

TO BLOW OR NOT TO BLOW THE WHISTLE?

By **S. K. Sadangi**

Breaking the eerie silence that hung over the sea, a voice rang out from the depth of darkness: ***Is there anybody out there?*** A narrow beam of light, from a silhouette perched on a boat, scanned dozens of bodies floating on icy cold water, searching for signs of life. But they were dead, all of them, possibly long before the saviours came. Suddenly, the faint sound of a whistle rang out at a distance. The rescuer rowed the boat towards the survivor. And the life of the whistle blower was saved from certain death.

Does the scene appear familiar? Have you seen this somewhere before?

Yes, you must have. It was the iconic last scene from the 1997 block-buster movie – “Titanic”. The whistle blower in question was British Actress, Kate Winslet, in the role of “Rose Dewitt”, the lucky survivor from the infamous shipwreck. If the rescue act depicted in the movie had really happened on that fateful night of 15th April, 1912, when the Titanic sank on her maiden journey, then this must be **one of the very few occasions when “blowing a whistle” actually saved the “whistle blower”**.

In real life though, the consequence of blowing a whistle could unfold differently – especially in societies where corruption is endemic. In fact, the exact opposite can happen in countries where greed is good and corruption possesses divine powers. With the Corrupt being Omni-present, Omnipotent and Omniscient, blowing the whistle - a common metaphor for raising voice against evil and injustice - may actually cost the whistle-blower his/her own life, unlike what happened in the Titanic movie scene.

Examples of being blown away because of blowing a whistle are not rare. In a country like India, where almost every facet of governance appears contaminated with the evil of corruption, it happens rather frequently. Starting from Satyendranath Dubey, who blew the whistle against the network of corrupt in the multi-crore rupees Highway Project in Bihar and ended up losing his life, murder of dozens of RTI activists across the country are a clear testament to the risk of exposing corruption. Like the soldiers on our frontiers, it is these righteous individuals who try to take it upon themselves the risky job of preventing corruption in a society, where select groups and individuals have already cornered vast wealth and resources, depriving millions of disadvantaged citizens a “right to decent life”.

UN Human Rights has an interesting name for such courageous individuals who defend the rights of people against the corrupt usurper of these rights. They refer them as **HRDs or Human Right Defenders**. It is now a well-known fact that pervasive corruption in any society finally results in deprivation of essential human right for the majority of that

society – be it right for food, education or justice. The First Quarterly Journal for Human Rights, 2011 laments the threatening situation by stating that **Indian HRDS** have become virtual “**Sitting ducks**” for the corrupt.

How can corruption snatch human right of individuals? A telling example was the recent national debate on legislation for ensuring “Right to Food” - a basic right of any human being on the planet. Although enactment of a specific act for this is a recent phenomenon, effort to ensure the same is decades old. The first PDS of food grains had started following the critical food crisis in 1960s. When it did not yield the desired result, **RPDS** (Revamped Public Distribution System) was conceived in 1992. When that too failed and the number of hungry and malnourished in India threatened to exceed the level of Sub-Saharan Africa, the Central Government started the **TPDS** (Targeted Public Distribution System) in 1997. It was the largest distribution system of its kind anywhere in the world, comprising 5.5 Lakh fair price shops criss-crossing the length and breadth of the country, with crores of poor and hungry as its intended beneficiaries.

Why did such huge efforts fail to solve the problem, thus necessitating the enactment of a legally binding legislation? Eight years after the scheme was launched, in 2005, the Planning Commission had provided the answer in a tell-all report. The reason, in simple terms, according to this report, lies in the “**Governance Deficit**” in the Public Distribution System (PDS) and the public officials managing procurement, storage, transport and distribution of millions of tons of food grains. What is **Governance Deficit**? Well, in polite and politically correct language used in air-conditioned management seminars, it is a euphemism for the good old “**corruption**”. In an astonishing report addressed to the Prime Minister of India, the then Deputy Chairman of Planning Commission wrote the following at that time:

*“The study finds that about **58 per cent of the subsidized food grains issued from the Central Pool do not reach the BPL families** because of identification errors, **nontransparent operation and unethical practices** in the implementation of TPDS. The cost of handling of food grains by public agencies is also very high. According to the study, for one rupee worth of income transfer to the poor, **the GOI (Government of India) spends Rs. 3.65, indicating that one rupee of budgetary consumer subsidy is worth only 27 paise to the poor.** The results obtained deserve careful consideration. The study has also suggested some measures for improvement, which would help in finding better ways of ensuring food security for the poor”. (Extract from the 2005-study on PDS by Planning Commission)*

Apart from familiar words like “non-transparent operation” and “unethical practice” in the above quote, doing a vanishing trick for 58% of food grains, the other striking feature of this Report was the monumental inefficiency of governance of PDS architecture, which consumed Rs. 3.65 for transferring Rs. 1.00 of subsidy to the poor. The bizarre findings prompted one noted policy expert to comment that few

Helicopters, carrying bags of cash and dropping the same over villages, could have been a more cost-effective way for transferring the benefits to the poor. If you think such a damning revelation changed the situation, you are wrong! A year later, Supreme Court felt compelled to constitute a separate body called CVC (Central Vigilance Committee) saying "...We are giving this unusual direction in view of the almost accepted fact that large scale corruption is involved and there is hardly any remedial step taken to put an end to this. The ultimate victim is the poor citizen who is deprived of his legitimate entitlement of food grains." Again, you will be wrong to think that change must have happened. But No! It continues unabated, as is evidenced from the death of the 43 year old Ramdas Ghadegavkar of Maharashtra in 2010, for trying to expose the same old PDS irregularity through RTI. That Ramdas's death came just weeks after the murder of RTI activist Amit Jethwa, who was shot for exposing illegal mining in the Gir forest region, may not come as a matter of surprise. As late as in 2013, a major news channel was again running an expose under the tagline "*The great grain robbery*", showing how trucks carrying PDS grains were being diverted to private flour mills, not in some rural hinterland, but right in the heart of Delhi, the national capital. Needless to say the success of the national food security legislation, aimed to eradicate hunger and malnutrition, will depend a lot on how we manage corruption rather than food grains.

Who detected the real problem behind the failure of TPDS? Well, it was largely due to the risk taken by a few brave HRDs, who exposed its inner working behind the facade of paperwork. PDS is just one example. From Coal Block Allocation to demise of Air India, from illegal mining under your feet to illegal spectrum above your head, the omnipotence of corruption is too discernible to any careful observer.

Today if you pick up a newspaper in any given month, you can come across the story of somebody, somewhere, who tried to raise his/her voice against injustice and corruption and paid a heavy price for it. Not only in India, the story is the same in other countries that score low in Transparency International's Corruption Perception Index. Like in Indonesia, where there is common saying that "*Corruption is like a bus. You either sit inside or watch it pass by you. But never ever try to stand in front of it*". Or in Ghana, where the famous anti-corruption activist Anas (full name Anas Aremeyaw Anas), who has exposed countless frauds and corrupt deals in several African countries, always wears a mask. Very few in Ghana, who benefit from Anas's work to improve governance, through anti-corruption, have ever seen him without a mask. The daring activist, whose courage and sacrifice inspired US President Obama during his Africa visit, wears this mask, even while addressing his audience before International fora.

The determined efforts of such people have been instrumental, not just in ensuring good governance in their countries but sometimes in changing the very course of history. Take the example of Dr. Daniel Ellsberg, who exposed the Pentagon's Papers related to Vietnam War, causing an International uproar. Labeled as the "Most

dangerous Man in America" by Henry Kissinger, he was jailed for 115 years, but became a hero soon after the Vietnam War stopped and the conspiracy to implicate him became public. Or for that matter, scientist Dr. Jeffrey Wigand, whose whistle-blowing about the "*Anatomy of the Cigarette*" brought the international Tobacco Cartel to the knees, resulting in an unprecedented USD \$ 206 Billion penalty in 1997. Such was the moral force of his exposure that the Vanity Fair Magazine had described him in 1996 as "*The Man who knew Too Much*". Three years later, Russel Crowe played Wigand's character in a 7-academy-awards-nominated movie "*The Insider*", with superstar Al Pacino playing the reel life version of another great investigative journalist of our times, Lowell Bergman, nicknamed the "Truth Spiller".

Not only the "Providers" of Information (such as RTI activists and Whistle Blowers) are exposed to great risk, but even the people inside Government, who are tasked to "process this information" (such as investigators and interrogators), often become the object of attack, despite their seemingly safe official position. As long as an anti-corruption unit limits itself to routine investigation or catching the proverbial "*small fry*", all seems well. But, the moment they take up a really big case or go after a "*big fish*" or even a fish of moderate size, they too entail serious risk.

Daniel Kauffman, a leading authority in governance and anti-corruption and once Director of World Bank Institute, had remarked "***In today's environment there has been a Risk Inversion. Today Anti-corruption carries more Risk than Corruption.***"

Not just while undertaking high profile cases, one Vigilance Officer received telephonic threat to him and his family even while preparing routine "Vigilance Comments" in a case that happened nearly 10 years ago! In fact, many in Vigilance feel that they may be spending more time in defending themselves from the corrupt than offending them. Is that why there are so few takers for anti-corruption posts like that of Lokayukta [For instance, Assam Lokayukta Office became functional in 1986, but till 2013 the post lay vacant] in the country? A pointer to the reluctance to "really" take on the corrupt can be seen in every sector. For example, in a particular Railway Zone, an Officer became so much aggrieved with his posting in Vigilance Department that he decided to move CAT against the highest authority of Railway Vigilance. His grouse was why he has been discriminated and relegated to ***such a post*** while his illustrious seniors had been spared!

That brings us to a peculiar question. Who is afraid of Vigilance?

Some say that Vigilance intimidates people and creates obstacle in genuine work. ***But, in today's environment, an anti-corruption personnel is more intimidated than intimidating, more hampered in his/her work than hampering other's.*** If one makes an honest survey among Officers of a performing Vigilance Unit, they would testify to the numerous direct and implied threats they faced, especially during investigation of high profile cases!

But for a committed graft-fighter, these very obstacles serve as the incentive to move forward with more determination. The challenges from the corrupt act as elixir for his daily life. The threats are confirmation of the fact that he is on some real high-value and worthy target. Notwithstanding the risk of going against corruption, it is a great service to the nation. After all, it is not to be forgotten that only in India, all Government employees, a population of the size of Australia, **take two special official oaths every year** - once to act against "**Terrorism**" and the second to act against "**Corruption**" (or "**financial terrorism**")!
