



National Campaign for People's Right to Information (NCPRI)

This note attempts to clarify the allegations questioning the 'legitimacy' of the National Campaign for People's Right to Information (NCPRI) and its proposal on the basket of measures for the Lokpal Bill. It is also to publicly clarify that the NCPRI is an independent, autonomous network of transparency and accountability advocates. This clarification becomes necessary in light of recent spurious allegations that attempt to portray the NCPRI as a tool of the Government of the day and attempt to blur the boundaries between the NCPRI and the National Advisory Council (NAC).

The NCPRI:

The National Campaign for People's Right to Information (NCPRI) was formed in 1996 after the Beawar dharna in Rajasthan where a grassroots group of peasants, and workers along with activists were demanding transparency at the panchayat level. The NCPRI's involvement with the legislative process to deal with corruption and arbitrary use of power began with the demand for an RTI law in 1996. The NCPRI endeavours to constantly engage and interact with the state and with other institutions and agencies. It campaigns for an effective implementation the RTI. It encourages and supports the development of materials related to transparency and governance, the raising of awareness about the fundamental value of information, the conduct of research, and the setting up of information clearing houses. It seeks to further the cause of transparency by adopting other direct and indirect methods, including the filing of information requests, the fighting of legal cases, and the holding of public hearings. The NCPRI seeks to actively work with other progressive campaigns and movements and in solidarity with other progressive elements of society.

Since 1996 NCPRI has drawn in a broad cross section of people, including retired judges, lawyers, journalists, social and political activists and also civil servants in its advocacy for a national RTI law. In 1996 the first draft of the RTI Bill was made under the Chairmanship of Justice P.B. Sawant who at the time was the Chairman of the Press Council of India (PCI). The PCI and NCPRI together drafted the People's Bill on Right to Information and advocated for a national RTI law for over a decade, which was enacted in October 2005. Over the years the NCPRI has negotiated and engaged the government of India to enact robust transparency legislation. However, it has also not hesitated to confront the government where attempts have been made to weaken or dilute the law. The July 2006 dharna against the first proposed amendments bill, the second dharna in opposition to amendments in November 2009 and, numerous letters and exchanges, all open to the public, convey the contentious process that has gone into the advocacy for and enactment of the RTI legislation.

What is the NAC?

The National Advisory Council (NAC) has been set up as an interface with Civil Society. The NAC comprises distinguished professionals drawn from diverse fields of development activity who serve in their individual capacities. Through the NAC, the Government has access not only to their expertise and experience but also to a larger network of Research Organizations, NGOs and Social Action and Advocacy Groups. The NCPRI members on the NAC are members in an honorary capacity, that is, they do not receive and salaries, or other

privileges. Except for a travel allowance for attending meetings of the NAC in Delhi, the members receive no monetary or other special privileges in return.

The NAC provides policy and legislative inputs to Government with special focus on social policy and the rights of the disadvantaged groups. NAC 1 was set up to monitor the National Common Minimum Programme (NCMP) a set of promises to the people. The NAC (2), reconstituted in June 2009 also incorporates and pays attention to the priorities stated in the address of the President of India to Parliament on 4 June, 2009. In addition, the NAC reviews the flagship programmes of the Government and suggest measures to address any constraints in their implementation and delivery. (<http://nac.nic.in/>).

Deliberation does not equal co-option:

To suggest that the NCPRI and the NAC are the same and to question the legitimacy of NCPRI on its suggested basket of measures on the Lokpal, simply because members of the NCPRI are also members of the NAC appears to be a case of diverting attention from the real issues, that is, the creation of a strong and independent Lokpal. It is also reflective of a disregard for difference in opinion. If one does not agree with the methods or the suggestions made by NCPRI, it seems rather naïve to accuse the NCPRI of being co-opted by the government and assume that the NCPRI and the NAC are one voice. For example, as the recent case of the proposed Food Security Bill tells us, it is in fact untrue. The numerous deliberations over what was proposed, what was 'accepted' and what has been left out, despite the many attempts by few NAC members to bring a comprehensive Food Security Bill into Parliament, suggests the radically divergent opinions of the government and the NCPRI members within the NAC. (See NAC minutes of meetings for more details: <http://nac.nic.in/meetings.htm>).

Discussions and debates within the NAC while cordial cannot be presumed to be apolitical or less contentious. If one is not protesting, shouting down the government or marching in a rally, it cannot be assumed that engaging in negotiation and dialogue is suggestive of co-option. In fact it is a part of the same process- of demanding from outside the system, and fighting for spaces for ones' arguments. The NCPRI has always held there is no compromise on the basic principles of the issue they espouse or support. Thus, it does not deter to lay out, upfront, the non-negotiable in any deliberative process and maintains its tenacity to persist on substantive discussion. What this "us" and "them" distinction does is draw attention away from substantive discussion over issues and processes.

The NCPRI note circulated last week (10th August 2011) details the various discussions, meetings and exchanges on the Lokpal Bill we need not go into that here. It is important to note however, once the Government of India constituted the Joint Drafting Committee (JDC), the NAC, which had taken up the matter of Lokpal independent of the NCPRI on the 4th April, stopped all consultations on the Lokpal Bill. However, as the government bill went to cabinet with the intention of being introduced in the monsoon session of parliament, the NCPRI decided to make its position known. The NCPRI is continuing with its deliberations and consultations. An approach paper and a set of principles have been prepared for circulation. This is a work in progress.

We will continue to put forth our suggestions, based on our experiences with drafting and implementing transparency legislations, on how to create the strongest and most effective possible Lokpal. And we will continue to insist that the process of consultation on the Lokpal bill be open to widest possible consultation.

Suchi Pande, Former Secretary, NCPRI for the NCPRI