

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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N. MICHIGAN ST. WASHINGTON

U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
Plaintiff,	:	CRIMINAL NO.
	:	
	:	VIOLATION
	:	
GAUTAM SENGUPTA,	:	Count One
	:	18 U.S.C. § 371
Defendant.	:	Count Two
	:	15 U.S.C. § 78dd-3

Information

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

A. General Allegations

At all times relevant herein:

1. The World Bank was a public international organization whose principal place of business was in the District of Columbia.

2. From in or about 1981 to in or about May 2000, the defendant, GAUTAM SENGUPTA, was an employee of The World Bank and at all times relevant was a Task Manager responsible for The World Bank's Africa Region.

3. The defendant was a "person" as that term is defined in the Foreign Corrupt Practices Act of 1977, as amended, 15 U.S.C. 78dd-3(f)(1).

4. As a Task Manager, the defendant's duties included the selection of consultants to perform feasibility studies and other tasks. At the Task Manager's

request, the work of these consultants was paid for through trust funds established by individual donor countries, including the Kingdom of Sweden. The trust funds were administered by employees of The World Bank's Consultant Trust Fund Office.

B. The Conspiracy

5. From in or about February 1997 to January 1999, in the District of Columbia and elsewhere, the Defendant,

GAUTAM SENGUPTA

together with others known and unknown to the United States Attorney, knowingly and willfully combined, conspired, and agreed together and with each other to commit the following offense against the United States, *to wit*: to devise and intend to devise a scheme and artifice to defraud, and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme transmitted or caused to be transmitted a wire communication in interstate commerce, in violation of 18 U.S.C. §§ 1343, 1346.

C. Purpose of the Conspiracy

6. It was a purpose of the conspiracy for defendant, GAUTAM SENGUPTA,
- (a) to receive bribes from World Bank consultants in exchange for which the consultants would receive contracts from The World Bank; and
 - (b) to conceal from The World Bank the payment and receipt of bribes by arranging for bribe payments to be made in cash in London, England.

D. Manner and Means

7. It was a part of the conspiracy that in February 1997, in the District of Columbia, the defendant and a World Bank Trust Fund Manager, (hereinafter "Trust Fund Manager"), would and did meet with the managing director of a company whose principal place of business was located in Stockholm, Sweden (hereinafter "Swedish Consultant"). During the meeting, it was suggested by the Trust Fund Manager that all parties, including the defendant, could benefit by awarding contracts to the Swedish Consultant. The defendant understood this to mean that he would be paid for causing contracts to be awarded to the Swedish Consultant. Thereafter, the defendant would and did award three contracts to the Swedish consultant.

8. It was further a part of the conspiracy that in December 1997, the defendant would and did award \$40,000 and \$35,000 to the Swedish Consultant for a building project in Ethiopia. In January 1998, the defendant would and did cause the Swedish Consultant to undertake an assignment related to an urban transport project in Kenya for which the Swedish Consultant was paid \$99,800.00.

9. It was further part of the conspiracy that beginning in 1997 and continuing in 1998, the defendant while acting as the task manager for the urban transport project in Kenya, introduced the associate of the Swedish Consultant to the principal of a Kenyan company known as Geomaps. Thereafter, Geomaps and the Swedish Consultant's associate were hired by the Government of Kenya. The defendant, on behalf of The World Bank, did not object to this contract.

10. It was further part of the conspiracy that the defendant would and did arrange to meet the Swedish Consultant in London, England to receive sums of money.

From April to October, 1998, the defendant, on five separate occasions, traveled to London and was given cash by the Swedish Consultant at a London hotel. In exchange, the defendant understood that he was to continue to request trust funds for the Swedish Consultant for World Bank projects. The defendant received \$127,000 from the Swedish Consultant.

E. Overt Acts

1. In or about April 1998, the defendant traveled from Virginia to London, England and received \$20,000 from the Swedish Consultant.

2. In or about July 1998, the defendant traveled from Virginia to London, England and received \$39,680 from the Swedish Consultant.

3. In or about July 1998, the defendant traveled from Virginia to London, England and received \$7,790 from the Swedish Consultant.

4. In or about August 1998, the defendant traveled from Virginia to London, England and received \$18,250 from the Swedish Consultant.

5. In or about October 1998, the defendant traveled from Virginia to London, England and received \$41,360 from the Swedish Consultant.

6. In or about December 1998, the defendant sent an electronic mail message from The World Bank, in the District of Columbia, to the Swedish Consultant in Stockholm, Sweden. The message was in the form of a spreadsheet detailing the kickbacks paid and amounts still due and owing.

All in violation of Title 18, United States Code, Sections 371.

COUNT TWO

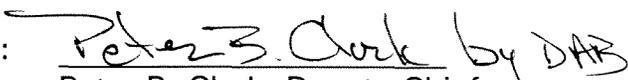
1. The general allegations of Count One are hereby incorporated by

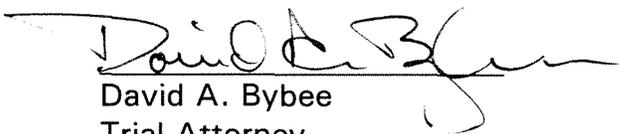
reference as if fully set forth herein.

2. In or about 1998, in the District of Columbia and elsewhere, GAUTAM SENGUPTA, while in the territory of the United States, unlawfully, willfully, and corruptly made use of the means and instrumentality of interstate commerce, to wit: an interstate telephone call, in furtherance of a promise to pay and authorization of the payment of money, to wit: \$50,000 to be wire-transferred to an overseas account, to a foreign official, to wit: an official of the Project Implementation Unit of the Government of Kenya, while knowing that all or a portion of such money would be offered, given, and promised to the foreign official, for the purpose of inducing the official to use his position and influence with a foreign government to direct business to a person, to wit, an associate of a Swedish Consultant to The World Bank.

All in violation of Title 15 United States Code, Section 78dd-3.

Roscoe C. Howard, Jr.
United States Attorney

By:  by DAB
Peter B. Clark, Deputy Chief
Fraud Section
U.S. Department of Justice


David A. Bybee
Trial Attorney
U.S. Department of Justice