

# PRASHANT BHUSHAN

ADVOCATE

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## CHAMBER

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Dated: June 11, 2014

To,  
The Director  
Central Bureau of Investigation  
Plot 5B, 6<sup>th</sup> Floor, CGO Complex  
Lodhi Road, New Delhi-110003

Dear Sir,

*SUB: Complaint of corruption against former Union Minister of Civil Aviation and others*

I am writing to you regarding an open and shut case of high-level corruption involving former Union Minister of Civil Aviation Mr. Praful Patel, former Chairperson of Air India Mr. V Thulasidas and others.

I understand this case might have been the subject matter of some CBI investigation in the past, but nothing much has come out of that and apparently no FIR/RC has been registered. However, now with new facts coming to light, in the form of judgments of Canadian Superior Court and a book written by Former Executive Director of Air India, there is no room for doubt that matter is crying for a thorough investigation and swift prosecution.

This case involves a huge scam, in which in 2006, a proposal was mooted in Air India for installing a biometric passenger identification system at select domestic and international airports. The facts of the case are these:

- 1) Executives from a company called Cryptometrics had visited Mumbai to explore a biometric identification project when not even a single document regarding any such tender had been created in Air India. Only in 2006, a proposal was mooted in Air India for installing a biometric system for passenger identification.
- 2) The cost estimate of the Security Department was about Rs 75 lakh, but the tender committee on the basis of bids received pegged the cost at a whopping about Rs 500 crore.
- 3) About 20 bids were received in response to the tender MMD/42018 (**Annexure A**), but 18 of those were later disqualified.
- 4) Only two Canadian companies were shortlisted: Ipcon and Cryptometrics. It was clear from several facts that Ipcon's bid was bogus and non-serious.
- 5) Cryptometrics stated that there should be no termination clause. This demand ought to have meant that it should be disqualified since similar demand by another company (Electronic Corporation of India Ltd, a public sector undertaking) had led to its rejection. However, this demand was accepted.

7) Eight years after the tender was floated, Air India still does not feel the need for any biometric identification of passengers, demonstrating that huge money was sought to be spent on an unnecessary purchase.

8) All the above facts are clear from the remarkable book written by Shri Jitender Bhargava, former Executive Director of Air India. A few relevant pages of his book 'The Descent of Air India' are enclosed as **Annexure C**.

9) On 15<sup>th</sup> August 2013, the Ontario (Canada) Superior Court of Justice convicted one official Mr. Nazir Karigar of Cryptometrics for having offered to bribe (with other company officials) Mr. Praful Patel, Mr. V. Thulasidas and other Indian public servants. The judgment records meetings between company officials and Mr. Patel and how the money was to be paid to Mr. Patel (**Annexure D**).

10) Recently, on 23<sup>rd</sup> May 2014, the Ontario Superior Court has sentenced Mr. Nazir Karigar to three years in prison for having offered to bribe Mr. Praful Patel and other Air India officials (**Annexure E**). Despite this, no action has been taken against any Indian public official by the authorities in India.

This case is a good example as to how costly projects were conceived by Civil Aviation Minister and Air India Chairperson with the sole intention of siphoning off money. Shri Bhargava's book lists further such examples: Purchase and leasing of aircrafts, refurbishment and conversion of aircrafts. All these projects were being designed in order to serve the corrupt designs of the Ministry and Air India Management.

In view of these glaring facts, I implore you to immediately register a RC/FIR and get this matter thoroughly investigated so that all those guilty can be swiftly prosecuted.

Also, according to the recent judgment of the Constitution Bench of Supreme Court (Lalita Kumari vs Govt of UP (2014) 2 SCC 1), registration of an FIR is mandatory after the CBI or state police receives information of any cognizable offence. The judgment also states that in case a preliminary enquiry is conducted, it must be concluded within 7 days and a regular case be registered.

Please inform me the action that is taken pursuant to this complaint, and whether the CBI is registering a regular case.

Thanking you,  
Yours faithfully,

PRASHANT BHUSHAN