

BJP leaders today met Chief Vigilance Commissioner Mr. P.V. Thomas, Mr. Vinod Rai (Comptroller & Auditor General of India) in New Delhi and Delhi Police and submitted official/legal complaint on CWG corruption. They had long interaction with them. They also submitted around 400 pages annexures/evidences. All have assured prompt action.

BHARTIYA JANATA PARTY

11 Ashoka Road, New Delhi 110001

Delhi, 8th November, 2010

The Chief Vigilance Commissioner, / The Comptroller & Auditor

New Delhi.

General of India, New Delhi

Sub : Proper Investigation & Action of the Manipulation, Corruption, Negligence involved in the name of organising Commonwealth Games Delhi 2010 and bringing to book and pinning responsibility on the Guilty.

Dear Sir,

The scale and magnitude of corruption in Commonwealth Games is shocking.

Unfortunately, government's reaction to it is even more shocking. Before the games, the Prime Minister, Minister, Chief Minister of Delhi & Ruling Party Congress Leaders made strong statements that no one will be spared. Is it not window dressing? What was going on for last five years is amazing. Cost escalation from Rs 1,899 crores to Rs 70,000 crore (an NGO/Expert group stated Rs 1,02,000 crores) can be narrated as 'One of the biggest Scam of India'.

But what is going on in the name of inquiries and investigations is hardly encouraging – in fact, it is an eyewash!

The appointment of the Shunglu Committee is aimed at creating confusions and delaying the probe. There are at least four constitutional agencies to probe the matter. We fail to comprehend how better Mr. Shunglu - a former CAG will be able to get to the

bottom. Even question is raised in a section about Mr. Shunglu about his link with PWC advisor to DDA.

The practical difficulty is availability of evidences, documents and incriminating materials which will have to be shifted, shuttled and shared among CBI, CAG, CVC, ED, IT, and now Mr. Shunglu the Ex-CAG. These overlapping functions will only impede the probe.

The right and sincere course would be to render all support to the CAG/CVC, who is not only expert in but also constitutionally empowered to audit the entire transactions. On the basis of the CAG reports the CBI be given go ahead to bring the criminal investigation to completion. But the Government's prescription seems to be worse than the disease. This is because the Shunglu committee neither has powers nor jurisdiction to conduct the most basic enquiries.

What powers does Shunglu committee have to enforce its directions? Does it have powers to summon officers, politicians or contractors to question them or record their statements?

Agencies like CVC and CAG draw their powers under various laws. Yet, they find it so difficult to get their orders implemented from obdurate and corrupt government machinery. CVC has repeatedly said that the government departments do not respond to its queries.

Money made in Commonwealth Games is believed to have allegedly travelled right up to the powers-that-be. Back to back contract, Non Transparency, Manipulative & accommodative tender conditions, Transactions through Tax Havens, manipulative delays for cost escalations, shell companies.... its amazing.

Do CVC nor CAG nor even Shunglu committee have either the mandate or the powers to question Mrs. Sheila Dikshit or Mr. Suresh Kalmadi or any other politician or to raid them.

The money is alleged to have travelled even abroad. All these agencies will merely be concentrating on tenders and papers and questioning middle level officers who were merely conduits and doing the bidding of their political masters. Ultimate beneficiaries should be found out.

When there are already prima facie discrepancies in so many contracts, why can't the government straight away register cases under Prevention of Corruption Act and Indian Penal Code rather than setting up more committees?

We have been able to see and also study few files, file noting, obtained information under RTI, had interaction with ministries involved – Sports Ministry, Finance Ministry,

Urban Development Ministry. There is non-transparency in most cases – whether it is contractor, sub-contractor, sub-sub-contractor or joint venture. All seem to be dubious.

It's shocking now many agencies have started giving excuses in the name of ongoing work of CAG & CVC.

For an example we are enclosing herewith copies of Cabinet Notes mentioning the role of the PMO, Cabinet, GOM, EFC & the Ministries concerned. Of course you have accessed to all such information.

According to these documents, all the major proposals were first processed by the concerned Ministries, then by the Expenditure Finance Committee, then by the PMO & then approved by the Cabinet. The Commonwealth Games were allotted to Delhi on 11 Nov 2003, but the detail estimates were considered & approved by the Cabinet on 15 March 2007. Since then the PMO, GOM, EFC & Cabinet approved all the cost escalations.

All files, revised proposals & increased estimates were cleared by the concerned Dept, EFC, PMO and Cabinet.

Here is an example with the stadia details.

- Development/Up gradation/Renovation of 5 main stadia for CWG-Delhi 2010 was to be done by CPWD (lead technical consultants to SAI) and Youth & Sports ministry the nodal ministry.
- The Expenditure Finance Committee (EFC), headed by Finance Secretary, approved finance budget/provision of Rs.1,000 crore, after considering all the aspect.
- Cabinet approved Rs.1, 000 crore Cost/Budget in its meeting of 15 March 2007 after considering the Cost wise break up.
- CPWD completed the process of tender/bid/work orders in 2007. CPWD also went on making payments to the contractors as work progressed
- Sports Authority of India (SAI) CPWD released amount of Rs.607 crores (utilization Rs. 548 crores) to the contractors by Jan 2009
- The cost escalation of the stadium work was done/ considered 5 times between 15/3/2007 to 5/3/2009
- Details of Cost Escalation

15/3/2007	Rs.1,000 Cr	Cabinet
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6/8/2007	Rs.1,000 Cr	GOM
27/3/2008	Rs.1,450 Cr	CCEA
3/10/2008	Rs.2,195 Cr	Cabinet
4/12/2008	Rs.2,195 Cr	Cabinet
20/2/2009	Rs.2,482 Cr	EFC
5/3/2009	Rs.2,460 Cr	Cabinet

- The revised cost estimate passed by the cabinet on 5/3/2009

S.No	Name of Stadium	Revised Cost Estimates
1	Jawahar Lal Nehru Stadium Complex (JLN)	970
2	Major Dhayan Chand National Stadium Complex (MDC)	265
3	Indira Gandhi National Stadium Complex (IG)	675
4	Dr.S.P.M.Swimming Pool Complex (SPM)	380
5	Dr.Karni Singh Shooting Range (KSSR)	150
	Total	2482

- It may be noted that in 2006/07 CPWD, SAI, The Consultants, EFC all had prepared detailed plans design, financial details for all the five stadiums for Rs.1,000 crores Surprisingly without much modifications & additions cost escalation was done from Rs.1,000 Crores to Rs.2,482 crores
- While at the time of initial bidding in 2003/04, the proposal/cost of up gradation/repairs of these stadium were stated Rs 282 crores only.
- Thus the outflow/expenses for 5 stadium went up from Rs. 282 crores to Rs.2,482 crores.
- In similar manner Venue for Tennis (AITA) was approved as Rs.30 Cr. In the cabinet meeting held on 15/3/2007. This was also re-considered five times in EFC, cabinet on 6/8/2007, 27/3/2008, 3/10/2008, 4/12/2008 & 5/3/2009. The provisional /cost was increased from Rs.30 crore to Rs.62.75 crores.

- In the Cost escalation of Nehru Stadium from Rs.455 crore to Rs. 970 crores, the additional items accounted for Rs. 93 crore only. Similarly Indira Gandhi Stadium cost/price escalation was allowed from Rs 271 Cr. To Rs. 485 Cr. for old items.
- It may be observed from the notes of the Secretary of EFC that
 "Considerable increase in the approved cost of Rs.1,000 crore".
 "As the tenders/quotation was for composite works, the cost escalation could not be identified with specific provisions".
- Actually the original estimates tender conditions were for specific items, while the escalation given as composite work
- Rs 200 crores were provided for Overlays in 2007/08. Proposals went up to Rs 948 crores.
- Proposal for DDA went up from Rs 334 crores to 1034 crores.

Another example IB Ministry/Prasar Bharati & SIS LIVE. We are enclosing the documents which proves ' It was mastermind and an example of non transparency, manipulation & scam.

According to preliminary enquiries done by CVC and CAG, each of the contract enquired into suffers from serious deficiencies of either straight defalcation or time over runs or highly inflated estimates or shoddy work.

Corruption of this scale could not have taken place without active collusion of the people at all levels right from top to bottom.

Therefore, to begin with, the ministers of all these ministries in Delhi Government and central government, which dealt with commonwealth games money and are suspect, should be immediately asked to step down.

Key officials in these ministries should be suspended. Else they would wipe out all evidence. Let all these people join back if they come clean after enquiries. Let the government immediately seize all the relevant records, before they are further tampered.

We would like that:

1. Role of all ministries involved should be investigated
2. Responsibility about the role and responsibility be fixed of –
 - i) Cabinet Minister of these ministries,
 - ii) Secretary of the Departments

- iii) PMO
 - iv) Cabinet Secretariat
 - v) Cabinet
3. Time bound action against contractors
 4. Time bound investigation and action by investigative agencies
 5. As all these projects are completed/over on 14th October 2010, project audit can be completed immediately and action initiated
 6. CAG/CVC should send complaint and issue directive to the investigative agencies to initiate action
 7. Investigation should not be delayed by disbanding the teams.

In the above background, BJP requests that your organization must initiate action against –

- i) Engineers
- ii) Executives
- iii) Officials
- iv) Ministry secretariat for negligence, connivance and, in certain cases, part of the manipulation/scam
- v) Cabinet Secretariat, PMO for negligence, directly/indirectly encouraging/participating in huge diversion, manipulation, escalation, criminal wastage of Government money
- vi) Cabinet for individually or jointly responsible, miserable failure and/or encouraging huge diversion of Government schemes, Government funds, wastage of Government money
- vii) Encouraging and be part of manipulation, encouraging non-transparency, siphoning of funds, escalation.

Request to do the needful.

Thanking you,

Yours Sincerely,

VIJAY GOEL

DR. KIRIT SOMAIYA

VIJENDRA GUPTA

HARISH KHURANA