



RAJEEV CHANDRASEKHAR
MEMBER OF PARLIAMENT
RAJYA SABHA

Member of Standing Committee on Information Technology
Member of Consultative Committee on Finance
Member of Parliamentary Forum on Youth
Co-Chairman, Vigilance & Monitoring Committee, Bangalore Urban District

24 August, 2011

Dear Shri Sehal

Sub.: Response from Ministry of Communications & IT to my Unstarred Question No.1444 of 12 August, 2011 relating to "Findings of CAG Report", and the serious impact of such revelation on the independent investigation process

This is with reference to the response from the Ministry of Communications & IT to my Unstarred Question No. 1444 of 12 August, 2011 relating to "Findings of CAG Report". A copy of the same is enclosed for your ready reference.

In response to part (c) of my question about whether or not DoT officials who cleared applications of the 85 companies that were found ineligible for grant of Unified Access Service (UAS) licenses and fraudulently accessing spectrum in the CAG Report of 16.11.2010, continue to function in their current roles/responsibilities and whether they have any role in the process of issuing Show Cause Notices for penalties or for termination of licenses in these cases or any other cases of license violation, I have been informed that:

"Transfers and postings are routine matters in the Government. Officials posted in particular Wing/Division are supposed to do all kinds of work assigned to that particular Wing/Division which may include grant of licence as well as termination of licence etc.

Roles and Responsibilities of the most of the officers of various wings of DoT as mentioned above, who processed applications for grant of UAS licenses during 2007-08, have since changed due to routine transfers/postings/superannuation. Few of the officers in different wings who processed the applications for grant of UAS license are continuing in their respective wings."

This revelation that, officers who were responsible for processing such fraudulent applications continue to serve in the same wing as earlier – or could now be dealing with or have access to files/evidence that could materially impact the consequent and penal action that needs to be taken by the DoT in this regard - is both dangerous and shocking.



It is also unclear why one of India's largest and well-staffed Ministries cannot find competent officers to replace those who have had anything whatsoever to do with the processing of such files – even if from a distance.

Both as a Hon'ble Minister and as a leading lawyer, you do realize the dangerous consequences of leaving those who have a conflict of interest in such a dangerous situation as it could adversely impact the corrective steps that now need to be taken, notwithstanding the final consequences of allowing such an environment itself, which is worrying and needs immediate correction.

Having had some experience at my command, may I also advise you that the same officers are obfuscating and responding to RTI applications by blocking information based on their subjective judgment of what they consider qualifies under certain sections of non-disclosure of the RTI Act. While that is a matter of an entirely separate discussion and appeal, I thought it would be appropriate to bring this to your attention, unless of course, you believe that this doesn't deserve the attention that my letter seeks to place on it.

I leave for your consideration a review of this issue and necessary action, as appropriate, in the hope that such officers continued in these roles, perhaps in absence of your otherwise active oversight.

Yours Sincerely,

RAJEEV CHANDRASEKHAR

Shri Kapil Sibal
Hon'ble Minister of Communications & IT
Government of India
New Delhi