

Press release on Letters to Prime Minister Manmohan Singh and UPA Chairperson, Sonia Gandhi

Press Release

The country has been witness to one scam after the other. What is the way out? In a letter written to Sonia Gandhi and Prime Minister, a group of citizens from across spectrum led by Baba Ramdev have demanded setting up of an independent investigative and prosecuting agency. Other signatories to the letter include Anna Hazare, Arch Bishop Vincent of Delhi, Mallika Sarabhai, Swami Agnivesh, Arvind Kejriwal, Kiran Bedi, Devinder Sharma and Justice Tawatia.

“In 2G spectrum case, CBI registered a criminal case almost a year back. Despite severe admonition by the Supreme Court on several subsequent occasions, CBI is yet to make any headway in that case. Since CBI is directly under the control of the government, whose existence depends upon the support of the prime accused Mr A Raja’s party, it would be foolhardy to believe that CBI would do any honest investigations into that case.”

Lamenting that because there is no independent and effective anti-corruption agency in our country, there is no effective deterrence against corruption.

“The country has been witness to a series of scams in the last few years, including 2G Spectrum, Adarsh Housing Society, mining contracts, Commonwealth Games etc. The need of the hour is to realistically tackle this menace in a manner that has a good chance of succeeding.”

“A look at all anti-corruption laws and agencies indicate that all of them suffer from internal contradictions. There is not a single effective anti-corruption agency in our country. In the structure and functioning of each of these agencies, there are critical loopholes so as to make it ineffective. For instance, the CVC is an independent body but does not have powers to take any action. It is merely an advisory body. Plus, it does not have jurisdiction over politicians. CBI has the powers but is not independent. It is directly controlled by the government. Also, CBI needs government’s permission to initiate investigations and to launch prosecution in any case. So, one agency has the powers but is not independent. The other agency is independent but does not have the powers.”

“Government has announced the setting up of yet another agency, called Lokpal, by December. According to the government’s proposal, Lokpal would have jurisdiction over politicians but not bureaucrats, as if politicians and bureaucrats indulge in corruption separately. So, almost every case will need to be investigated by both CVC and Lokpal - CVC will look into the role of bureaucrats and Lokpal will look into the role of politicians. But is this a practical or desirable approach? The obvious question is why can’t the same agency investigate both? And the most interesting part is that even the Lokpal is being made an advisory body! It would merely recommend to the government to initiate prosecution against, say some of its ministers. Surely it would be very unlikely that most governments would follow such advice.”

The group has, therefore, demanded setting up of such Lokpal which is completely independent of the government, has jurisdiction over both bureaucrats and politicians and has powers to initiate investigations and prosecutions without needing any permissions.

This group of citizens, along with almost 10,000 people had made a police complaint at Parliamentary police station on Sunday against corruption in commonwealth Games. Similar complaints were also filed with CBI and anti-corruption branch of Delhi Police. If the police did not register FIRs into 18 specific complaints made to the police, petition will be filed in the courts seeking direction that FIRs be registered.

“Having filed police complaint, we do not believe that there is any agency in the country which is independent and has adequate powers to investigate and prosecute the guilty honestly.”

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The letter is attached for your kind reference.