misuse”, clandestine business practices, criminal use or the surreptitious money dealings.

**Cash Money Hiding Ability Breeds Corruption:**

Of course, most of the cash money transaction, business in our world conducted lawfully. However a significant number of this cash money amounting to enormous sums kept hidden away from the legal scrutiny or collected and employed unlawfully. The number one among is the ubiquitous economic crime of tax fraud or the evasion. Along with its cheating and depriving the public revenue it also puts the other people around in the money market competition into a very disadvantageous position thus pressurizes, encourages or tempts many among them also to commit that crime. Same is true with other economic crimes and the most notorious among is the extortion or the BRIBERY. There are number of such economic crimes that will mention some of them in the latter Sections. It is mainly due to the cash money (currency) basically having this “concealable” property that gives its possessor the ability to hide it from its legal scrutiny that could lead into its surreptitious transactions. So it begins to spoils the economic system, start to breed corruption. And the corruption breeds more corruption, crime begets crime.

**Cyber Technology Also Can Prevent Most Economic Crimes**

The world today speeding fast into the cyber space economic age. Cell phones have become the integral part of peoples every day's life. However the Nations money transaction system in majority still remains mainly in the centuries old printed paper cash currency money, which is getting more and more inefficient day by day in the face of the sheer volume of growing economy and its crimes boosted with its cyber technology. All of it getting out of the national governments control, many times spiralling into deep economic crises. Poverty, Unemployment and the INFLATION. The public

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demands the government to control it, blames it for the failure and elects a new government. The new government comes with the promise to control it but no Governments able to do it. Fortunately however now the same cyber technology that gives the worlds Governments the nightmare of growing economic crimes at the same time can also offer a great cyber technological solution to prevent most of it that explained in the following.

**Establishing A MANDATORY Electronic Money Transaction (MEMT) System:**

The emerging electronic or the credit card money transaction if pursued deeply and by legislation made mandatory in all money payments and receipts above a given sum, could provide the most effective technological device and the great historical opportunity for the Government to eradicate most of the unlawful or "illicit" money transactions or the corruption. Under this Mandatory Electronic Money Transaction (MEMT) economic system all commerce trade, business, buying and selling, in the super markets, shops trading goods or any commodities (except in very small trade dealing in small amounts in smallest denominations, in coins) should be made only through the medium of the electronic money. Similarly all wages, salaries, services, incomes, profit, earnings, bills, receipts/payments, deposits made in the same e-money form.

In fact establishing a MEMT based economic system not only possible but also it is INEVITABLE! Its fundamental technologies already in place. Experts predict "Cashless Future" (see its web link in the Recommended reading at the end). In the coming years more and more people begin to conduct their everyday money receipts and payments in electronic transaction. Most importantly the ubiquitous cell phones going to play a major role in this matter. Equipped with a electronic money transaction feature called "Near Field Communication" (NFC), they are entering the market in a big way. These cell phones conduct every day money transactions through its secure biometric password crucial in preventing the accounts identity fraud. This in turn will bring in a basic TRANSPARENCY in all its money transactions. Indeed a biometric password or the "identity" is the essential "PREREQUISITE" for the establishment of a MEMT economic system, which is explained in the next section.

**A Biometric Identity (BID) For Securing All Bank Financial Accounts**

The MEMT economic system most importantly requires all people in a nation should have a single universal Social SURETY Number (USSN) based on their Biometric Identity (BID) mainly for securing or ensuring all their bank financial accounts. Of course, a person may have a number of accounts in several banks at any places in the nation but they all should basically identified with their single undeniable BID along with their name address and signature in the central USSN office. First and foremost, it

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should have the basic authority to access the nations each individuals existing bank financial accounts when needed (ordered) for the legal investigation of economic crimes. Together with that authority, it should also have the prime responsibility providing

The basic social security, employment or the minimum income guaranty, health insurance, educational aid for every one especially for the weaker sections of the society. Importantly as well, all the tax eligible people, businesses in the nation should submit their total annual income, including the property accounts (like filing income tax return forms) and pay all their taxes under its jurisdiction. Be it the nations top leaders, presidents, prime ministers, corporate tycoons, CEO's, down to the common man. All should come under this network of the USSN office jurisdiction system. This BID security over the financial accounts also needs to be applied to all fields of valuable commodity transaction, exchange or the handover including exchange of gift, donations, helps (commodities above a given value) property ownership transfer etc. No barter trade of property, precious metals valuable articles should be allowed. All valuable items a person, organizations, institutions owning registered as property with its records under the country income tax office. Such a mandatory electronic money transaction economic system operating under the USSN network that keeps accounts of almost every money transaction would make all individuals and the businesses financial accounts completely open or transparent before the legal or the public scrutiny. It would basically dissuade or deter people from engaging in any of the economic crimes or corruptions because that essentially leaves the electronic money trail as clear evidence that could be impossible for anyone to get rid off.

#### **Some Main Economic Crimes It Could Prevent:**

Tax fraud and the bribery are the two major economic crimes that this MEMT can undoubtedly prevent. Apart from it, the counterfeit money, money-laundering, ransom money, the cash money robbery/theft/ stealing, etc., will become a thing of the fast in a fully pledged MEMT system where there is absolutely no printed paper Cash currency money to carry it out in the first place! Black marketing, illegal hording, all kinds of smuggling, trafficking, illegal drugs, weapons, mafia, 'Terrorist Finance' etc., accounts will get mostly exposed with pin-accuracy under the BID based MEMT economic system (explained above) so those culprits' days will be numbered. Credit card fraud/fake/theft, or the fear of getting it lost and its misuse mostly will disappear. With its BIDN/MEMT network system in place it would be highly difficult for the fraudsters to buy things online with complete anonymity or to commit any of the credit card crimes and to get away with it. After all in such electronic money network system all proceeding money transactions can be immediately traced back to its preceding accounts and all the other accounts that transacted with it would reveal its all round true connections.

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Corporate business scams, misappropriation of public funds, developmental project money embezzlement, poverty scheme money swindling, buying of the bureaucracy, police, judiciary, and politician for money, none can escape from this constantly vigilant digital money surveillance or scanning technology. On the other hand it could also prevent those malicious, false accusations, allegations of economic crime, corruptions. The root-cause of most of the property crimes, murders, sex crimes, social injustices, environmental degradation, violent retaliations many (if not most) times, motivated by or against the surreptitious or the shrouded money transactions that the traditional cash money transaction economic system allows. Replacing it with this new and transparent MEMT economic system can greatly prevent it. Besides all of which, as a bonus, it can also provide the government with an entirely new kind of financial control device to check inflation, stock market crash etc economic crises. Not to mention, many (if not most) times the main cause of it lies in the corrupt or unscrupulous trading practices.

**Poverty Eradication Achievable Within Few Years:**

Poverty eradication would become a definitely possible and achievable goal under this MEMT system within a few years. First of all as I mentioned it before, the prime responsibility of the USSN is to provide the basic social security, employment, the minimum income guaranty, basic food, shelter, education health for all people and the government will have enough money needed to do it. Just imagine the amount of money when almost all tax revenues gets collected by the prevention of all the tax evasion or the fraud alone! It could provide more than enough money for poverty eradication programs. At the same time the USSN system with it biometric ID, would mostly prevent the unscrupulous people from swindling the welfare aid money in the name of poor. Moreover when the basic ground of all those economic crimes gets removed, most of the money that used to drain into that corruption channel, now redirected into the legal economy and into the social developmental programs.

**Legitimate Businesses Nothing To Fear:**

People who conduct honest, responsible business practices have nothing to fear from this MEMT economic system. In fact, it can very much fulfil the vision of the UN Human Rights Principles particularly the UN Global Compact tenth Principle, which specifically states: "Businesses should work against corruption in all its forms, including extortion and bribery". Responsible businesses would rather greatly benefit from it, because it would create a very conducive atmosphere to practice a corruption free, progressive economy in the absence of the corrupt, criminal business practices (tax fraud, bribe, extortion, etc.) as the latter are the worst enemies of the honest businesses. Most important of all is that there will be no restrictions or Limits imposed on people in their legitimate money

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earnings; profit making or owning money or property of any huge amounts. One can be a billionaire or a trillionaire, provided all their businesses money transaction remain transparent under, the MEMT and that information remains open to the democratic public, USSN's legal scrutiny. In fact the Government should encourage businesses, small and big, by providing them with more opportunities, removing many of those trade barriers, hurdles and most importantly by lowering the taxes.

**Only Unscrupulous People Will Get Terrified:**

It is only the unscrupulous people who engage in the economic crimes, corruptions, illicit business, will get terrified of it because this MEMT leaves behind the concrete records of the electronic money trail as clear as day in the light so they can no longer cover-up its tracks and conceal their crimes so will be caught with its clear evidence get duly prosecuted and sent to prison.

**Both Are Complimentary For Each Others Success:**

Of course this MEMT economic system perhaps would be very difficult to introduce in its infant or initial stages. It also depends up on place-to-place and countries to countries. It will depend on their social economic and the political system and its development. Nevertheless it is far simpler and easier to implement effectively instead of those tens of thousands and legally cumbersome anti-corruption laws! The fundamental difference between the two is that the MEMT is a single wholesome technological solution based on almost fail-safe advanced technology while the latter are hundreds of years old antiquated legal solutions so much fraught with numerous human error and complications. Surprisingly however now they both seem complimentary for each success in the future.

**Two Main IT Anti-Corruption Monetary Measures**

The abstract of this entire "IT To Root-Out Corruption" main text first. Most of the economic crimes, corruptions occurs mainly due to the surreptitious, illicit or the hidden money transactions that escape from the public, legal scrutiny. Now the good news is that the Information Technology (IT) today with its innovative digital or the "electronic money transaction" if made mandatory with biometric identity in all bank accounts can enable the Governments to root-out most economic crimes, known as corruption. It all basically stands upon two main

"IT Anti-Corruption Monetary Measures the following:

- 1). Introduce Mandatory Biometric Identity (MBID) in All Bank Accounts the first and foremost important IT Anti-Corruption Monetary Measure that is to introduce a compulsory or Mandatory Biometric Identity (MBID) along with the name address and signature in all bank accounts. Thereupon it should be extended into the ownership of valuable properties or assets. The most important principle of having a MBID for securing or obtaining the bank

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accounts is first of all to prevent the fake or bogus identity fraud in it. With the MBID one can immediately identify and find out every bank, financial accounts of a (any) person accused of committing an economic crime (be it a tax evasion, bribery, embezzlement and the whole range of it including terrorist financing). Searching it out with a pin-point (MBID) accuracy among those banks, properties billions or trillions of records. It is impossible to anyone to fake their Biometric Identity. So the MBID in all bank accounts is the most important perquisite to root-out corruption.

2). Promote Mandatory Electronic Money Transaction (MENT) Against Cash Currency: Make it mandatory or obligatory on all people to conduct their every money receipt/payment above a given amount in the form of electronic money transaction through their bank to the others bank account, replacing the old traditional cash paper currency. Most importantly in case they make the cash currency deposits or withdrawals above the given amount then it should undergo enquiry about its detailed accounts and bills. Also the payments for things, services, materials pertaining to important security matters (cell phones, credit cards, recharge, rentals, travels, weapons, explosives etc.) should be only conducted through the e-money or the credit card even its amount remains below the given mandatory money transaction sum. In this MENT setup, the money payment in bank cheques (Check) to others accounts by all means remains perfectly legitimate. To make the MENT more effective as an extension, the Governments needs to phase-out or gradually withdraw the higher denomination currencies from the public. The higher denominations currencies have been conveniently used or grossly misused or end up in committing most and major economic crimes. Besides the absent of it would greatly promote the MENT due to its various contributing factors including the enquiry placed on the cash currency deposit and withdrawals and the MENT in the security matters. Most importantly however the banks should continue to have those higher denomination currencies even of very high values; a hundred thousand, million even a billion (Dollar, Euro etc) denomination currency bills. However they should be restricted mainly to exchange only between the banks, financial or the monetary institutions.

### **Make Biometric Identity Compulsory in All Bank Accounts**

Among the two “IT Anti-Corruption Monetary Measures” above all my first and foremost important pressing appeal to all anticorruption concerns, specially to the national Governments, is to bring in a policy of Compulsory or Mandatory Biometric Identity (MBID) in all bank accounts along with the name address and signature. Most importantly all the ownership registration records of valuable property, assets money transactions transfers, payments, receipts should be made only through the MBID enabled bank to the bank accounts. (In fact, I am told such bank to bank payment guideline regulations, laws exist even today except the biometric identity in all bank accounts so the laws remains mostly ineffective

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in its anti-corruption purpose.) Already, the Government for security reasons makes people to register themselves with their biometric identity for obtaining, passports, voter's identity, driver's licenses etc, mainly to prevent the identity fraud, and other crimes. -- The MBID has already entered into the financial system in the online money transaction through the cell phone market in quite a big way for secure payment by a technology called Near Field Communication (NFC). In fact now a days a fully developed biometric identity (finger print, face iris recognition including the photo) considered to be a very important requirement to get this credit card account to prevent the identity theft and the bank account money fraud. Now extending it in all the bank accounts won't be that difficult, actually it seems to be a long overdue in view of the security needs involved. Of course it won't be as effective without the Mandatory Electronic Money Transaction (MENT) i.e. making all money transactions (payments receipts) above a given amount only through bank to bank, which is the second IT Anti-Corruption Monetary Measure. Nevertheless this MBID is its perquisite and above all is far more practical, PRAGMATIC, easier to implement compared to the other anti-corruption monetary measures. It can significantly deter the economic crimes so reduce the corruption and necessarily lead into the future fully pledged MBID/MENT system in which most of the crimes including the terrorism that as we see it today can be eliminated. Some of it explained in the following section.

#### **Anti-Terrorism: MBID/MENT To Track Down Terrorist**

Besides combating corruption, a fully pledged MBID/MENT can also work as powerful Anti-terrorism machinery, which can tremendously help the government Security agencies to track down the criminals specially the terrorist. When a terrorism investigation ordered, this system can concretely (electronically) trace back every day PHYSICAL movement, location, phone call, contact of the suspect based on his/her every day buying and the money payment for things, services, material that he /she had made, which includes any such things that the suspects left behind the crime scene. This MBID/MENT network leaves behind an unmistakable physical evidence electronic trail on whatever things it touches, which is impossible to get rid off.

By the way, the MBID/MENT system works quite differently or more fully in combating terrorism than in combating corruption. In the former the entire money transaction (or the absence of it) in the suspect bank account can show the concrete evidence to prove or disprove the involvement in the given crime but in the latter it is only the illicit money transaction that can prove or disprove the corruption.

Political Will To Get It Done

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## **A prescription to end corruption (unique identification of every citizen will help will kill the corruption malaise in developing economics)**

Source: Corruption Monitor.com.

What allies the under developed and developing nations?. Reply: corruption leading to self perpetuating. Reason: lack of honesty and transparency. Result: lack of accountability for sustained growth .Economy is divided between rich and poor, the rich are growing richer and the poor are growing poorer. The poor cannot afford essentials such as food, clothing, shelter, health, education and social security. The division is so sharp between communities, while a rich family can afford to spend Rs 5000 per week on food items, a poor family of the same size can hardly spend Rs. 5 per week.

Does this mean all citizens living in a poor nation are poor?. Well the answer is 'NO'. The wealth in a under developed/developing nation is skewed. Almost 80-90% of the wealth of the nation is in the control of say 5-10% of the population. The majority of the population hardly has access to any wealth and live abject poverty.

One of the biggest factors is 'Corruption' It is the cancer eating into the vitals of the society. It has permeated into all facets of life, affecting the poor and voiceless. Today, the common man with no money or muscle power, cannot think of getting anything done in the developing world, without having to pay bribe.

Global institutions such as world banks, IMF, and UN must enjoy legitimacy from their member countries and the international community. They must be responsive, with the interests of all members, especially the smaller and poorer, being taken into account, the governance of these institutions must be flexible, must respond to new challenges, national priorities and specific circumstances.

A scathing report from the independent Evaluation Office (IEO) of IMF highlights the lack of transparency and accountability in IMF. The IEO measured governance along four dimensions effectiveness, efficiency, accountability and voice - and against three standards the Fund's own governing documents, other international organisations, and private & public sector corporations. The report finds accountable and voice are the weakest features of the fund's governance and these weaknesses entail risks to the fund's legitimacy, which in turn be bearing on its effectiveness.

If this is the situation with global institutions, we can well imagine what would be the situation with national and regional institution. No wonder they abound in corruption of all sorts and get away it. Then, how do we get over

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this corruption mania? One sure way would to plug all the leakages in the system. This cannot be done without active support of the governments and its citizens. A unique identification of every citizen is the primary requirement, with the advent of ICT tools, every citizen can be uniquely identified from birth to death unique identification methods such as fingerprints, iris, hand vein geometry and DNA linked to their ID, name photo, etc. Recently our Govt. planned after long time to implement the scheme of unique identification of people.

A multipurpose biometric smart card for every individual and organisation linked to a money account and a e-tool to link every citizen service provider/ public authority including the vertical and horizontal hierarchy of governance can be used as a single window of trans for G2C, G2G, B2B etc. If the transactions are thrown open, then total transparency and accountability can prevail, as envisaged right to information act.

Healthy citizenry can be created by covering all aspects of citizens from birth to death such as health, hygiene, housing, education, expenses, consumption, savings, social security, et al, based on genuine physical transactions and not ghost transactions. Thus corrupt money laundering, arms trade and terrorism can be eliminated and all round peace and prosperity can prevail as every one would feel good no one can cheat any one and all have equitable opportunities to contribute and grow.

The best way to handle a mistake is to

- Admit it quickly.
- Need dwell on it.
- Not repeat it.
- Not assign blame or make excuses.

Recipe for success.

- Play to win and not to lose.
- Learn from other people's mistakes.
- Associate with people of high moral character.
- Give more than you get.
- Always think long term.
- Evaluate your strengths and build on them.
- Never compromise on your integrity.

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**National Colloquium on “Ethics in Governance  
Moving from Rhetoric to Results”  
Organized by  
The Administrative Reforms Commission and  
The National Judicial Academy  
Valedictory Address  
(02<sup>nd</sup> September, 2006)**

by  
**Justice Y.K. Sabharwal**  
Chief Justice of India

Ever since independence, India has been one of the front runners in the comity of nations that cherish principles of civil society. India sought to redeem the pledge taken in this behalf by evolving a Constitution that dreamt of establishing an egalitarian society based on principles of equality, fairness and justice, one characterized by the belief that all people should have equal political, social and economic rights. Our system of governance is founded on the lofty principle of rule of law, wherein the State power is divided amongst three chief organs, each under a duty to conduct itself in a manner that sub serves the common good of all and achieve the objectives of a welfare State. The checks and balances were put as inherent safeguards designed to ensure compliance with the maxim “Be you ever so high, the law is above you”. The dicta of the Constitution is crystal clear; namely, the goal of good governance.

After having seen the way our polity works on the demands of the civil society, the Government of the day had set up, in 1966, a Commission of Inquiry that came to be known as the Administrative Reforms Commission. The recommendations of the said first Administrative Reforms Commission brought about qualitative changes in the system of governance in our country focusing, in the process, on issues as wide ranging as the structure of the administrative machinery, decentralization of powers and functions, revamp of financial management and, of course, the issue of dealing with corruption, a subject that has been the mother of all issues from times immemorial.

Since we talk of ethics in governance, it is necessary to understand, may be once again, the concept of “governance” which is as old as human civilization. Ever since humanity decided to organize itself into political entities, the society comprised within each unit would evolve a system of governance though which its internal affairs and external relations could be regulated so as to afford to it the optimum benefit. In its most simplified form, the expression “Governance” simply means the process of decision-

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making and the process by which decisions are implemented. It entails, as described by the Human Development Report, “the exercise of power or authority political, economic, administration or otherwise to manage a country's resources and affairs”.

From this perspective, it encompasses “the mechanisms, processes and situations through which citizens and groups articulate their interests, exercise their legal rights, meeting their obligations and mediate their differences”. As a necessary corollary to the above, the act of governance involves “the interface through which citizens mediate and interact with the State”. This indicates that quality of governance depends largely upon the indulgence shown by the subjects. Speaking on basis of experiences of medieval period and the times of colonial rule, in particular in the continents of Africa and Asia, some political scientists would use sarcasm in describing the system of governance in the words that I quote:

“the marvel of all history is the patience with which men and women submit to burdens unnecessarily laid upon them by their governments”.

The world has come afar from the times of such skepticism. The majority of the member States of the free world today are founded on the principle of “Welfare State”, run with full participation of their respective inhabitants, striving to achieve the common good and in the process affording optimum opportunity and involvement for growth of the individual so as to attain societal interests. This has led to evolution of “Good Governance”, as opposed to mere governance, as the umbrella concept embracing within a system of governance that is able to unequivocally discover the basic values of the society where standards concern economic, political and socio-cultural issues including those involving human rights, and one that follows the same through an accountable and upright administration.

As per the United Nation's Commission on Human Rights, the key attributes of good governance include transparency, responsibility, accountability, participation and responsiveness to the needs of the people. Good governance is thus linked to an enabling environment conducive to the enjoyment of Human Rights and promoting growth and sustainable human development. The world community endorses 'rights based approach' to development and tests the track record of each member State on its anvil. The expectation of every civil society of its Government is that it would fulfill its commitments and provide an equitable atmosphere conducive for individual's growth. A Government is expected to be fully accountable to its people and transparent in the employ of public resources. It enforces the Human Rights including economic, social and cultural rights and has no place for corruption of any kind since dishonesty is anathema to economic well-being as it transmits public money allocated for development unjustly into private coffers depriving the citizenry of its use for

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their welfare. This is the prime reason why the World Bank views good governance and anti corruption measures as central to its poverty alleviation mission.

It would be fruitless to narrate, once again, the instances of corruption in different walks of public life in our country. The stories of defilement at all levels in our institutions, public or private, float around at regular intervals. Certain overzealous and highly charged sections of the media have made it a matter of routine for sting operations to lead to expose of corrupt practices in almost each rung of the administrative hierarchy that governs us. I must hasten to add here that the methodology adopted in such sting operations at times is subject matter of ongoing debate. Be that as it may, this by itself can never condone the misdemeanour that has been bared to the public glare by such efforts adding to the disgust and revulsion felt by law-abiding citizenry. The cases of corruption by public figures are not limited to taking of paltry financial gains as illegal gratification for doing or abstaining from doing the official duties. They would extend to brazen abuse of office or authority for unjust enrichment of self or of the kith ad kin, personal gain rather than financial rules dictating the award of public contracts or state patronage, favouritism on considerations of cast, creed etc., use of discretion for extraneous considerations, use of public sector enterprises as personal chattel, protection of the corrupt by their superiors thereby indicating, almost openly, community of design and so on as so forth.

It is perhaps not possible to draw up a comprehensive list of areas of activity that give rise to scope for corruption. The discretionary powers with which public authorities are vested by the administrative rules are perhaps the biggest source of unethical practices. It is not that the entire work force in the civil services stands compromised or has sold its conscience on account of extraneous influences. The difficulty streams from the fact that those who refuse to bow down to the dictates of unscrupulous elements, out to abuse the authority of the public office to secure a favourable action, are easily marginalized while such public servants as treat the authority vested in them akin to a saleable commodity manipulate the process so that they are able to oblige and amuse the powers that be and, in the bargain, shift their career graph into fast track mode.

The predicament that we face today reminds me of a Chapter from Mahatma Gandhi's autobiography "My Experiments with Truth". Bapu had established, in 1911, an institution that became famous by the name of Tolstoy Farm in South Africa. Taking it to be his filial patrimonial duty to organize education for the children of the inhabitants at the farm, he made certain arrangements leading by example, as always, himself assuming the role of a schoolmaster. He was confronted with the issue as to what kind of education would be appropriate for the young children taken under his wings. Expressing his thought process on the subject, the foremost of which

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mandated that the instruction must lead to spiritual growth of the young minds, he conceived a teacher as a person who would represent an “eternal object lesson” for his pupils. He expounded on this further in the words that I quote: -

*“It would be idle for me, if I were a liar, to teach boys to tell the truth. A coward teacher would never succeed in making his boys valiant, and a stranger to self-restraint could never teach his pupils the value of self-restraint”.*

It has been said in Brihadaranyaka Upnishad: -

*“You are what your deep, driving desire is.  
As your desire is, so is your will.  
As your will is, so is your deed.  
As your deed is, so is your destiny.”*

Government servants are controlled by Code of Conduct that is a part and parcel of their service rules, infraction of which is expected to result in disciplinary action. Almost every Government department has devised such a Code for its purposes, so much so that there seems a plethora of such Codes prevailing. On the other hand, the penal law called the Prevention of Corruption Act takes care of the role of criminal justice system in dealing with the hazard.

The common features of the Code of Conduct for different categories of Government servants include expectation that he shall maintain absolute integrity; devotion to duty; do nothing which is unbecoming of a public office held by him; render his best judgement in the performance of his official duties; be prompt and courteous; not involve himself in acts of moral turpitude; not take part in party politics; not be associated with activities that are pre-judicial to the interests of the sovereignty and integrity of India or public order; not to engage himself in interviews with media, except with the lawful authority of his superiors; not divulge official information which has been entrusted to him in confidence; not accept pecuniary advantage, in particular, from those with whom he is involved in official duties; not to engage himself in private trade or business while holding public office; not to indulge in alcoholism or gambling; to manage his financial affairs in such a manner that he is always free from indebtedness and not to involve himself in transactions relating to property with persons having official dealings with him.

To my mind, these seven general principles are of great merit and significance for our purposes. They include the following: -

1. **Selflessness:**

Simply put, this means holders of public offices are expected to conduct themselves such that they subserve public interest, as against interest of the self.

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2. **Integrity:**

The concept is well known. A public authority must insulate itself from extraneous influences in matters concerning official duties.

3. **Objectivity:**

The duties of public office vest, in the holder, authority to take decisions including making appointments, awarding contracts, recommending benefits etc. The choices cannot be allowed to be made on any criteria other than merit. The decisions must be based on reasons free from the vice of caprice. The executive can take a leaf out of the book of judiciary by suo motu supply of reasons for every action. The requirement of recording reasons is by itself a great safeguard that inhabits the decision maker from being subjective.

4. **Accountability:**

Any public office is an office of trust. Therefore, public figure exercising any state function, and this includes members of the legislature, is accountable for all actions taken in performance of the functions of that office. It naturally flows from this that every act of commission or omission has to yield to scrutiny, whether by way of internal or external audit mechanism. I am using the expression “audit” not in the narrow sense of audit of accounts but appraisal of the causes or consequences of every state action.

5. **Openness:**

There is no better disinfectant than sunlight. Transparency has to be the mantra of all official acts. Judiciary follows this scrupulously by conducting its proceedings in the open. Transparency brings along inherent checks. The introduction of “Right to Information” regime has indeed set the administrative set up in our country on the right course.

6. **Honesty:**

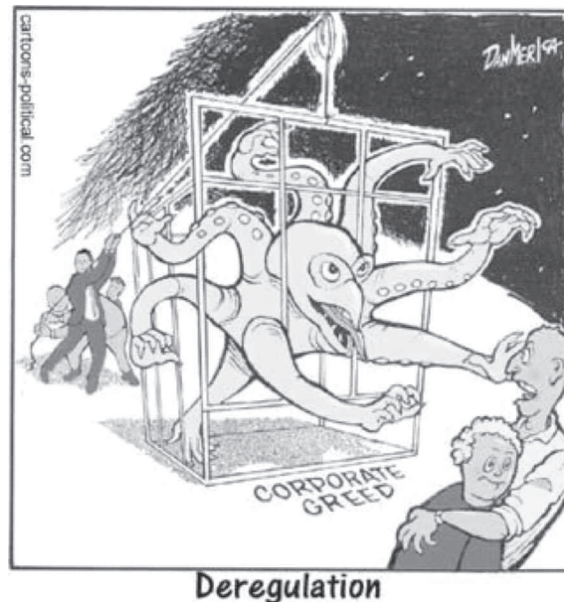
In judiciary, we follow the rule that justice is not only to be done but must be seen to be done. The rules of natural justice that govern judicial ethics require essentially that a person cannot be a Judge in his own cause. It is a travesty of the concept of honesty if an administrative authority is taking decisions in matters which involve private interests of those closely connected with the authority. In this view, it is essential that holders of public office must be obliged to declare their private interests so that they can always be held accountable in case there has been any conflict involving their public duties. This also means the assets and liabilities of public functionaries must be a matter in public domain. The mandatory declaration at the time of entry in public office and periodically, thereafter, would only ensure the kind of probity we would like to be in place.

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## 7. Leadership:

This principle is articulation of the same idea as I referred in the context of Mahatma Gandhi's Experiments with Truth. The true leader will always lead by own example. If a leader is honest, sincere and committed to the task assigned to him, the vibes created percolate down the hierarchy cleansing the system that he controls.

Legal provisions regarding sanction for prosecution under Prevention of Corruption Act for purposes of shielding the corrupt. Pursuant to directions of the Supreme Court in the case of **Vineet Narain (1998 1 SCC 226)**, the Central Vigilance Commission has been accorded statutory status. It is the apex authority on the subject of vigilance in the country. If we are serious on the question of administrative reforms leading to ethics in governance, it is high time CVC is vested with the authority to consider the question of sanction for prosecution in a manner that is final and binding on one and all. Keeping it as an authority whose recommendations can be flouted with immunity renders it to the position of a white elephant. Since it is a high powered body with special expertise in the subject of vigilance, its role rather needs to be expanded so as to arm it with the power to monitor the investigation and prosecution of cases of corruption involving the high functionaries, at least such cases as are investigated by CBI.



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## Important Circulars

(i)

No. 009/VGL/035  
Government of India  
Central Vigilance Commission

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Satarkta Bhawan, Block-A,  
GPO Complex, INA,  
New Delhi-110023.

Dated, the 1<sup>st</sup> July, 2009

### Circular No. 15/07/09

**Sub: Access of complaints to the CVOs- Instructions regarding.**

Complaints containing information about corruption, malpractice or misconduct by public servants are received in a decentralized manner. CVOs receive complaints, also from many a decentralized location. According to the prevailing practice what is sent to the CVO from different decentralized locations entirely depends on the appreciation of 'vigilance angle' or otherwise by the officers controlling these decentralized. In such a system there is every chance that a complaint with a vigilance overtone may not be forwarded to the CVO, due to a lack of appreciation or for other bonafide reasons. This has also been revealed through the vigilance audit by the Commission in some organizations.

2. In order to have uniform practices and procedures in the handling and processing of complaints in an organisation/department, it is imperative that a 'Complaint Handling Policy' is laid down in all organisations/departments for receipt, handling and processing of all types of complaints/grievances from the public, contractors, vendors, suppliers etc. The policy should make it clear, that any complaint/grievance received in the organisation/department by any functionary containing any element of alleged corruption, malpractices or misconduct etc., should necessarily be sent to the CVO of the organisation for scrutiny and action. All Departments/Organisations are, therefore, directed to put in place necessary policy and systems in this regard.

3. Para 3.2.2 of Chapter III of Vigilance Manual Volume-I (6th edition) prescribes that the CVO concerned may also devise and adopt such methods, as considered appropriate and fruitful in the context of nature of work handled in the organisation, for collecting intelligence about any malpractice and misconduct among the employees.

4. The commission is of the view that all CVOs should, on a continuous basis, scrutinize the complaints, grievances etc., received by other divisions/units of the department/organisation concerned and ensure that issues/allegations involving vigilance angle if any, in such complaints are duly forwarded to them to be duly attended to by the Vigilance Department.

  
(Shalini Darbari)  
Director)

To  
All Chief Vigilance Officers

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(ii)

No. 004/VGL/087  
Government of India  
Central Vigilance Commission  
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Satarkta Bhawan, Block-A,  
GPO Complex, INA,  
New Delhi-110023.  
Dated, the 6<sup>th</sup> July, 2009

**Circular No. 16/07/09**

**Sub: Foreign visits by Government employees.**

Reference is invited to Commission's circulars no 004/VGL/087, dated 25/10/2004, 8/12/2004 & 27/9/2005, on the aforementioned subject.

2. The Commission had, vide its circular, dated 25/10/2004, directed the CVOs of all Organizations/Departments to furnish the lists of employees of their organizations, who had undertaken "**private foreign visits**" during the preceding calender year, to the Commission by the end of January every year.

3. The matter has been re-examined in the Commission and it has been decided that, henceforth, the related information and the data bank in respect of employees of each organization would be maintained by the CVO of the organization concerned, in the format prescribed by the Commission, vide office order ibid above.

4. Further, the CVOs should inform the Commission, mandatorily every year by the end of February that the updated information alongwith all details are available with them. Such information would be made available to the Commission at a short notice, as and when required, by the CVOs concerned.

5. All CVOs may note for strict compliance.

  
(Shalini Darbari)  
Director)

All Chief Vigilance Officers

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(iii)

No. 005/VGL/4  
Government of India  
Central Vigilance Commission  
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Satarkta Bhawan, Block-A,  
GPO Complex, INA,  
New Delhi-110023.  
Dated, the 6<sup>th</sup> July, 2009

**CIRCULAR NO. 17/7/09**

**Sub: Posting of details on award of tenders/contracts on websites.**

The Commission vide circulars dated 16.03.2005, 28.07.2005 and 18.04.2007 had directed all organisations to post on their web-sites a summary, every month, containing details of all the contracts/purchases made above a threshold value (to be fixed by the organisations) covering atleast 60% of the value of the transactions every month to start with on a continuous basis. CVOs were required to monitor the progress and ensure that the requisite details were posted regularly on respective websites, and also to incorporate compliance status in their monthly report to the Commission.

2. On a review of the status of implementation by the organisations, it is observed that some organisations have not adhered to the instructions and implemented the same. Further, such information being posted on the websites are not being regularly updated on a continuous basis by certain organisations and, in some cases, the information published is disjointed and not as per the prescribed format laid down by the Commission. It is also seen that a few organisations have placed such information on restricted access through passwords to registeed vendors/suppliers etc. which defeats the basic purpose of increasing transparency in administration.

3. The Commission, therefore, while reiterating its aforementioned instructions would direct all organisations/departments to strictly adhere and post summary of details of contracts/purchases awarded so as to cover 75% of the value of the transactions without any further delay. Any failure on the part of the organisations on this account would be viewed seriously by the Commission.

4. All Chief Vigilance Officers should reflect the compliance status in their monthly reports to the Commission after personally verifying the same.

  
(Shalini Darbari)  
Director)

To  
All Secretaries of Ministries/Department  
All CEOs/Heads of Organisations  
All Chief Vigilance Officers

(iv)

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सं./ No. 009/VGL/0092

भारत सरकार  
केन्द्रीय सतर्कता आयोग  
GOVERNMENT OF INDIA  
CENTRAL VIGILANCE COMMISSION

सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,  
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023  
Satarkta Bhawan, G.P.O. Complex,  
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दिनांक / Dated .....

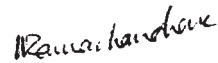
17<sup>th</sup> September, 2009

**Circular No. 29/9/09**

**Sub: Implementation of e-tendering solutions.**

Guidelines were prescribed in this office OM of even number, dated 13/02/2009 on the above-cited subject, advising organisations to follow a fair transparent and open tendering procedure to select the application service provider for implementing their e-tendering solutions.

2. It is clarified that while ensuring fair play, transparency and open tendering procedure for e-tendering solutions, the organisations must take due care to see that effective security provisions are made in the system to prevent any misuse. In this regard the guidelines on security related issues in e-tendering systems are enclosed for information. Organisations concerned may follow these guidelines while implementing e-tendering solutions to contain the security related loop holes.



(V. Ramachandran)  
Chief Technical Examiner

To  
All CVOs of Ministries/Departments/PSUs/Banks/Insurance Companies/  
Autonomous Organisations/Societies/UTs.