

Press Release

Hear the Message; don't Shoot the Messenger

Delhi, 7 May, 2015: While releasing the Open Letter to PM on the recent spate of actions taken by the government, targeting NGOs, a panel of representatives of civil society organizations posed several fundamental questions to the government. " We are extremely uncomfortable, to say the least, about the kind of messaging the government is putting out about CSOs" stated Enakshi Ganguly, Co-Director Haq. She went on ask whether all differences of opinions between government and CSOs or disagreements about paradigms of development can be reduced to anti-national, anti-development and anti-progress. "it is precisely because of this extreme hostility and distrust that we have released the Open Letter to the PM, not only hoping for a response to the many concerns we have raised but also to urge the PM and his office to create the necessary space and mechanism for strengthening the relationship between government and CSOs."

Taking the issue forward, Ms. Anjali Bhardwaj, from NCPRI, who has been associated for many years with the Right to Information and in demanding for greater transparency and social accountability from the state, emphasized that this issue was not about whether CSOs should comply with the spirit and letter of the law.

"We are not against the government demanding or enforcing the law or not expecting CSOs to uphold the highest standards of integrity and probity; what we are questioning is the arbitrary manner in which the government is targeting NGOs, being highly selective about issues and persons and justifying it on the unfounded grounds that the entire NGO sector has become a law unto itself and not conceding to the fact that this is a sector that is as regulated as any other and that there are many agencies not only monitoring the NGOs but constantly reminding us of the many laws and the various rules that we must conform to."

She went on to add that while the government demands the highest levels of accountability from the NGOs the government is renegeing on their promises on every count and in the last one year the major agencies mandated to promote transparency and accountability such as the Central Information Commission, Central Vigilance Commission and Lokpal have either remained headless or simply not constituted at all. And through systematic strategy of benign neglect and avoidance of statutory obligation undermining the regime of transparency established by RTI. She reminded the government that with the Lokpal's mandate not confined to just FCRA holding NGOs but across the sector, they could strengthen accountability

Speaking on behalf of organizations working with highly socially marginalized and excluded communities such as Dalits, Paul Diwakar, of the NCDHR and Wada Na Toda Abhiyan, said that what was at stake today was the very fabric of democracy. "If we are all committed to strengthening democracy then we will realize that it is communities who are taking on the mantle of the fight to defend democracy and they are doing so to ensure peace, security and a level playing field for the marginal populations and NGOs are at best representing the struggles and aspirations of the people and it is this partnership that is irking the vested interests."

He went on to explain that when NGOs do whatever it takes to ensure that people get what is constitutionally and legally due to them, "then we are targeted" by the authorities. He wondered why organizations that were transparent, filing tax returns, ready to provide clarifications, responded to frequent checks sometimes year after year was never ever pronounced as being in compliance with the existing rules and norms and concluded with the observation that "we end up paying the price for standing with the people and their struggle to claim and reclaim their rights."

Joining the issue, Venkatesh Nayak, Programme Coordinator, CHRI, made it clear that the "CSOs had no problem with transparency, provided the regulatory regime established by FCRA particularly through rules are subjected to scrutiny through the committees on subordinate legislations of the Lok Sabha and Rajya Sabha. Such a scrutiny without Parliamentary approval would in many ways would be tantamount to government exercising power in an arbitrary way

Taking off from this, Biraj Patnaik, emphasized that to ensure transparency the government must set clear norms and adhere to it in an enabling way." He went on to point out that if the collaboration between government and NGOs had to improve then they should recognize the fact that MHA was an inappropriate body to oversee the NGOs, given the many complex issues that the latter works with. He also urged the government to ensure that CSOs have the same measure of ease for accessing funds as the Corporate sector."

The message was by all means regulate the NGO sector but do so to promote and enable volunteerism but do not become a prey to unfounded suspicion and distrust.