

Gautam Sengupta

Case ID:

ARW-69

Position of Public Official(s) (yrs in office):

Task Manager, World Bank

Jurisdiction of Asset Recovery:

United States

World Bank

Jurisdiction of Asset Recovery ? Description:

Undertaking Recovery Effort, Location of Recovery Effort

Asset Recovery Start:

2002

Asset Recovery End:

2002

UNCAC Offenses Implicated:

Art.16

Money laundering Implicated:

No

Legal Basis for Asset Recovery:

Criminal Prosecution and Restitution

Basis for Intl Cooperation:

N/A

Contributing Factors in Asset Recovery:

Mr. Sengupta's plea agreement with the US Department of Justice included provision for restitution to the World Bank, pursuant to 18 U.S.C. § 3663 (a)(3) ["The court may also order restitution in any criminal case to the extent agreed to by the parties in a plea agreement."]. (Source: US v. Sengupta, Case No. 1:02-cr-00040 (D.D.C.), Plea Agreement filed January 30, 2002.)

Status of Asset Recovery :

Completed

Stage in Asset Recovery Chain:

Assets Returned to Victim or Requesting Jurisdiction

Agreement for Returned Assets:

No

Agreement for Returned Assets - Description:

N/A

Case Summary:

According to the Statement of Facts agreed to by Mr. Sengupta as part of his plea agreement, between 1997 and 1999 while employed as a task manager at the World Bank, Mr. Sengupta entered into agreements relating to projects in Ethiopia and Kenya resulting in consulting contracts for a Swedish consultant. The consultant then kicked back payments to Mr. Sengupta. He also admitted that "sometime in January 1999, [] he received a request for money from a foreign government official in the Kenyan PIU for a \$50,000 payment. Sengupta agreed with the foreign official that he would relay the request, and he did so with knowledge that the payment was to corruptly influence an act or decision of the foreign official in his

official capacity." (Source: US v. Sengupta, Case No. 1:02-cr-00040 (D.D.C.), Statement of Facts filed January 30, 2002.) According to Mr. Sengupta's plea agreement, "Pursuant to 18 U.S.C. § 3663 (a)(3), the defendant and the government agree that the amount of loss in this case is \$127,000 and the defendant agrees to pay full restitution of this amount for all damage that resulted from his violations of the statutes listed in Section I herein. The United States and the Defendant agree that the Defendant has made such restitution, and The World Bank, Mr. Sengupta's former employer, has represented to the Department of Justice that it has no further claim against the defendant." (Source: US v. Sengupta, Case No. 1:02-cr-00040 (D.D.C.), Plea Agreement filed January 30, 2002.)

Disposition of Criminal Case(s):

According to the Judgment in his case, in 2006, Mr. Sengupta was sentenced to two months' imprisonment; in 2002, he had pleaded guilty to one count conspiracy to commit crimes against the United States and one count violation of the US Foreign Corrupt Practices Act. (Source: US v. Sengupta, Case No. 1:02-cr-40 (D.D.C.), Judgment filed on February 15, 2006).

Jurisdiction of Origin: Investigative Agency:

N/A

Jurisdiction of Origin: Prosecuting Authority/Civil Attorney(s):

N/A

Jurisdiction of Origin: Courts Involved:

N/A

Jurisdiction of Asset Recovery: Investigative Agency:

Unspecified




Jurisdiction of Asset Recovery: Prosecuting Authority/Civil Attorney(s):

Department of Justice, Criminal Division

Jurisdiction of Asset Recovery: Courts Involved:

US District Court for the District of Columbia

Documents:

Attachment	Size
 Sengupta_Judgment_Feb_15_2006.pdf	215.13 KB
 Sengupta_Plea_Agreement_Jan_30_2002.pdf	400.4 KB
 Sengupta_Statement_Facts_Jan_30_2002.pdf	164.44 KB

Other Sources:

US v. Sengupta, Case No. 1:02-cr-00040 (D.D.C.), Plea Agreement and Statement of Facts filed January 30, 2002; Judgment filed February 15, 2006; US Department of Justice Press Release, "Former World Bank Employee Sentenced for Taking Kickbacks and Assisting in the Bribery of a Foreign Official," April 25, 2008, accessed at <http://www.justice.gov/opa/pr/2008/April/08-crm-341.html>.