

VV /PER/15/2006

M.N.Vijayakumar, IAS*

Under orders of Transfer,

(E-mail mnvijj@yahoo.com Mobile No. 9343833168)

Bangalore

22, November 2006

Ref: DPAR letter No 435 SAS 2006 dated 30/10/05(06??)

Dear Madam,

My References:

1. File No. DPE/JS/2679/2006, 2. File No. DPE/16/MMR/2006. 3. File No DPE/99/SPU/2005 4. Letter Addressed to Chief Secretary dated 7/6/06, 5. Note dated 11/8/06 6. Letter dated 14/8/06 7. Letter 2006 dated 2/9/06 8. Letter dated 11/9/06 9. Letter dated 18/9/06 10. Letter dated 27/9/06 11. Letter dated 3/10/06 12. Do dated 25/10/06 13. Request for EL 26/10/06 14. Letter dated 30/10/06 15. Letter dated 6/11/06 16. Letter 16/11/06 17. Letter dated 20/11/06 18. Telephonic enquiry with CS office on 13/11/06, 17/11/06 and 20/11/06


1. I had replied through my letter dated 6/11/06 to the letter/notice (?) No. 435 SAS 2006 dated 30/10/2005(06??). I had specifically brought out the following points:

The decision to transfer before promotion to Gulbarga happened only after I repeatedly raised objections to the omissions and commissions by certain officers against public interest causing losses to both the public and the Government. Even though I was transferred, the persons against whom I complained were continued in the same posts allowing them to tamper records. I also came to know that at least some persons personally met you and informed you about some officer asking them to tamper records. I had repeatedly pointed out that if the various issues I had pointed out to the Chief Secretary had been acted upon in public interest, then I would not have been transferred just before promotion and I would not have been kept at the same post after promotion.

2. I had also repeatedly brought to notice of the Chief Secretary threat to me before transfer (prior to promotion), after promotion and transfer subsequent to promotion.

3. I had also indicated that this is the fourth transfer to Gulbarga in my career, while most of the officers do not serve there even once.

4. I had also repeatedly brought to your notice that I will be the only Regional Commissioner in the grade of Principal Secretary in the state and that this could create legal, administrative problems as the person to whom I have to report is also of the same grade. In fact I had informed that after promotion, it was the post which got "promoted" and not me.


22/11/06


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5. Even though I repeatedly requested you to give me time to discuss serious issues raised by me, that concerned losses to public and the government, through my letters dated 26/10/06, 30/10/06, 6/11/06, 16/11/06 and 20/11/06, so far I have not been given time. In addition to writing letters I also checked up with your personal secretary over phone on 13/11/06, 16/11/06, 20/11/06 and he informed me that you have not indicated any time for discussion.

6. I had asked whether the act of requesting Chief Secretary in writing for modification of transfer order citing reasons of public interest amounts to an act of indiscipline. You had advised me to give a representation for modification of transfer when you were Additional Chief Secretary (my letter dated 18/9/06). It appears that after learning the details of the persons against whom I had complained (in particular that of one very senior officer), before my transfer (prior to promotion), as having caused crores of loss, probably you too decided to keep me from pursuing my complaint.

7. I had clearly indicated to consider whether the following (which have brought to the notice of the Chief Secretary in writing) would amount to indiscipline: Bringing to the notice of the head of the bureaucracy the repeated violation of Government policy, insisting on following government policy, preventing dishonest persons from acting against public interest, insisting not to make a farce of the Right to Information Act, informing higher authorities about the physical threats, making fight against corruption one of the major objectives in the ACR, saving crores of rupees to the public and the government, acting as per the calls given by the Hon'ble President and the Hon'ble Governor, for being first to declare assets to the public in a detailed manner, informing Hon'ble Lokayukta as to how to tackle corrupt officers, asking government to treat me on par with others whose transfer were modified, for approaching the Chief Secretary in writing and for not using any other channel, for informing that in the last 25 years of service I have reported to whichever place I was posted and not willing to meet in person anybody to change my transfer, not turning blind eye to activities against public interest, complaining against dishonest practices before promotion, giving honest and frank opinion, introducing innovative methods to improve quality of works and hastening grievance redressal, bringing to the notice the omissions and commissions of some officers in DPAR.

8. DPAR sent a notice/letter calling for my explanation on the same day I sent a letter asking you to give me time to discuss, in person, various serious issues raised by me in public interest involving crores of rupees. However even after a lapse of almost four weeks, I have not been given time. Even two weeks after submitting my explanation, no action has been taken on my request whereas DPAR wanted my explanation within a week. Because of all these I get a feeling that the DPAR issued the wrongly dated notice to harass me, totally ignoring persons against whom I had made complaints before transfer prior to promotion.


22/11/06

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9. I have enclosed the outline of an article which I intend to send by 30/11/06 to both Kannada and English Newspapers on the occasion of the UN INTERNATIONAL ANTI-CORRUPTION DAY on 9th December 2006. I will be also participating in some public discussions organized by some NGOs for the occasion. These are stated here for your information.

10. Under these circumstances I request the following:

I. Please take action on all the points raised by me in my letter dated 6/11/06 and also please take note of Para 9 above.

II. Please give me time to discuss the important issues I raised in public interest.

III. DPAR in its letter No.DPAR 64 IAS 2004 dated 17-8-2004 has sent to all principal secretaries/secretaries, a copy of DO letter No. 502/2/3/04 CAV (marked Most Immediate) sent by the Cabinet Secretary, Government of India, to all Chief Secretaries in the country to take action to constitute a body to hear the grievances of officers who stood by their principles. I want my issues to be referred to such a body immediately, if not at least use the provisions of the draft Public Services Bill for guidance to address my concern.

IV. To make it mandatory for every person working in DPAR to declare their assets and liabilities in detail to the Lokayukta, otherwise persons who are afraid to declare assets collude with dishonest officers and cannot give honest opinions at all. I do not want my file to be handled by some such officer.

I firmly believe that we must set personal standards of integrity as public servants and the message should flow from the top downwards and not the other way round.

- Extract from Hon'ble PM's speech at the foundation stone laying ceremony of CBI Head Office building on January 18, 2006

with regards

Thanking You,

Yours

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dem 22/11/06

(M.N.Vijayakumar*)

Dr.Malathi Das, IAS
Chief Secretary to Government,
Government of Karnataka



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Outline of article to be sent to newspapers on the occasion of World anti-corruption day
(9th December 2006)

UNCAC-World anti-corruption day, its significance-India signatory-ratification due, China already ratified- Main clauses of treaty- Hon'ble PM's address to CBI, his frequent reference to corruption - introduction of Public Services Bill, Protection to whistle blowers-Fine tuning existing acts and need for new legislation - Mahatma Gandhi's views-Lal Bahadur shastri's first effort- How President looks at these issues-
Corruption perception: India and China

ARC recommendations - Convergence of RTI, PSB, WBP-RTI success stories-opposition to amendment of RTI -Benefits to citizens- corruption poverty linkages, poor man's tax, Statistics - development and corruption-Roles played by President and Governor-RTI beneficiaries- Tips to those motivated by the Sacrifices of Dubey and Manjunath-do not sacrifice precious life but sacrifice short term career benefits, keep at least a few eminent persons informed when tackling the powerful- Role of NGOs-Training bureaucracy-Analyses of Corrupt behaviour-Role to be played by honest officers- frank expression and transfers- mobilizing public opinion for ratification-Past conferences of Chief Secretaries and Chief Ministers-Innovation and creative methods to tackle corruption- Long term impact of declaration of assets by bureaucrats as suggested by Karnataka Lokayukta-RTI appeal decisions as input to Lokayukta for suo moto action-impact of corruption on children, villagers, women, health, accidents, terrorism- fate of whistle blowers*-centre and state disparity-Emergence of large number of youths getting jobs without exposure to corruption-role of diasporas-What the various civic bodies should be immediately doing- road map for a corrupt-proof system- role of mass media-role of students-role of retired servants - education, motivation, transparency and shameful cover-ups-Role of technology- Why hastening ?

Views are exclusively that of the author and does not reflect views of the Government

*Various studies have shown isolation and humiliation, formation of an "anti-you" group, organizational stonewalling, questioning of one's mental health, unusually close observations of what one does and says, vindictive tactics to make one's work more difficult or insignificant, talk about so-called generous severance packages, assassination of one's character, disciplinary hearings before one has had a chance to address one's concerns, and possible suspension.

 22/11/06