

To

The Chairman,

Rajya Sabha Departmental Standing Committee on

Personnel, Public Grievances, Law, Justice.

THROUGH E-MAIL

Dear Sir,

Sub: Bill No. **112** of **2013**

Right to Information Amendment Bill, 2013

Please find below the memorandum on behalf of NCPRI – “**National Campaign for Political Reform in India**” on the concerned Bill invited by notice of 21 September 2013.

NCPRI also requests to appear before the Hon’ble Committee in person to tender oral evidence.

- 1) The NCPRI – “**National Campaign for Political Reform in India**” was formed in 2002 as a forum for eminent citizens and NGOs when the Government of the day decided not to comply with the Supreme

Court Judgment requiring candidates for political office to declare their assets and list the criminal cases pending against them.

- 2) In August 2013 the Government similarly decided not to honor the Central Information Commission's decision of 03 June 2013 which reiterated (albeit on false reasoning) that political parties are covered under Freedom of Information. Accordingly on 3-Sep-2013 the NCPRI formed a special initiative styled as **NCPRI ("National Campaign to Protect RTI in India")** to protect the citizen's **Fundamental Right To Information** by a **Save RTI campaign**. As a result of the people's popular campaign, the present Bill stands referred to the Standing Committee.
- 3) It is an open secret that the Central Information Commission's decision dt. 03.06.2013 which found political parties to come under purview of RTI Act was a deliberately flawed decision delivered by a corrupt bench hand-picked in collusion with the appellants therein as part of a grand conspiracy to damage and destroy the RTI Act 2005 irreparably.

- 4) It is similarly an open secret that the Information Commissioners who heard the matter were unsuitable for their posts and were appointed only for their political pliability. For instance the only known qualification of Information Commissioner Smt. Annapurna Dikshit for her post is that she is the widow of a former National Security Advisor, and she had also similarly previously embarrassed the Govt. by a decision concerning the Sharm-el-Sheikh statement at the instance of the same appellant Mr. Subhash Chandra Agrawal. [CIC/AD/C/2009/000939 Dated:- Jan 4 , 2010]. Such repeated instances of deliberate mischief by Information Commissioners arouses considerable suspicion that the decisions of the CIC are being delivered at the behest of foreign countries inimical to India through a network of RTI "professionals" and foreign funded NGOs.
- 5) NCPRI **disputes** the findings of the Central Information Commission to declare national political parties as 'public authority' by virtue of being constituted or established by law made by Parliament

and being substantially financed by appropriate Government.

- 6) NCPRI states and submits that each and every registered or recognized political party is established or constituted "by or under" the Constitution of India and is hence "public authority" by virtue of sub-section 2(h)(a) of RTI Act, and the CIC order of 03.06.2013 is "*per incuram*" and deserves to be challenged by any affected party in a court of law.
- 7) That the NCPRI stands for complete reform of the political process in India. Accordingly complete transparency must be ensured from the political parties under RTI to the extent that even the standard exemptions of section 8 are not made applicable to them.
- 8) The Right to Vote is the most valuable right of a citizen. The information of political parties and their candidates to enable the citizens to vote responsibly is hardly available in the public domain or from other public authorities such as Election Commission or

Income Tax Dept as the Govt. claims. Accordingly, if Parliament and Govt. cannot provide information to the citizens through RTI process on the internal functioning of parties (which often issue mandatory whips to ensure that elected representatives toe their "party line"), the Govt. should abdicate and turn the nation over to direct rule by the people, and the NCPRI will be happy to step into the breach

- 9) The NCPRI movement therefore advises that the present Bill be scrapped.

Submitted on behalf of NCPRI by,

- 1) Mr. Veeresh Malik (Coordinator NCPRI)
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