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# The Midtowner



Club Number : 15228

**Bulletin of Rotary Club of Chandigarh Midtown: R.I. District 3080**

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**Dr. V. J. S. Vohra**

Volume XXXVI No. 02 Dated: July 12, 2011

PROGRAMME

District Awards 2010-11

To be presented by :

IPP Rtn. Prem Anand

Friday, July 15, 2011

Time: 7.00 p.m.

Venue: Hotel President, Sector 26, Chandigarh

## Discussion on Lokpal Bill

In our club meeting on July 08, 2011 we had a lively Discussion on Lokpal Bill. President Rtn. R.K. Luther welcomed the Panelists: Mr. Rahul Bharatiya, Mr. Dinesh Kumar and Mr. Subhash Chawla.

The Moderator of the discussion, PP Rtn. Pallav Mukherjee introduced the Panelists. After doing MBA Rahul Bharatiya had a good amount of Industrial and business experience. On January 22, 2011 he was appointed as Dr. Kiran Bedi's official representative for India Against Corruption, and in addition to Chandigarh, his territory also includes Punjab, Haryana and Himachal Pradesh to promote the Jan Lokpal movement.

The other panelist Dinesh Kumar is Assistant Editor in The Tribune. He has vast experience as a journalist. Nominated by our club, Dinesh was sponsored as Rotary World Peace Scholar by our Rotary District 3080 and he completed his studies at Bradford University in West Yorkshire, UK in 2006, which is a successful program of the Rotary Centers for International Studies in Peace and Conflict Resolution.

The third panelist Subhash Chawla is a former Mayor of Chandigarh, and a senior Congress leader of the City Beautiful. Pallav said, "Subhash is an original citizen of Chandigarh, having been born in village Kaillar, which was located in the western corner of Sector 15."

Rahul Bharatiya explained the key features and critical issues of the Lokpal bill or the Jan Lokpal Bill or Citizen's Ombudsman Bill, which has been drafted by Justice Santosh Hegde (former

Supreme Court Judge and present Lokayukta of Karnataka), Prashant Bhushan (Supreme Court Lawyer) and Arvind Kejriwal (RTI activist). The draft Bill envisages a system where a corrupt person found guilty would go to jail within two years of the complaint being made and his ill-gotten wealth being confiscated. It also seeks power to the Jan Lokpal to prosecute



From left: The Moderator PP Rtn. Pallav Mukherjee, Panelists Mr. Dinesh Kumar & Mr. Subhash Chawla, President Rtn. R.K. Luther, Secretary Rtn. Amarjit Singh and the third Panelist Mr. Rahul Bharatiya

politicians and bureaucrats without government permission. Retired IPS officer Dr. Kiran Bedi, Swami Agnivesh, Sri Sri Ravi Shankar, Anna Hazare and Mallika Sarabhai are also part of the movement, called India Against Corruption, which is a citizen's movement to demand strong anti-corruption laws. The mission behind this movement is to make India a developed nation and a great power, and create an unshakeable national resolve to achieve this goal, with the slogan, "ab raajneeti nahi, rashtraneeti chahiye."

Rahul was brilliant with his powerpoint presentation. He gave an impressive comparison between Government's Lokpal Bill and Jan Lokpal Bill. Rather than gunning for the corrupt and corruption, government's Lokpal seems to be gunning for those who complain against corruption. Suppose some citizen files a complaint to Lokpal against some corrupt government

servant. Before the investigations actually start, the government servant can file a cross complaint against the citizen straight to the special court, that the complaint is false or frivolous. Free advocate will be provided to the government servant to file this case. The citizen will have to defend himself on his own! Then there is stiffer punishment for the complainant than the corrupt government servant. If the Special Court concludes that the complaint is frivolous or false, the citizen faces a minimum of two years of punishment. But if the corruption charges against government servant are proved,

there is a minimum of six months of punishment for him!

Government's Lokpal will have jurisdiction over all NGOs in the country but only less than 0.5% of all government employees would be within Lokpal's purview.

Coming to Prime Minister's issue, Jan Lokpal recommends power to investigate allegations of corruption against PM, with special safeguards provided against frivolous and mischievous complaints. But according to Government's view PM should be kept out of Lokpal's purview. As of today,



Birthday boy PP Rtn. Indrajeet Sengupta is presented a gift by Mr. Rahul Bharatiya



Mr. Subhash Chawla & Mr. Rahul Bharatiya present wedding anniversary gift to R'ann Nirmal & Rtn. Comdr. A.S. Nagra



Mr. Rahul Bharatiya presents punctuality award to Rtn. Jeetan Bhambari



Mr. Subhash Chawla presents birthday gift to Rtn. C.J. Rai who also gets one on behalf of R'ann Chanchal Rai. Looking on are President R.K. Luther and Secretary Amarjit Singh

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corruption by PM can be investigated under Prevention of Corruption Act. Government wants investigations to be done by CBI, which comes directly under the PM.

Members of Parliament taking bribes to vote or speak in Parliament strikes at the foundations of our democracy. Government's refusal to bring it under Lokpal scrutiny virtually gives a license to MPs to take bribes with impunity.

Lokpal should have powers to investigate allegation of corruption against judiciary with special safeguards provided against frivolous and mischievous complaints. But Govt. does not favour this, and wants it to be included in Judicial Accountability Bill (JAB), which does not talk about bribery but only misbehaviour. Under JAB, permission to enquire against a judge will be given by a three member committee comprising of two judges and a retired Chief Justice of the same court.

CBI should be merged into Lokpal as it remains corrupt under government's control. But Government wants to retain its hold over CBI for obvious reasons.

Jan Lokpal Bill says that Selection of Lokpal members should be done by broad based selection committee with 2 politicians, four judges and two independent constitutional authorities. But Government wants to appoint its own people as Lokpal members and Chairperson.

Jan Lokpal bill says that Lokpal should be accountable to people. Citizens can make a complaint against any Lokpal member in the Supreme Court, and seek removal. Govt. view is that Lokpal should be accountable to Government who can also remove the member.

Defending the Congress regime at the Centre, Ex Mayor Subhash Chawla said every Indian would like to have a corruption free country. He said the Government is in favour of the Lokpal Bill. He admitted that when politics is involved for any issue, whether from one party or the other, then the problems cannot be resolved. Mr. Chawla gave credit for the proposed Lokpal bill to the Congress Government. He said corruption in the country has not come up in last two years or so. It has been there since independence, and it will take time

to root it out. He even talked about Baba Ramdev, the Yoga Guru joining the fight against corruption, but then his having acquired thousands of crores worth of property has also been exposed!

Mr. Chawla questioned, "Should we not blame ourselves for tax evasion and the bribes that we offer?" He raised strong objections to the undemocratic manner in which some people gave adverse statements against the Prime Minister and the Government, ignoring the many good things that have been done for the country. He also defended the Judiciary and pointed out that had it been corrupt, then A. Raja or Kanimozhi would not have been in jail. He pleaded we should cooperate with Government in its fight against corruption, rather than being carried away by wild propaganda which is harming the reputation and growth of our country.

Tribune Asst. Editor Mr. Dinesh Kumar made some broad observations. He said, "Corruption in our country has increased and worsened over the years since 1950s & 1960s. India is a very difficult and very complicated country to be governed. In no country in the world there are so many ethnic groups, religions, languages, castes and geographical diversities, and we have the world's second largest population!" He said corruption in India is not a recent or a 21st or 20th century phenomena. He then quoted India's First Governor General Chakravarti Rajagopalachari what he wrote in a prison diary on January 24, 1922, when it was considered that honesty and morality was at its peak, "Elections and their corruptions, injustice and the power and tyranny of wealth, and inefficiency of administration, will make a hell of life as soon as freedom is given to us. Men will look regretfully back to the old regime of comparative justice, and efficient, peaceful, more or less honest administration. The only thing gained will be that as a race we will be saved from dishonour and subordination."

Dinesh pointed out that for 42 years, the government drafted bill has failed to pass the Rajya Sabha. The first Lokpal Bill was passed in the 4th Lok Sabha in 1969 but stalled in the Rajya Sabha. Subsequent Lokpal bills were introduced in 1971, 1977, 1985, 1989, 1996, 1998, 2001, 2005 and 2008 but all failed to pass, irrespective of there being a Congress or BJP Government.

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There seems to be some political consensus among all parties not to have it! Dinesh raised doubts that we are creating a parallel system and questioned, "How would there be accountability in case of the proposed Lokpal? How does one ensure the honesty of Lokpal? Should we not reform and strengthen the existing system? Should we subordinate all the existing institutions like Supreme Court, High Courts, CBI, CVC etc. to the proposed entity called Lokpal?" All these are very relevant queries which every citizen has the right to know.

"Fear is the key", said Moderator Pallav, and invited questions from the audience. This led to an interesting, vibrant interactive discussions and balanced observations by Rotarians. PP Rtn. Indrajeet Sengupta not only gave vote of thanks but also sponsored the snacks for the cocktails that followed the meeting.

In the context of Jan Lokpal Bill Vs. Govt Lokpal Bill, it is worth knowing what Anand Giridharadas, a Columnist based in Cambridge, Massachusetts wrote on July 1, 2011 for New York Times, under the title, "In Fight for Better India, Best to

Look Within." It sounds something like the current RI Theme, "Reach Within....." Extracts from Anand's article are reproduced. ".....The nation is in the midst of a fit of rage over corruption these days. Hunger strikes are being called; the heads of some scapegoats in power are rolling; protests are swelling here and there.... The 'us' is the ordinary people of India, the 'man on the street,' ..... the 'them' are ... in politics and the bureaucracy — lazy, deceitful, imperious scoundrels." "..... The blame cannot so tidily be placed on the 'them.' This may well be an 'us' problem as much as a 'them' one, in which case the revolution being called for will have to be a revolution within."

".....If the 'them' at the very top are unacceptably corrupt, it may be because the 'us' taught them everything they know. So what to do about it? Misdiagnosis is dangerous. If the problem remains in the public mind a problem of bad people in power, it may well remain unsolved. If it can be acknowledged as a deeper pattern of Indian life, perhaps something can be done. That something will have to be more than removing 10, 100 or 1,000 scoundrels from office."

## Daughters Are Cool

Our hearty congratulations to R'ann Malabika, PP Rtn. Indrajeet Sengupta and their daughter Sucharita who has earned her Ph.D. from Jawaharlal Nehru University, New Delhi, researching on the Topic - "The Impact of Domestic Factors on Climate Change Policy - Comparative Analysis of

India & China". Aside, of her permanent assignment with the University of Pennsylvania Center for Advanced Studies of India, she has now been invited as a Guest Faculty to Lecture on International Politics at the Nelson Mandela Centre of Peace and Conflict Resolution, in Jamia Millia Islamia.

### Contributions Acknowledged with Thanks

Rtn. Dr. Col. V.K. Kapoor Rs. 10000 (Aasra, GMCH-32)  
 PP Rtn. Capt. Moni Kahlon Rs. 5000 (Installation Ceremony)  
 PP Rtn. Harish Sethi Rs. 2100 (Aasra, GMCH-32)  
 PP Rtn. Indrajeet Sengupta Rs. 1100 (Club Projects)

### Birthday of Rotary Anns

R'ann Anita Kapur July 16  
 R'ann Krishna July 18  
 R'ann Priya Bhateja July 19



### Birthday of Rotarians

Rtn. R.S. Sihota July 16



### Wedding Anniversary

R'ann Sudershan & Rtn. Ravinder Krishan July 19

### Punctuality Draw

Won by Rtn. Jeetan Bhambari

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