



ಎಂ.ಎನ್. ವಿಜಯಕುಮಾರ್, ಎಎಸ್.,  
ವಿಶೇಷ ಕರ್ತವ್ಯಾಧಿಕಾರಿ ಹಾಗೂ ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ  
ಸಿಬ್ಬಂದಿ ಮತ್ತು ಆಡಳಿತ ಸುಧಾರಣೆ ಇಲಾಖೆ  
(ಇಲಾಖಾ ವಿಚಾರಣಾ ಕೈಪಿಡಿ)

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Principal Secretary to Govt.,  
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(Dept. Enquiry Manual)

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ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ

21ನೇ ಮಹಡಿ, ವಿ.ವಿ. ದೊಡ್ಡ ಗೋಪುರ

ಡಾ: ಅಂಬೇಡ್ಕರ್ ವೀಧಿ, ಬೆಂಗಳೂರು - 560 001

Karnataka Govt. Secretariat

21<sup>st</sup> Floor, V.V. Main Tower

Dr. Ambedkar Veedhi, Bangalore - 560 001

No. PER/108/OSD/DPAR/DEM/2012

01/03/2012

**Sub:** Request to the Secretary, DoPT, GOI seeking certain information/clarification to finalize the Departmental Enquiry Manual.

Dear ಸಿರ್,

I am an IAS officer belonging to 1981 batch of Karnataka Cadre. I am working since March 2011 as an Officer on Special Duty and Ex-Officio Principal Secretary, Department of Administrative Reforms and Personnel, Government of Karnataka, to write a Departmental Enquiry Manual. I request you to give necessary directions to the concerned in DoPT to provide certain clarifications/information sought by me on 8 specific issues at **pages 6 to 12**. I have given some documents related to this at **19 to 85**.

As the information given in the enclosed documents would also be extremely useful to the CVC, the CBI, the UPSC and the LBSNAA for reasons mentioned in **pages 13 to 18**, I have marked a copy to these Organizations/Institutions also and made specific requests. I have also marked a copy to Dr SK Sarkar, IAS, Additional Secretary, as he has been kept informed about many of the things mentioned in the enclosed documents. The CVC has also been kept informed about many of these things as and when these happened.

As you are the Secretary, DOP&T, I request you to extend necessary help to all these organizations/institutions to act upon my requests made to each of them. I would also like to inform that my posting to prepare the Departmental Enquiry Manual in view of the unusual circumstances and extremely unpleasant experiences have made me

perhaps the only officer of a kind with such an experience to write a Manual keeping ground realities in mind. I have used latest browser technology and I have come out with eBooks (please see **pages 4 and 5** for the screen shots) which I have not been able to make available on the internet as some extremely critical information sought by me have been deliberately withheld since March 2011. I have taken permission from the Government to write books based on my unique experience over the last nearly three decades fighting corruption and make them available on internet. This has enabled me to come out with not just the Departmental Enquiry Manual and compilation of more than 400 relevant Supreme Court decisions from 1951 to 2011, but also the following **eBooks** (tentatively titled) which would be made available to the public after the Departmental Enquiry Manual is published:

1. *The Trial of a Whistleblower.*
2. *When the Corrupt Conduct Departmental Enquiries.*
3. *Peeping into the World of Whistleblowers.*
4. *Interesting Enquiries against IAS officers*
5. *The Darkening of Karnataka- An account of sabotage of Reforms by Greedy Officers*
6. *I Am Safe: Case studies of corrupt officers who never faced any departmental inquiry.*

My efforts already made to prepare the Departmental Enquiry Manual could be used by the DOP&T and all other organizations/institutions mentioned earlier also for some of the reasons stated in **pages 67 to 71**.

The extremely unusual/hostile circumstances (Please see **pages 66 to 85**) in which I am working has been made known to the DoPT, the CVC, the Cabinet Secretary and also H.E the President of India and the State Police.

I request all the recipients to treat the enclosed material with utmost care. I would be interested to answer any query or provide more information to any of the recipients of this letter.

It would be in larger public interest if you give me an appointment to explain what I have been doing to finalize the Manual. I also request you to immediately communicate the name of an officer with whom I can speak or send more information to enable me to get clarifications at the earliest and bring out an effective Manual as this would be of use to DoPT also.

**Important note:** To get a full perspective of the seriousness of the issues raised by me, I request each recipient to read all pages from 6 to 85.

Thanking You,

Yours Sincerely,

(MN VIJAYAKUMAR)

Shri P K Misra, IAS  
Secretary, DOP&T,  
North Block, New Delhi

M.N. Vijayakumar, IAS.,  
OSD and Ex-Officio  
Principal Secretary to Govt.,  
DPAR (Dept. Enquiry Manual)

Copy to:

1. Sri Pradeep Kumar, Chief Vigilance Commissioner, Central Vigilance Commission, Satarkata Bhavan , A-Block , GPO Complex , INA , New Delhi - 110 023- This is also in continuation of my C. Nos 5005, 5007/2012 with a request to take action as requested in **Pages 13 and 14** BY RPA D
2. Sri SV Ranganath, IAS, Chief Secretary to Government of Karnataka, Vidhana Soudha, Bangalore (excluding enclosures from pages 6 to 85).
3. Sri Padamvir Singh, IAS, Director, Lal Bahadur Shastri National Academy of Administration, Mussoorie, Uttarakhand -248179 with a request to take action as requested in **pages 17 and 18** BY RPA D
4. Sri PK Gera, IAS, Joint Director & Counselor, Karnataka Cadre, Lal Bahadur Shastri National Academy of Administration, Mussoorie, Uttarakhand -248179 (entire material- password protected- sent by email to pkgera@lbsnaa.ernet.in)
5. Dr SK Sarkar, IAS, Additional Secretary, DoP&T, North Block, New Delhi (entire material – password protected- sent by email to [assv@nic.in](mailto:assv@nic.in) ) for necessary action
6. Sri AP Singh, Director, CBI, Plot No 5-B, 6th Floor, CGO Complex, Lodhi Road, New Delhi - 110003 for information(Please see **Page 15** ) BY RPA D
7. Shri S.P. Gaur, Secretary, UPSC, Dholpur House, Shahjahan Road, New Delhi-110069 with a request to place the enclosed confidential material before the Commission for reasons given in **Page 16.** BY RPA D

~~ORIGINAL COPY~~

OFFICE COPY

*[Signature]*

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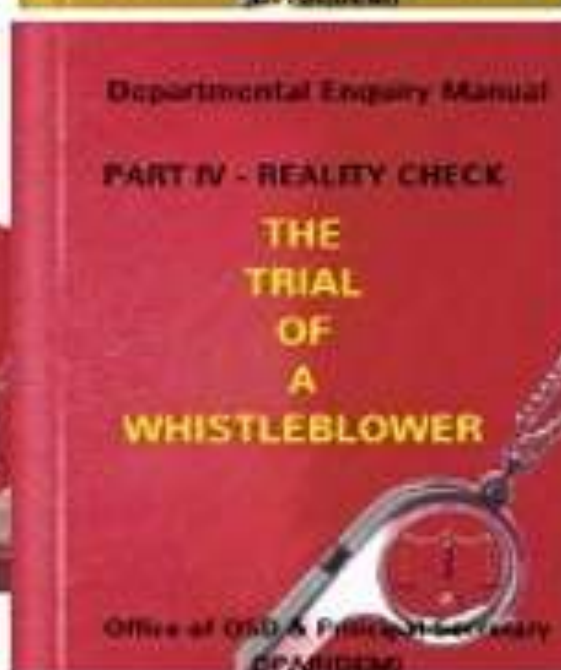
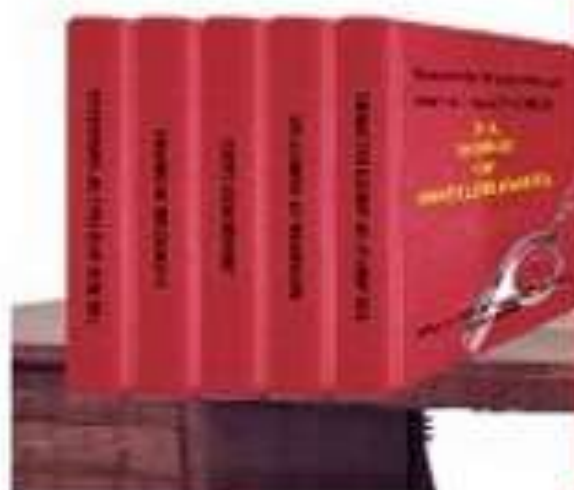
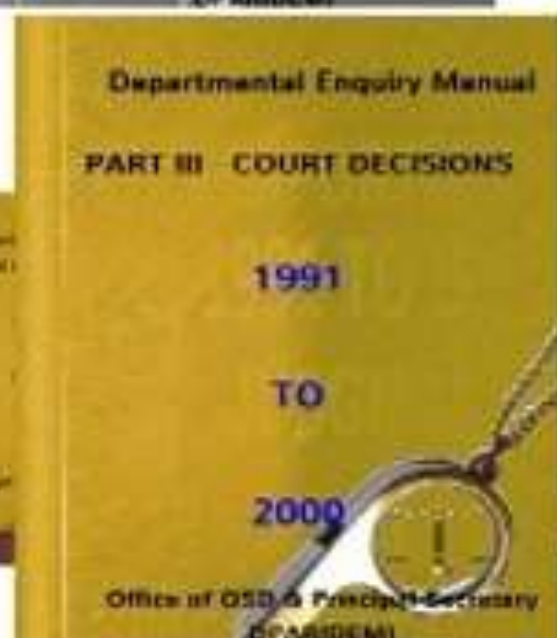
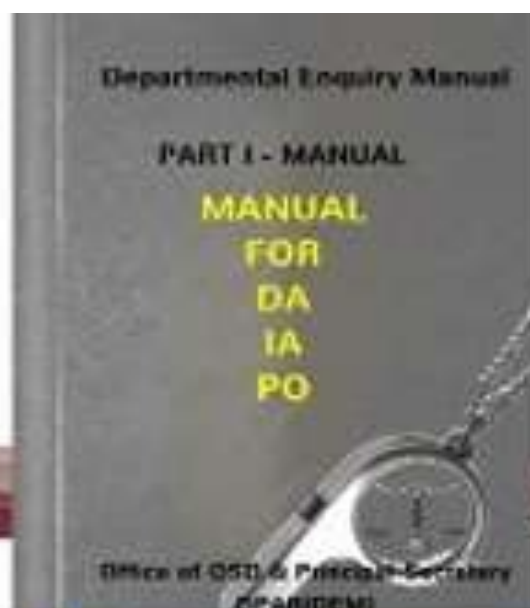
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## INTRODUCTION

This **Manual on Departmental Enquiries** is based on four sets of materials

1. Judgements of Supreme Court of India from 1951 to 2011
2. Reports of National Commissions
3. Actual cases in which honest officials were persecuted in the name of enquiry while in spite of glaring evidences officials engaged in grave misconduct were not even touched and
4. Most importantly based on personal experiences

Only in respect of 3 above there has been tremendous resistance in making available the relevant information. But various methods including using the Right to Information Act have thrown some light on such cases.

There are five shelves of books



1. The **Manual Shelf** contains in addition to the Manual for Disciplinary Authorities, Inquiry Authorities and Presenting Officers books containing interesting and important cases
2. The **Judgement Shelf** contains Supreme Court and High Court Judgements and also a book containing very important judgements
3. The **Reports Shelf** contains Reports of Law Commission, Administrative Reforms Commissions and Reports from Expert Committees appointed by GOI
4. The **Case Studies Shelf** has incomplete books as all the critical information needed regarding cases not initiated in spite of grave misconduct or where cases initiated were made deliberately void have been denied and
5. Finally the **Whistleblowers Shelf** contains book about whistleblowers and most importantly books based on my own experiences of harassment for my whistleblowing activities.



## **ISSUES ON WHICH CLARIFICATIONS ARE SOUGHT FROM DOP&T**

Clarifications are sought on some serious issues based on facts. Supporting materials **at pages 19 to 85** show how after harassing an officer by conducting the enquiry in the most unfair manner, even complete report of the enquiry is not given. These documents also show how after bringing it to the notice of the DA about tampering of critical enquiry documents, even certified copies are denied. When full enquiry report and certified copies of enquiry documents are being denied, it only confirms the malicious intentions with which the enquiry was initiated. Such things may be expected in a case where an officer is made to face the unfair enquiry after he refused in writing to compromise with corruption as demanded by the Chief Secretary. It should not again surprise anyone to note that the same Chief Secretary even denies information needed to write the Manual. **Though the framers of AIS Rules did not contemplate such brazen illegal acts by an officer holding the post of Chief Secretary, these happen more frequently in reality than one tries to imagine.** Taking into account such facts, following clarifications have been sought. Many other equally serious issues have been noticed during the enquiry (Please see **Pages 74 to 85**). However clarifications in respect of equally serious issues would be sent to DOP&T after receiving clarification in respect of the following:

**ISSUE No. 1:** What is the procedure to be adopted if CBI had filed FIR for misappropriation of funds and the Public Accounts Committee had also recommended action to be initiated against a very senior officer for allowing public funds to be invested for private purpose, but the Chief Secretary lies to the Public Accounts Committee stating that Departmental enquiry had been conducted and the officer had been warned. While in reality neither DE had been conducted nor a was warning issued to that officer. Suppressing all these facts he was made as the Chief Secretary superseding his seniors. After becoming Chief Secretary this officer to prevent exposing of his own past corrupt practices harasses his junior officer who had already reported corrupt practices of some of his other senior officers. When the junior officer met this Chief Secretary and insisted him to take action on the corruption report he had given earlier, this Chief Secretary instead of taking appropriate action against the corrupt officers threatens this officer not to pursue the issue. This he did to



prevent this officer from exposing his own covered up corruption cases. After this, the officer who was threatened files a complaint against the Chief Secretary with the Vigilance Authority. In retaliation to this the Chief Secretary further harasses the officer with frequent transfers (in violation of the notification issued by GOI after obtaining concurrence from the State Governments ) and initiates DE against the officer framing baseless charges naming himself as a witness after sending a totally distorted report to the DOP&T (Baseless Charges are: for acting as per the anti-corruption pledge advocated by the CVC, as per calls given by the Hon'ble Prime Minister and H.E the President of India, protecting corruption related files, for the officer's wife fighting corruption independently, for the officer's absence when his mother was extremely sick and later died within two days – when CL had been sought from his immediate boss , for not releasing within 10 days after taking charge money to works not done , for not attending meetings which were never held and for protecting more than Rs. 500 crores worth Government land. ) .

**DOP&T clarification is sought as to what should be done when the Chief Secretary brazenly illegally initiates DE into baseless charges by naming himself a witness to protect his own corrupt acts and harasses an honest officer. This he does after the officer files complaint against the Chief Secretary with the Vigilance Authority.**

**ISSUE No. 2:** An officer submits a report to the Chief Secretary on the request of a Chief Secretary himself, giving details of corrupt practices of some of his senior officers and colleagues. This Chief Secretary about to retire hands over the corruption report he had received to another senior IAS officer and informed the officer who gave the report about handing over the report to that officer. The officer who receives the report does not act. In the meanwhile those against whom the officer had given report succeed in making the Chief Secretary mentioned in **ISSUE No: 1** to frame baseless charges ignoring all facts. The officer who had given the corruption report responds to these baseless charges during President Rule imposed on the State making the officer who last held the report as prime witness. After receiving the response from the officer, the Advisors to the Governor who were fully aware of the facts observed that as the charges were open ended which could be proved recommended to give the officer a suitable posting based on his experience and expertise. After this the officer was not informed about anything about the enquiry but on the other hand

his request to write a book based on his experience in fighting corruption was accepted and written permission was given to him. After nearly 30 months after the officer had given his response to the charges, the officer who had earlier received corruption report from a previous Chief Secretary and had not taken any action himself becomes the Chief Secretary by superseding more eligible senior officers. This Chief Secretary demands the officer to forget all corruption reports given by him and suggests to compromise with corruption if at all he has to be given any posting. The officer refuses in writing to compromise with corruption. This Chief Secretary then forces the officer to undergo medical examination by a Board to assess his mental health hoping that the officer would not appear before the Board and would be willing to compromise with corruption by not insisting to take action on his corruption report. On the other hand the officer appeared before the Medical Board and informed the Medical Board that corrupt bosses throughout the world hold their subordinates who expose their corrupt acts as mentally unsound. After appearing before the Medical Board the officer reiterates in writing his stand that he would not compromise with corruption and informs all authorities. After this, this Chief Secretary without communicating the findings of the Medical Board to the officer appointed an Inquiry Authority totally ignoring the decision taken more than two years back by the Advisors to H.E. the Governor and totally ignoring the fact that he himself was named a witness. This Chief Secretary ignores the Supreme Court decisions clearly holding that anyone who is interested in the enquiry particularly a witness cannot act as a DA.

**To prevent such things from recurring i.e witness himself acting as DA, decisions/guidelines if already taken/issued by the DOP&T are sought. If no such decision/guideline is available, what course of action the DOP&T suggests to immediately prevent the witness from proceeding further and act as DA to cover up his own corrupt acts particularly when the IA has been appointed without communicating the findings of the Medical Board to the concerned officer?**

**ISSUE No. 3:** The various acts of omissions and commissions by the Inquiry Authority and the Presenting Officer makes the officer against whom DE was initiated to report to the Chief Secretary (DA/witness) about the officer's total lack of faith in the IA and the PO. The officer not only started documenting each and every unfair act by the IA and the PO but also reports to the DA as and

when they happened. DA ignores all these unfair acts brought to his notice. The officer starts bringing the unfair acts to the notice of other Authorities including Parliamentary Standing Committee which examined the Whistleblowers Bill. The PO, After learning about the evidence given by the officer before the Parliamentary Standing Committee gets frightened and voluntarily informs the charged officer that the DA had flouted all norms for appointment and had appointed a practicing Advocate/consultant as IA and that findings had already been predetermined. He clearly informs that the IA had been purchased by the DA. The officer sends this information to various authorities including H.E. the President.

**DOP&T clarification is sought as to what should be done to prevent recurring of such brazen illegal and inhuman acts when DA and the IA collude and when the same has been revealed by none other than the PO himself. Immediate clarification from DOP&T is important to protect lower grade Government staff who are unwilling to compromise with corruption.** While giving clarification it is requested to keep in mind the fact **that such brazen illegal and inhuman treatment is meted to a very senior IAS officer at the time of seeking this clarification.**

**ISSUE No. 4:** While DE Manuals of various State Governments and GOI institutions makes it clear that if an officer expresses lack of faith in the IA, then the IA must stop proceeding with the enquiry till the DA gives his decision. In the case of the IA mentioned in ISSUE NO. 3 above, the IA continued with the inquiry without waiting for the decision of the DA. DA also ignores the specific acts of unfairness brought to his notice by the charged officer. It is important to note that the Expert Committee on Departmental Enquiries appointed by DoPT under the Chairmanship of Sri Hota had made the following observations in its report given in July 2010:

*One of these is the tendency to browbeat members of the All India Services through motivated action, including frequent transfers, transfers to posts which do not normally warrant posting of an officer of his seniority, suspension and **initiation of Disciplinary Inquiries without adequate basis.** Through such steps, State Governments humiliate and harass several officers of these Services, in effect warning others what can happen to them unless they, too, toe the line there is need to do much more because the large proportion of the All-India Services Officers serving in connection*

*with affairs of a state feel quite let down by the inability of the Central Government to protect their interests effectively.*

**Information is sought from the DOP&T as to what it has done to prevent such a thing observed by its own Expert Committee from recurring as is happening in the case reported at pages 74 to 85.**

**ISSUE No. 5:** The IA mentioned in **ISSUE No. 3** continued to act in an inhuman and unfair manner totally disregarding requests of the officer to summon witnesses and call for critical documents. The IA who recorded that nobody could continue with the enquiry continues with the enquiry for extraneous reasons in a hurried manner abruptly stopping recording evidence of the witness of the charged officer. Further he forces the officer to give his final arguments in writing only, ignoring the officer's request to present oral arguments. The DA who receives the final enquiry report from the IA gives only a part of the enquiry report to the charged officer seeking his response. The charged officer makes many representations making it clear that it would be impossible to give his response without receiving the entire enquiry report. The charged officer then requests for the certified copies of certain enquiry documents as there is visible tampering of those documents. The DA has till today not given the entire enquiry report or the certified copies sought but on the other hand has threatened to give his decision if the charged officer does not give his responses to the partial enquiry report given to him. **Please see pages 19 to 85**

**Clarification is sought from the DOP&T whether it has already issued any Circulars/directions against withholding any part of the enquiry report and certified copies particularly when the charged officer had made serious complaints against the unfair acts of the IA and the DA. If not already issued, to give clarification as to what the charged officer should do under such circumstances as he cannot respond without receiving the complete enquiry report.**

**ISSUE No. 6:** APAR Rules, DOP&T Guidelines/Circulars, Supreme Court decisions/Directives all mandate timely voluntary disclosure of APAR to the officer reported upon. The Chief Secretary fails to communicate what has been recorded in the APAR consecutively since October 2008. This becomes important as the officer reported upon had recorded in the APARs the

harassments and obstructions faced by him for refusing to compromise with corruption as demanded by the Chief Secretary. The officer has been reporting about such mockery of APARs by the Chief Secretaries to the DOP&T.

**What action has been by the DOP&T to prevent such mockery of APARs by the Chief Secretaries brazenly violating AIS Rules and DOP&T circulars issued in respect of APAR particularly when the Supreme Court has given specific Directive to the DOP&T regarding APARs (please see pages 19 ,20 and 28). Under such circumstances what measures DOP&T has already put in place to prevent the officer from continuously being treated with malicious intentions that too with the sole objective of protecting the corrupt?**

**ISSUE No. 7:** In the Civil Services Survey: A Report brought out on behalf of DOP&T, the following summarizes the plight of officers who oppose their corrupt bosses:

*“enquiry on baseless allegations itself is a punishment; it does not matter if (s)he is exonerated at the end..”*

**Pages 18 to 84** bring out how the DA who initiates disciplinary action against an officer in spite of he himself being a witness gets the enquiry conducted in an unfair manner by purchasing the IA as revealed by the PO. He harasses the charged officer by not taking any action against any of the unfair acts brought to his notice. Finally he even denies the complete enquiry report and refuses to give certified copies when tampering of enquiry documents were brought to his notice. This is happening after DA in collusion with the IA made the officer to face the most unfair enquiry. Since getting a full copy of the enquiry report is the right of the charged officer and when documents signed by the charged officer during enquiry are replaced/go missing and certified copies are also not given are things which no one who framed the AIS Rules would have contemplated. But unfortunately, such things have become the norm of the day. Repeated requests to takes action as per a 2004 letter written by the Cabinet Secretary to the Chief Secretaries clearly mentioning that honest officers who are harassed for taking principled stand do not have any forum

and asked the Chief Secretaries to constitute a standing committee to help them have been ignored.

**Clarification is sought from DOP&T against refusal of certified copies given by IA himself to the DA. When the Chief Secretary ignores AIS Rules, Supreme Court decisions/directives (also given to the Secretary DoPT) and the directions given by the Cabinet Secretary himself, clarification is sought on what course of action is left to an officer when he faces further harassment in the garb of holding enquiry.**

**ISSUE No. 8:** At **pages 23 and 24** I have given letters issued by the Government suppressing the fact that the officer is facing Departmental Enquiry. This is in spite of the fact the officer who is facing unfair enquiry into baseless charges himself informed the Institutions this fact. But the real issue is about those cases whose grave misconduct have been suppressed and vigilance clearance have been given to enable them to occupy important positions though not eligible.

Clarification is sought on **Guidelines issued by DOP&T against giving Vigilance Clearance by suppressing critical facts.**

**Important note:** To get a full perspective of the seriousness of the issues all pages from 6 to 85 would have to be read.

## **REQUEST TO THE CVC**

I have reporting to the CVC harassments I faced by my corrupt bosses, most of the time immediately after they happen. I was made a Mentor(without taking my consent) in the LAJMI Group in March 2010 (which was created on the initiatives taken by the then CVC Commissioner, Sri N. Vittal). I had to refuse to continue as a Mentor when my suggestions to improve the transparency of the Group was not accepted particularly when I was later informed that I was selected as a Mentor for my efforts to promote transparency in Governance. Central Vigilance Commission seeks information from State Government to give Vigilance Clearance for critical posts. If the VERY FIRST ISSUE on which DOP&T clarification is sought is considered, it becomes clear that even for as important as a post of Chief Secretary, serious acts of corrupt practices are suppressed by the very department in the State Government which has to give input to the CVC. The very fact that though I was appointed as an OSD to prepare Departmental Enquiry Manual in March 2011, till today not even a single information sought by me to write the Manual (while I myself am facing an enquiry into totally baseless charges – for acting as per the anti-corruption pledge advocated by the CVC, as per calls given by the Hon'ble Prime Minister and H.E the President of India, protecting corruption related files, for my wife fighting corruption independently, for my absence when my mother was extremely sick and later died – when CL had been sought from my immediate boss, for not releasing within 10 days after taking charge money to works not done , for not attending meetings which were never held and for protecting more than Rs. 500 crores worth Government land. ) has been given by the concerned department at the behest of the Chief Secretary confirms that facts are suppressed from even the officer who has to prepare the DE Manual . On the other hand, newspapers are full of reports where officers caught taking bribe being reinstated against DoPT Circulars to important and sensitive positions. Not only the points on which I have sought clarifications but also other materials given by me show a well organized system of corrupt officers in the Government who work only for the promotion of corrupt officers. This may be the reason why Karnataka is being spoken of as the most corrupt State in the country. If the CVC ignores such brazen acts of shielding the corrupt and accepts the Vigilance clearance given by the Chief Secretary to officers with extremely doubtful



integrity, then the damage the CVC would be doing to the nation becomes obvious. Risking my life and my family members' lives, I am placing these facts before all those who matter including the CVC. Unfortunately whenever I have reported harassment faced by me after reporting serious corrupt practices, the CVC has simply issued an endorsement to the effect that it does not come under its purview and it had referred the matter to the very officer against whom I had complained. Since the officer who gives the Vigilance clearance and so also the corrupt officers in respect of whom Vigilance clearance has been given could both occupy important positions at the State level and misuse the Central Government funds, serious lapses brought out by me particularly when I have been given the responsibility of preparing the Departmental Enquiry Manual should not be ignored. A few of them may even occupy senior positions in the Central Government also. 13/2/2012 Circular issued by the CVC to encourage insiders to give information about corrupt practices in their offices/institutions frightens me particularly when a very senior IAS officer like me is continuously being harassed for doing exactly what the CVC wants everyone to do.

**Important note:** To get a full perspective of the seriousness of the issues all pages from 6 to 85 would have to be read.

## REQUEST TO THE CBI

I have sent the materials to the CBI because in spite of many complaints lodged with the State Police , action has not been initiated even on a single complaint. I have sought sanction from the Government to criminally prosecute the Chief Secretary and others for criminally harassing me and criminally obstructing me to shield the corrupt. Hopefully with the 31/1/2012 Supreme Court Judgment implying deemed sanction would come to my help and if no action so far by the State Police is any indication, I may be able to convince the Courts to entrust the investigation to the CBI. In fact, in April 2008, the Police officer who was entrusted with my security(who had worked in the intelligence wing earlier) after I survived two attempts on my life while under Police protection suggested me to approach the CBI (none of the cases have been investigated by the Police till today). Many incidents have happened subsequently and I have devised my own methods to protect myself and my family and work and continue to expose corruption. But I cannot protect myself or my family members forever like this. Eventhough I wanted to take retirement against my wish and had submitted resignation letter to H.E the President, on the informal advice of the Police, I withdrew only a few weeks back. The very fact that I have been appointed as OSD to write a DE Manual when I myself am facing a DE should make anyone to see the criminal intention behind my present posting. My confidential letter given to the DG of Karnataka Police within a few days after taking charge brings out the conspiracy behind posting me to the present post. This becomes all the more important when approval of the Chief Minister was taken to give me some other posting. Now that the officers against whom I am reporting are being cornered by me with overwhelming incriminating evidences, they would not hesitate to stop finding ways to eliminate me. I am writing this mainly because the Courts must direct CBI to investigate if anything happens to me.

**Important note:** To get a full perspective of the seriousness of the issues all pages from 6 to 85 would have to be read.

## REQUEST TO THE UPSC

Prof. DP. Agarwal, Hon'ble Chairman, UPSC, in the 3rd lectures on Governance and Public Services on 1<sup>st</sup> December 2011 has rightly observed that *“Good governance largely depends on the correct manning of the public Services by the people with right attitude and ethics”*. UPSC seeks ACRs of State Civil Service officers to promote them to IAS and also in recommending punishment in all cases. If the clarification I have sought from the DOP&T is really gone into depth, then it becomes clear that totally undeserving extremely corrupt officers get good grading in the ACRs. Many of the directly recruited IAS officers also come under this category. Most of them have been given critical positions in spite of acting entirely against public interest. If an analysis is made of all the IAS officers against whom Lokayukta has given report for initiating action and the Grading given in ACR/APAR, if majority of them have been shown to possess absolute integrity by their reporting and the reviewing officers should not come as a surprise to anyone. But the hard truth that Karnataka became the most corrupt State in very short time clearly shows that blindly accepting the ACR/APARs is not good for the State. I have given concrete examples in my letters to various authorities how Chief Secretaries make mockery of the APAR Rules. The only question that the UPSC must be asking the Chief Secretary is that if all your officers are excellently graded, why Karnataka has become the most corrupt State in the country? How is that many officers graded excellent and having integrity beyond doubt by the Chief Secretary have not reported a single act of corruption when every week scams are being expose through information obtained under the RTI Act?

**Important note:** To get a full perspective of the seriousness of the issues all pages from 6 to 85 would have to be read.

## REQUEST TO LBSNAA

In the vision statement of LBSNAA, Mussouri, the following is indicated as part of mission: *to provide ethical and transparent framework*

**Chief Secretaries assign Districts to IAS probationers during District training. Chief Secretaries who brazenly illegally act to shield corrupt officers are more likely to send probationers to get trained under such officers. Unfortunately, it appears quite a good number of probationers imbibe unethical and corrupt values of their trainers during the probationary period itself. I am not sure how many IAS probationers during their training in Districts in Karnataka have reported brazen corrupt acts of their trainers. The Academy's website carries the following message:**

***“you will not have a united India if you do not have a good all-India Service which has the independence to speak out its mind, which has a sense of security....The Constitution is meant to be worked by a ring of Service, which will keep the country intact”.***

When the ground realities are as described in the enclosed documents and when a very senior IAS officer is harassed for speaking out his mind, what can be expected from those who just joined the Service if his trainer in the District happens to be corrupt? Unfortunately, even the APAR assumes that senior officer is always right and his integrity is beyond doubt when ground reality clearly makes such an assumption more an exception than a norm. New scams which are getting exposed every month in Karnataka clearly convey the message that training given in Mussourie is totally ineffective and does not conform with the ground realities. I would like to mention here that Sri PS Appu was the Director of the Academy when I was a probationer in 1981-83. Sri PS Appu resigned when GOI refused to take action against a probationer who indulged in serious misconduct. After that experience I lost faith in the Service during the probationary period itself. However, I discovered only whistleblowing can address such issues. I made the first formal request to give protection to whistleblowers in 1991. Since then, I have been using whistleblowing and promotion of transparency as major tools of good governance. Incidentally, I was the only IAS officer in the country (Serving or retired) who appeared before the

Parliamentary Standing Committee which examined the Whistleblowers Protection Bill and gave both documentary and oral evidence and made many suggestions to improve the Bill. Most of my suggestions were accepted by the Committee.

I will be too happy to make a presentation to probationers on the ground reality and how to face them. Unfortunately, I never got such training. On the other hand, since 2006, whenever I get an opportunity during training programs, I insist with the institutions to provide me an opportunity to make a presentation on the role of Whistleblowers in Good Governance. With the Whistleblower Protection Bill around the corner, a session on Whistleblowing and surviving after Whistleblowing becomes extremely important part of the training in the Academy. This becomes important if the Academy really wants officers to speak out their mind as mentioned in its website. After making a presentation to more than 100 senior officers at IIM, Ahmadabad in January 2009, I made a similar request to the Academy, but no one in the Academy responded to it. I hope this letter would not face the same fate.

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