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“If I were to remain silent, I'd be guilty of complicity.” — **Albert Einstein**

**Sub:** Requesting retired IAS officers of Karnataka Cadre not to remain silent but to vehemently and openly oppose the appointment of Shri Sham Bhat as Chairman, KPSC in the interest of Karnataka and in particular Karnataka youth.

Dear Retired IAS Officers of Karnataka,

I have addressed this letter to all retired IAS officers of Karnataka (excluding a few), hoping that some of you would break the unwarranted silence, at least after reading this letter, that too in the interest of Karnataka and openly oppose the appointment of Shri Sham Bhat as Chairman, KPSC whose corrupt activities at least some of you would have known directly or indirectly.

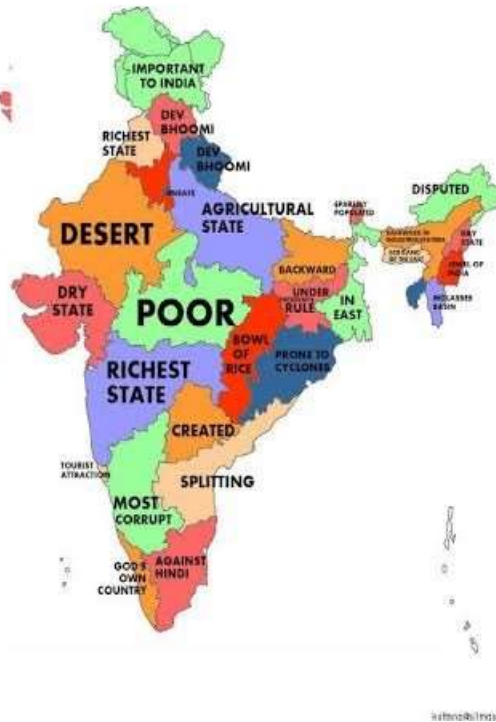
While those of you who retired after 2005 are familiar with many of my letters addressed to all serving IAS officers of Karnataka clearly bringing out my frequent opposition to senior IAS officers either keeping quiet about rampant and brazen corruption of IAS officers in Karnataka or against some even supporting promotion of corruption, those who retired earlier to 2005 may not be aware of my notings made in files since 1985 opposing corrupt practices of senior IAS officers (unless they had noticed them). Some of you might have read about me in newspapers. Since 1985, barring some Chief Secretaries of Karnataka, in spite of being a very junior officer, I had the frequent misfortunes of having to remind the Chief Secretaries about their role in curbing corruption and promoting transparency. It was only since 1997, I started placing on record by directly writing to Chief Secretaries my opposition to their tolerance to corruption.

In my letter dated 24<sup>th</sup> Nov 1997 addressed to the then Chief Secretary (Shri Bk Bhattacharya) I had mentioned that being the head of bureaucracy he must act and not to plan to corruption to spread (I had marked a copy of that letter to Dr Renuka Viswanathan who was then holding the post of Secretary, Planning). Things later became really bad becomes clear from the fact that on 4<sup>th</sup> July 2005, I had to write to Shri K K Misra who was holding the post of Chief Secretary to reveal the problems he faced as Chief Secretary in curbing corruption as I cautioned him that otherwise Karnataka would degrade and would be notoriously known as the most corrupt place the world over. I was the only serving IAS officer in the country to appear in February 2011 before the Parliamentary Standing Committee which examined protection to whistle blowers Bill and I gave both oral and documentary evidences to clearly establish as to how those who held the post of Chief Secretaries since 2006 brazenly protected the corrupt IAS officers and harassed those who exposed corruption to make Karnataka the most corrupt state. I am sure many of you might have known the following: The observation made by Hon'ble Justice Khehar in 2011 in the open court when he was Chief Justice of Karnataka High Court and the more recent Google Map generated on the basis of auto completion search results clearly tell what even rest of the world feels about Karnataka (a picture is worth thousands of words!)

## 'Karnataka tops country in corruption'

The Division Bench headed by Chief Justice J S Khehar on Tuesday declared Karnataka "most corrupt in India."  
"Corruption is increasing. I have been reading in the magazines that Karnataka is the most corrupt state. But we can say here now that Karnataka is No. 1 corrupt state in India," the Bench noted.  
The annoyance of the Bench stemmed from a case pertaining to granting of licence for granite quarrying and its subsequent withdrawal, in Coorg district.  
P C Prabhu had filed a petition challenging the withdrawal of the licence.  
The Court was annoyed at the conflicting statements given by State Government and Department of Mines and Geology.  
It said that the State did not have appropriate rules and regulations for anything and no mechanism to bring errant officials to book.

What the World Thinks Of Indian States, According To Google



It appears that the Governor was misled to believe that no FIR has been filed against Shri Sham Bhat(truth is that FIR was not allowed to be registered), Shri Aravind Jadhav, Chief Secretary had given Vigilance Clearance(He gave clean chit to other corrupt officers also) and that no inquiry is initiated against him(I have documented how no inquiry is initiated against corrupt officers even in respect of serious misconducts and that any complaint given is destroyed immediately). I request you to prevent even worse things from happening to Karnataka by breaking your silence and oppose the appointment of Shri Sham Bhat for the following reasons

1. It appears that the Governor of Karnataka was deliberately misled by Shri Aravind Jadhav, Chief Secretary by giving vigilance clearance to Shri Sham Bhat. What made Shri Aravind Jadhav to post Shri Kapil Mohan to KAT is known to all and certainly at least more than a dozen of you. Such false vigilance clearances are given by the Chief Secretary becomes clear from the extracts from the following:
  - A. my letter addressed to the then Lokayukta on 8<sup>th</sup> Jan 2015 while I was still in Service: ***I am writing this letter in connection with reports in various newspapers today which indicate that a criminal complaint has been filed against Sri Kaushik Mukherjee, Chief Secretary for giving to your Honor fabricated false vigilance reports in respect of those chosen as Members to the KPSC. As your Honor is fully aware, till recently, appointments of those (though totally ineligible) with money and influence by the corrupt members in KPSC have made fighting corruption extremely difficult not only for the public but to even for honest officers. My own documentation show how the corrupt IAS mafia is allowing looting of public money and wealth. Copies of most of these letters have been given to your Honor also...In view of the above, in the larger interest of Karnataka, I request your Honor to totally ignore the vigilance***

reports given by Sri Kaushik Mukherjee (and/or other officers of DPAR) and get independent assessment made.

B. OM No. F 11(I) 2014 L I dated 19<sup>th</sup> Dec 2014 sent by the Ministry of Law, GOI to DoPT, GOI based on my letter dated 03.12.2014. My letter gave instances of Chief Secretaries filing false affidavit before the highest court in the country The subject matter of that letter sent to DoPT reads as follows:

**Requesting the Ministry of Law & Justice, GOI, to initiate suitable measures suggested in this letter to prevent conscious contemptuous actions by senior IAS officers abusing official position for personal gains by forcing their subordinate officers to file false affidavits before Courts in Public Interest Litigations. I do not have to elaborate that such officers have no qualm in issuing vigilance clearance certificates in respect of corrupt officers fearing that their own corrupt activities would otherwise get exposed.**

2. Shri Sudhakar Rao, when he was Chief Secretary, went out of the way to protect Shri Kempaiah who got into IPS by giving false certificate and against whom corruption complaints were there with the Lokayukta. In 2005, the then Lokayukta Justice Shri N. Venkatachala had sought my concurrence to work as Registrar, Lokayukta after Shri K K Misra suggested my name. I have documented how Shri B K Das who succeeded Sri KK. Mishra as Chief Secretary sabotaged it in 2006 itself. Lokayukta officials showed me among other cases against IAS officers, materials collected against Shri Kempaiah. Later Shri Sudhakar Rao ignored the views expressed by the then Lokayukta Justice Shri Santosh Hegde not to accept voluntary retirement given by Shri Kempaiah. As expected the file recommending action against Shri Kempaiah (Dismissal from Service) was destroyed. The damage Shri Kempaiah has done to the Karnataka police is known to all. How Kaushik Mukherjee when he was Chief Secretary supported Shri Kempaiah becomes clear from the following news clipping from Times of India (7<sup>th</sup> Oct 2014) containing the most absurd logic used by Shri Kaushik Mukherjee. Such a logic comes to only an extremely corrupt person.

**IAS officer lashes out at Kempaiah appointment**  
Asks Home Secy To Act Against Him Or Face Legal Action

**A MINISTER OF STATE GETS** Basic: ₹ 20,000-₹ 28,000 HRA: ₹50,000 if in own house | up to Rs 1 lakh if in rented house Conveyance ₹50,000

**PERKS:**

- Telephone bill reimbursement
- One personal secretary who's already with government
- Two staff on contract (Salary ranging between its 10,000 and its 12,000)
- Two peers
- One driver

**NOT A STATUTORY POST**

Kempaiah's position is not a statutory one. He will not be writing anything on files or notes. His is purely an advisory role, which will see him orally advise the chief minister if it is sought. If he was to hold a statutory position, then the question of his clean record and other things would've been looked into. The only thing now is that he will be paid from the exchequer."

**ADVISER'S POST**

Senior IPS officer Kempaiah

**Kaushik Mukherjee | CHIEF SECRETARY**

Important for you to convince the minister the implication of facts suppressed by you to make Kempaiah the adviser."

Vijaykumar has written a series of letters to chief secretary Kaushik Mukherjee and Pottanayak since August 1 making a case against Kempaiah, but there has not been any positive response.

3. I have exhaustively documented how Chief Secretaries since 2006 have brazenly protected corrupt IAS officers. The following should be sufficient to elaborate what I mean

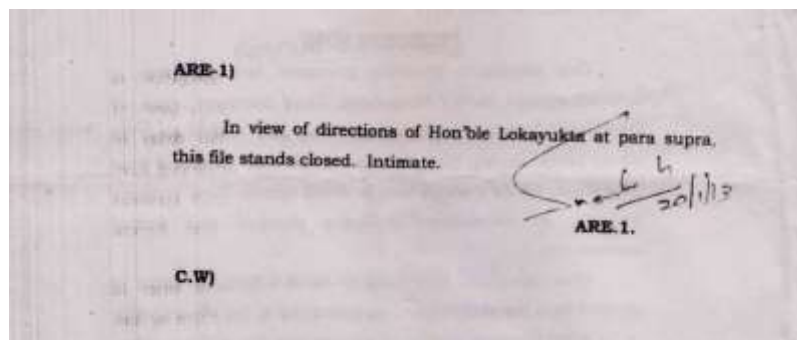


4. In my letter dated 8<sup>th</sup> Sep 2014, I had documented how Shri Kaushik Mukherjee, then Chief Secretary got many corruption files pertaining to IAS officers destroyed. I am quoting the following from that letter: ***... that documents exposing you getting illegally a car in addition to meeting marriage expenses of your son by forest department officials were destroyed in the guise of file clearance. I also learnt that documents in DPAR exposing Sri #####'s innumerable acquisition of properties across the country were also destroyed for a hefty commission last week. I also learnt that some documents containing information about collection of bribes by Sri # ##### in Coffee Board during Dec 2008 and information about illegal assets in Hyderabad were also destroyed. I also learnt that Home Department destroyed evidences of bribe collection from apartment owners by the son of a former Commissioner of Police of Bangalore and video evidence of that Commissioner taking away sarees without making payment. I would place on record many more such destruction of critical evidences under the guise of file clearance in my future letters as and when I get such information***
- Shri Aravind Jadav is also protecting Shri Sham Bhat in spite of knowing that many of the complaints against Shri Sham Bhat given to DPAR have been destroyed by Shri Kaushik Mukherjee. I am reproducing below from my letter dated 5<sup>th</sup> Nov 2014 addressed to Prof Ravi Verma Kumar when he was Advocate General to place my letter before the Hon'ble High Court Bench hearing the PIL related to G category sites: ***Now, if you again refuse to place this letter before the Bench of the Hon'ble High Court hearing the PIL relating to G category sites, then you would be increasing the chances of another corrupt IAS officer Sri. Sham Bhat to be considered for the post of***



**Chairman, KPSC (His name is also being mentioned in the media). The letters under reference bring out the fact that Sri Sham Bhat is extremely dishonest. .. Sri Sham Bhat who perfected the use of discarded lottery tickets to allow State-wide illegal transportation when he was transport Commissioner is sure to come out with an equally ingenious method to protect those who bribe him to get into government Service.** My appeal to the Karnataka Information Commission in case No. KIC 5337 COM 2013 show the level to which Shri Sham Bhat stooped to deny information in spite of the Commission ordering him to give information about false statements made to the Hon'ble High Court by Shri PB Mahishi to escape contempt proceedings. Shri Sham Bhat also did not give information under the RTI Act in respect of disposal of stray site for more than 2 years as his own involvement into serious corrupt activities in BDA would get exposed. His brazen conduct of repeatedly denying information to the Justice Kempiah Commission on Arkavathy Layout Denotification scam has been widely reported.

5. The corruption case filed with the Lokayukta against Shri Kempaiah was closed by then Lokayukta Justice Dr Y Bhaskar Rao to facilitate his appointment as Adviser to Home Minister (Chief Minister). If a large number of complaints given to the Lokayukta against Shri Sham baht have been closed, reinvestigation of closed files would certainly throw startling conspiracy. In fact, if the ACB properly investigates the complaint filed by me against Shri S V Ranganath when he was Chief Secretary, it would become clear that even **before Dr Justice Y Bhaskar Rao took oath as Lokayukta** he closed my complaint (Case No LOK/BCD/406/2011 )given to the Lokayukta against Shri S V Ranganath! I have given below a file portion of the Lokayukta dated **20<sup>th</sup> Jan 2013** clearly indicating that my complaint was closed as per the order of the Lokayukta. This was done when the post of Lokayukta was vacant from Sep 2011 to Feb 2013. How can Lokayukta order my complaint to be closed against then Chief Secretary Shri SV Ranganath even before he took oath on 13<sup>th</sup> Feb 2013.



Justice Dr Y Bhaskar Rao on 17<sup>th</sup> Sep 2014 had recommended action against Shri Sham Bhat for misappropriating funds when he was CEO, KIADB in **Case No. COMPT/LOK/BCD/404/2010. If appropriate action had been taken, Shri Sham Bhat would have been dismissed from Service long back and even sent to prison. It is unfortunate that such a corrupt officer is appointed as Chariman, KPSC.**

6. As part of my work as an officer "specially" appointed to write the Departmental Enquiry Manual, I had exhaustively documented how Chief Secretaries went out of the way to protect corrupt IAS officers like Shri Sham Bhat. I had also exhaustively documented how FIRs were not registered against many who indulged in not just corrupt activities but in heinous criminal acts. The extent to which I was forced get an FIR registered becomes clear from the my complaint dated 12<sup>th</sup> Feb 2014

given to the Police Complaints Authority against Sri LK Pachau, the then DG & IGP, Karnataka Police **for not taking action against his subordinates who had been refusing for almost three years (since 11/3/2011 to be exact) to even register FIR** against Sri SV Ranganath, former Chief Secretary, Sri MP Chinnappa, Consultant and others for their criminal conspiracy. Recently how only after the intervention of the High Court, the police reluctantly filed FIR after Shri MK Ganpathi, Dy SP committed suicide is known all over India and requires no elaboration. It is not the case that no FIR has been filed against Shri Sham Bhat but a proper inquiry would show how in spite of Shri Sham Bhat swindling money in all his posts held since 2000 has been able to get no FIR registered against him. The involvement of Shri Kempaiah in not registering FIRs against corrupt officers including Sri Sham Bhat, would become clear if the ACB police does not ignore glaring evidences of files taken away by Justice Dr. Y. Bhaskar Rao in the glare of the media.

7. Shri Siddaramaiah, Chief Minister has extreme soft corner for corrupt officers becomes clear from the following extracts from my letter dated 22<sup>nd</sup> Nov 2014 addressed directly by me to the Chief Minister himself while I was in Service: ***It was not at all difficult for you to have taken action to set right the damage done by Sri Kaushik Mukherjee and other officers in DPAR in giving sanction to release a fabricated document by Sri Meer Anees Ahmed. It is unfortunate that you have chosen not to do so even after I wrote my letters dated 18th and 19<sup>th</sup> November 2014. Though it may appear very premature , I would like to emphatically state that the day will come when you will regret for acting on the advice of the corrupt IAS mafia if you continue to ignore what I have been directly informing you in my letters to you since June 2013 , including this one. I also want to mention that on such a day none of the corrupt officers on whose advice you have been acting today will standby you***

All the above clearly bring out that the post of Chairperson, KPSC is not a Service Matter but that of appointing to a Constitutional position which requires the person chosen to have impeccable integrity and rectitude. The person should have exhibited upholding transparency and accountability in an exemplary manner throughout his life. It is unfortunate that the Governor never asked how Shri Sham Bhatt is the best person among all eligible people and how his name was finalised and most importantly **what is so special about Shri Sham Bhat? What I have mentioned in this letter on the other hand indicates that Shri Sham Bhat should have been sent behind bars long back and totally unworthy of occupying such an important constitutional post. It is unfortunate that all decisions of the highest Court of the land have been ignored to choose such a dangerous person who is bound to destroy the very fabric of governance for decades to come. I sincerely hope that at least a few of you would openly oppose the appointment of Sri Sham Bhatt. As far as the others who want to continue to remain silent, all I can do is to repeat the quote of Albert Einstein which I have given at the beginning: "If I were to remain silent, I'd be guilty of complicity." — Albert Einstein**

Thanking You,

Yours Sincerely

M N Vijayakumar