



India murder breakthrough claimed

Indian investigators say they have made a breakthrough in an inquiry into the murder of an engineer who complained of corruption in a road network project.

Satyendra Dubey was killed by unknown gunmen in the eastern state of Bihar last November.

India's Central Bureau of Investigation said it had recovered the weapon allegedly used to murder Mr Dubey.

Mr Dubey was named "whistle-blower of the year" by the UK-based Index on Censorship, a human rights publication.

Federal detectives said they had found a briefcase containing Mr Dubey's identity card and a revolver in a well in a village in the district of Gaya in Bihar.

They said that Mr Dubey was killed in a fight over the briefcase, which contained 4,000 rupees (\$90).

Five people have been arrested in connection with the murder.

The Indian Express newspaper, which broke the story of the murder, reported that the 31-year-old civil engineer had been killed after his name was leaked from the complaint he had sent to the prime minister's office and the road network authority.

Law delay

Mr Dubey was working on the country's largest road project when he died.

Under the \$12bn scheme, nearly 14,000km (8,700 miles) of roads are to be built across India.

His death sparked off unprecedented condemnation and sympathy in a country where there are frequent allegations of public money being siphoned off from large government projects.

The incident also led political parties to renew demands for laws to protect those who reveal corruption.

The laws have been pending approval by the federal government for the last two years.

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Anger over whistleblower's murder forces Indian inquiry

BYLINE: S. N. M. Abdi in Calcutta

The Indian government has ordered a full investigation into the brutal murder of a whistleblower who wrote to Prime Minister Atal Bihari Vajpayee about rampant corruption plaguing the leader's pet development project.

Satyendra Dubey, 31, a civil engineering graduate of the prestigious Indian Institute of Technology (IIT), had requested that his identity be kept confidential, but bureaucrats in the Prime Minister's Office did just the opposite.

Dubey was shot dead on November 27 in the town of Gaya in Bihar state. According to the police, he was killed by contractors whose corruption he brought to the premier's attention.

National outrage over his death has forced authorities to hand over the case to the Central Bureau of Investigation for an impartial and speedy probe.

So far, as many as 18,000 IIT alumni from around the world and eminent Indians have signed a website petition addressed to Mr Vajpayee demanding that the murderers and those who leaked Dubey's identity be brought to justice, reported the Indian Express, the newspaper which broke the story.

Dubey joined the Indian Engineering Service after graduation and was in direct charge of the 60km Aurangabad-Barachatti stretch of the Golden Quadrilateral highway project in Bihar state.

The US\$ 12 billion project to build a 6,000km highway network linking India's four major cities - Delhi, Mumbai, Calcutta and Chennai - was launched by Mr Vajpayee with great fanfare in 1999. The first phase will be completed next year and the rest by 2007.

On November 11 last year, Dubey wrote to the prime minister about rampant corruption and "loot of public money". He named criminals backed by politicians and police who bagged the biggest contracts for the 60km stretch, resulting in sub-standard quality and a slow pace of construction.

While writing to Mr Vajpayee, he took all the precautions he could. Dubey wrote: "Since such letters from a common man are not taken seriously, I am attaching my full particulars on a separate sheet of paper. Before moving the file, please remove the attachment containing the particulars to ensure secrecy."

Last December, the Prime Minister's Office forwarded Dubey's letter with the attachment to the National Highways Authority for investigation.

Three months later, Dubey complained to both authorities in writing that he was receiving death threats because his identity had been leaked, but the letter was ignored.

On November 27, unknown assailants pumped several bullets into Dubey while he was returning home

Indian whistle-blower honoured

An Indian engineer who was killed after complaining of corruption in a major road network project has been posthumously honoured with a prestigious whistle-blower award.

Satyendra Dubey was named 'whistle-blower of the year' by the UK-based Index on Censorship, a human rights publication.

Dubey was killed by unknown gunmen in the eastern state of Bihar last November.

Prime Minister Atal Behari Vajpayee ordered a federal probe into the murder, which shocked India.

Little progress

The editor of Index on Censorship Ursula Owen said that "it can only be hoped that the award will help spur the Indian government to do something about Mr Dubey's death and the reasons behind it".

Dubey knew the risk he was taking but took it nonetheless

Ursula Owen
Index on Censorship

The Indian Express newspaper, which broke the story on the murder, reported that the 31-year-old civil engineer had been killed after his name was leaked from the complaint he had sent to the prime minister's office and the road network authority.

Reports suggest that little progress has been made in the case.

Dubey's award was collected by an old friend who represents the UK chapter of a foundation set up last December to campaign for justice for the dead engineer.

Prawal Gupta, who studied with Dubey at the Indian Institute of technology (IIT), India's top engineering school, told the Indian Express: "Mr Dubey was a very honest man. He was a man who really believed he could do something."

Law delay

Dubey was working on the country's biggest-ever road project when he died.

Under the \$12bn scheme, nearly 14,000 kilometres of roads will be built across India.

His death sparked off unprecedented condemnation and sympathy in a country where there are frequent allegations of public money being siphoned off from large government projects.

The incident also led political parties to renew demands for laws to protect whistle-blowers.

The laws have been pending approval by the federal government for the last two years.

Tuesday, December 02, 2003

 PRINT THIS STORY**Edits****Truth is dangerous**

Unless those who speak up are protected, we will never be able to clean up our act

Satyendra Kumar Dubey could have chosen to keep quiet, like the majority of young professionals of this country. He could have continued doing his job as a deputy general manager in the Centre's National Highway Authority of India (NHAI) and shut his eyes to the variegated ways in which a prestigious project — the Golden Quadrilateral, the prime minister's pet project, no less — was being compromised by numerous criminal acts, including the fudging of Detail Project Reports, the forging of documents on procurements, the extension of tacit support by NHAI authorities to big contractors and the like. Dubey opted to do the right thing by alerting the PMO to these developments because he believed the project was of "unparalleled importance to the nation". He paid with his life for having done so.

The shoddy fashion in which the PMO chose to handle an issue that clearly endangered the life of the man who made the revelations — an aspect that Dubey had himself foreseen and highlighted in his letter to the authorities — the apathetic manner in which the PMO has subsequently chosen to respond to it, and the cluelessness displayed by Union Minister of Surface Transport B.C. Khanduri about the consequences, together constitute a damning indictment of a system that has neither the stomach for self-correction, nor the mechanisms with which to achieve it. The right to confidentiality of those in positions of vulnerability, or who play the role of whistle blowers, is taken extremely seriously in many democracies the world over. For instance, under completely different circumstances, the British government found itself in deep trouble for allegedly "outing" the name of Iraq weapons expert David Kelly as the source of the BBC report on the so-called sexing up of the government's Iraq dossier.

Dubey's tragic death must bring back into focus the need for a law specifically designed to protect such individuals, along the lines that the Constitution Review Committee had recommended. If the country is serious about launching a frontal attack on wrongdoing at every level, it will have to seriously think through how it plans to achieve it. Empowering and protecting individuals in sensitive posts to stand up against the malfeasance that permeates their working environment is a crucial aspect of this project. We have adopted the words "Satyameva Jayate" as a guiding principle. But if truth has to triumph, we must first ensure that it does not kill.

URL: http://www.indianexpress.com/full_story.php?content_id=36391

Suicides in Indian murder case

Two men being questioned over the murder of an engineer in eastern India have committed suicide, police say.

They said the two men, Mukaddar Paswan and Shivnath Sao, died after consuming poison at their homes in Bihar state.

They were being questioned by federal detectives in connection with the death of the engineer Satyendra Dubey.

Mr Dubey was killed soon after he complained of corruption in a major road-building project, sparking a national outcry.

Mukaddar Paswan and Shivnath Sao were members of a hardline Hindu group, the Bajrang Dal.

The chief of Bihar's ruling Rashtriya Janata Dal (RJD), Laloo Prasad Yadav, has asked for the deaths of the two men to be investigated.

Families of the two men accuse the police of being responsible for their deaths.

Outrage

Unknown gunmen killed Mr Dubey last November in Bihar state.

Prime Minister Atal Behari Vajpayee had asked for a federal probe into the murder, which has shocked India.

Mr Dubey, a 31-year-old civil engineering graduate from the prestigious Indian Institute of Technology (IIT), was working on the country's biggest-ever road project when he died.

Under the \$12bn scheme, nearly 14,000 kilometres of roads will be built across India.

Mr Dubey was killed nearly a year after he complained to Mr Vajpayee and the road network authorities of what he said was widespread corruption in the project.

In letters to Mr Vajpayee and the network authorities, Mr Dubey alleged that public money was being "looted" from the project.

The Indian Express newspaper, which broke the story on the murder, reported that Mr Dubey had been killed after his name was leaked from the complaint he had sent to the prime minister's office and the road network authority.


His death sparked off unprecedented condemnation and sympathy in a country where there are frequent allegations of public money being siphoned off from large government projects.

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 PRINT THIS STORY

Front Page

EXPRESS EXCLUSIVE

Whistleblower said don't name me. Govt did. He was shot dead

31-year-old IIT grad working on PM's showpiece highway complained of corruption, contractor mafia

AMITAV RANJAN

NEW DELHI, NOVEMBER 29 The next time a promising young engineer sees corruption and mismanagement in a Government project he's working on, chances are he will think twice, thrice, several times, before complaining to the political and bureaucratic establishment.



For, 31-year-old Satyendra Kumar Dubey did that, he sent his letter to the Prime Minister's Office—and now he's dead, killed by "unidentified assailants" in Gaya, Bihar last week.

Dubey, a 1994 civil engineering graduate from IIT Kanpur, was Deputy General Manager in the Centre's National Highway Authority of India working on the 60-km Aurangabad-Barachatti segment of the Golden Quadrilateral in Bihar with headquarters in Koderma, Jharkhand.

On November 11, 2002, the Prime Minister's Office received his letter addressed to the Prime Minister himself. In the letter, a copy of which is with *The Sunday Express*, Dubey called the PM's highway showpiece "a dream project of unparalleled importance to the nation."

And then highlighted several instances of what he called "loot of public money" and "poor implementation."

Dubey requested his name be kept secret but at the same time, he let his identity known. He had reason to.

"Since such letters from a common man," Dubey wrote, "are not usually treated with due seriousness, I wish to clarify... that this letter is being written after careful thought by a very concerned citizen who is also very closely linked with the project. I request you to kindly go through my brief particulars (attached to a separate sheet to ensure secrecy) before proceeding further."

There was a law on paper to protect him

- Dubey's request for secrecy would have had legal protection had the Govt enacted a Whistle Blower Act recommended by the Constitution Review Commission in 2002. This would have ensured that Dubey was "protected against retribution and any discrimination for reporting what he perceived as wrongdoing." A designated authority would have probed without betraying his identity. It would also have been bound to protect Dubey.

All that the Govt says now: 'We can't recall this'

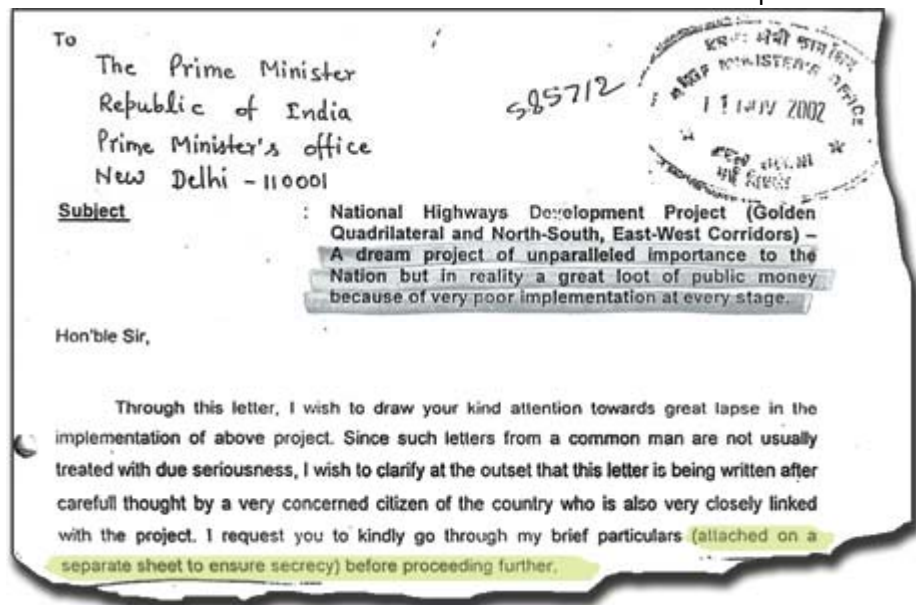
When contacted by *The Sunday Express*:

- Bihar DGP D P Ojha: "The criminalisation of contractors is an unfortunate but true fact... Most of the contracts go to the mafia. I am shocked to hear how an honest man died. I will take personal interest and ensure that we book the culprits."

Just the opposite happened.

Dubey's letter is riddled with signatures and scribbles of officials indicating it was a classic case of a file going into babudom's endless orbit.

- Dubey's Boss Union Minister B C Khanduri: "I'm not aware of the letter." When told that Dubey's letter shows his initials, he said: "I can't recall it. The NHAI chairman has been asked to compile all



- In 10 days, the PMO forwarded Dubey's complaint to his parent Ministry of Road Transport and Highways. (MoRTH). Dubey's request for anonymity was apparently ignored by the PMO.
- Along with the attachment, his letter was sent to the MoRTH. Eight Ministry officials went through the letter.
- And on December 4, 2002, Dubey's letter was sent to the National Highway Authority of India with a copy to NHAI's Chief Vigilance Officer. And a covering letter from an official: "I am directed to forward herewith an unsigned letter on the above subject (National Highways Development Project complaint regarding loot of public money) for such action as deemed fit."
- On November 27, Dubey was shot dead in Gaya when he was returning from Varanasi. According to the FIR filed at the Rampur police station in Gaya by Dubey's brother, the people whose corruption he exposed were behind the murder. The FIR does not name anyone. No arrests have been made so far.

Gaya Superintendent of Police Sanjay Singh, a friend of Dubey's from his IIT Kanpur days, said he will "leave no stone unturned to track down the killers."

Dubey's key complaints, according to the letter he wrote:

- Detail Project Reports (DPR) by design consultants are in "very poor shape and cannot be implemented in the field without major modifications...The result is that the DPRs on the basis of which tenders have been called are like garbage."
- Process of procurement "completely manipulated and hijacked" by the big contractors. Many contractors are "submitting forged documents to justify their technical and financial capabilities."
- The "big contractors have been able to get all sorts of help from the officials in NHAI and even the note sheets carrying approval of Chairman have been leaked outside."

- NHAI officials have shown great hurry in giving “mobilisation advance to selected contractors... No surprise as the commission to officials for award of work are linked to the contractors getting their first mobilisation advance.”
- The entire mobilisation advance of 10% of contract value (which goes up to Rs 40 crore in certain cases) has been paid to the contractors “within a few weeks of award of work” without follow-up to ensure they are “actually mobilised at site with the same pace.”
- “Diversion or idling of funds... in case of equipment advances to the contractors, another 10 per cent of the contract value.”
- NHAI is going for international competitive bidding to procure the most competent civil contractor for execution of its projects. When it comes to the actual execution, it is found that most of the works (sometimes even upto 100 per cent) are being sublet or sub-contracted to small petty contractors who are not at all capable to execute such projects and ensure the quality of construction.”

URL: http://www.indianexpress.com/full_story.php?content_id=36329
