

Constitution



National Campaign For People's Right To Information

Objectives

The National Campaign for People's Right to Information (NCPRI) seeks to empower the people and to deepen democracy, through promoting people's right to information. Through the use of this right, it seeks to fight corruption and social apathy, to make governments, and other institutions and agencies having an impact on public welfare, more humane and accountable to the people, and to promote efficiency and frugality.

Values

The NCPRI is committed to support participatory, just, secular and humane democracy.

Methods and Activities

The NCPRI endeavours to constantly engage and interact with the state and with other institutions and agencies. It campaigns for the enactment and use of a right to information law that is effective and accessible to all, and supports people's efforts at developing the ability and motivation to use the right to information for addressing individual and social problems. It works at disseminating the RTI law and 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.

Structure

The NCPRI has, as **members**, individuals who subscribe to the common objectives and values of the NCPRI. Applications for membership are vetted by the Working Committee, and on their recommendation, an applicant is admitted as a member on payment of the prescribed fees and for the specified period.

The Working Committee (WC) of the NCPRI nominates a **Campaign Committee**. Ordinarily, persons invited to serve on the Campaign Committee include those who share the values of the NCPRI and:

1. Are already working on the Right to Information, and/or
2. Are leaders of other progressive movements and are interested in the RTI, and/or
3. Are accomplished individuals in other walks of life – academia, arts and culture etc., who would enrich the RTI campaign and who are interested in contributing to it.

Members of the Campaign Committee are members for life, unless they resign or cease to be members of the NCPRI.

The NCPRI has a **Working Committee, whose members are** nominated by the Campaign Committee from among its own members or from outside. The first working committee has a tenure of three years. Subsequently, a member of the working committee will have a tenure of two years and members will be so elected that not all the members finish their tenures in the same year. The working committee will not have more than 21 members and members would be eligible for re-election.

The Working Committee will nominate, from among its members, a **Convenor** for the NCPRI, who will serve in an honorary capacity for a tenure of two years.

There will be a **full-time Secretary** of the NCPRI, who will assist the Working Committee and the Convenor, and will be appointed, on behalf of the NCPRI, by the Convenor. The Secretary, in turn, will appoint **other appropriate support staff**, in consultation with the Convenor.

Duties and Functions

The **members** of the NCPRI have the right to be invited to the National Convention, whenever it is held, and to receive at least once a year the annual

report of the NCPRI. They have the obligation to uphold the values of the NCPRI and to support its activities, wherever possible.

The **Campaign Committee** of the NCPRI has the responsibility to nominate a Working Committee, and to fully support and participate in the activities of the NCPRI. The members of the Campaign Committee are also members of the NCPRI and have all the attendant duties and functions.

The **Working Committee** is the main decision making body of the NCPRI. It is also responsible for nominating the Campaign Committee and the Convenor, as specified earlier. All policy decisions regarding the NCPRI are to be made by the WC. In addition, it also has the responsibility of raising resources for the NCPRI and of periodically reviewing its objectives, programmes and methods.

The **Convenor** has the responsibility of convening meetings of the NCPRI and its various bodies and of ensuring that the decisions of the WC are carried out by the NCPRI. The Convenor also plays the coordination role and, with the assistance of the **Secretary** and other staff, manages the administration of the NCPRI.

Information Brochure



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Past Activities

The National Campaign for People's Right to Information (NCPRI) was founded in 1996. Its founding members included social activists, journalists, lawyers, professionals, retired civil servants and academics, and one of its primary objectives was to campaign for a national law facilitating the exercise of the fundamental right to information.

As a first step, the NCPRI and the Press Council of India formulated an initial draft of a right to information (RTI) law. This draft, after extensive discussions, was sent to the Government of India in 1996. The Government finally introduced the Freedom of Information Bill in Parliament, in 2002. This was a very watered down version of the Bill first drafted by the NCPRI and others in 1996.

Meanwhile, the NCPRI was also campaigning for state RTI acts and supporting the efforts of state governments, like Karnataka and Delhi. It also worked at promoting awareness and broadening and deepening the campaign. The first national convention was held at Beawar, Rajasthan, in 2002, and was attended by over a thousand delegates, from all parts of the country. The second convention was held in Delhi in 2004, and again was attended by over a thousand delegates from all over the country. Over thirty workshops were organised as a part of the convention to discuss the use of RTI in different areas of work and governance.

The NCPRI also organised a public hearing in Bhopal, in 2002, around the proposed Maheshwar Dam on the Narmada River. Three to four hundred people, mainly from among those who were affected by the project, attended this public hearing. Representatives of S. Kumars, the company building the project, also participated.

In August 2004 the NCPRI forwarded to the National Advisory Council a set of suggested amendments to the Freedom of Information Act 2002. These amendments, designed to strengthen and make more effective the 2002 Act, were based on extensive discussions with civil society groups working on transparency and other related issues and were in response to the undertaking given by the UPA government, in their Common Minimum Programme, that the "Right to Information Act will be made more progressive, participatory and meaningful."

The NAC endorsed most of the suggested amendments and recommended them to the Prime Minister of India for further action. These formed the basis of the subsequent Right to Information Bill, introduced in Parliament on 22 December 2004.

However, this bill, as introduced in Parliament, had many weaknesses. Most significantly, unlike the NCPRI suggestion, it did not apply to the whole country but only to the Union Government. The consequent outrage from civil society groups, including the NCPRI, forced the government to review the changes. The Bill was referred to a Standing Committee of the Parliament and to a Group of Ministers. The standing committee asked several of the NCPRI members to give evidence before it, and ultimately endorsed the stand taken by the NCPRI in most matters. . In the next session of Parliament, the bill was passed after over a hundred amendments introduced by the government to accommodate the recommendations of the Parliamentary Committee and the Group of Ministers. Most important, the jurisdiction of the Bill has been extended to cover the whole of India. The RTI Act has come into effect all over India from 13 October 2005.

Structure

The NCPRI is a non-registered group that is managed according to a constitution.

Funding Sources

The NCPRI does not accept institutional funds, from India or abroad, and is financed wholly through individual donations. We have an annual budget of roughly Rs. 6,00,000, which includes all overhead payments and salaries of a skeleton staff that runs the NCPRI's Munirka office, in Delhi. Details of our accounts are available on our website.

Action Plan

The NCPRI has charted out some of its priorities for the coming year. Primarily it will aim at catalysing action on the following lines.

1. *Ensuring that the government operationalises and implements the RTI Act effectively*

The RTI Act came into effect on the 13th of October 2005, but many of the requirements that were supposed to be fulfilled before this date were ignored. These include:

- Setting up of Information Commissions in the Centre and in each of the states;
- Designating Public Information Officers and Assistant Public Information Officers for all public authorities;
- Making public of various types of information (specified in section 4 (1) (b) of the act);
- Publishing of all relevant facts while formulating important policies or announcing the decisions which affect public;
- Providing reasons for its administrative or *quasi judicial* decisions to affected persons;

The lack of infrastructure would severely cripple the law. Informing the public of their fundamental right to know and the process through which they can exercise this right is one of the government's primary responsibilities and the NCPRI is determined to ensure that the government takes all the required steps as soon as possible, so that the act can be effectively used at the earliest. It also seeks to monitor the functioning of the RTI Act and do all that is necessary to ensure that all the institutions and authorities under the Act perform optimally.

2. *Developing user friendly manuals*

The publishing of manuals is crucial to the success of the law. The public need to know what they are entitled to, and more importantly how to go about getting it in a system where misinformation and confusion are often the norm. The law creates a means to demand accountability from the

government. It allows the common person to know exactly what and whom their taxes are buying. Manuals relating to some departments have already been developed, but many more are needed. The NCPRI aims to produce manuals in numerous languages that will facilitate and develop this demand for accountability and transparency.

3. *Spreading the message of RTI*

The scope of this law is tremendous, and even experienced activists are often surprised at how innovatively the right to know can be used. Efforts using RTI laws in various states have proven to be enormously effective in battling corruption and mal-administration. For the national act to be equally successful, it is essential to create a wide spread demand for information, which is based on awareness of how it has been accessed and used to the benefit of the common person.

To spread the demand for transparency and to ensure the use of the law the public must know about it, and what it can do for them. The NCPRI plans to highlight the potential and experiences related to the right to information. It also intends to regularly document the experience of using the right to information by various individuals and groups, and to publicise these experiences, to both motivate and inspire others. Efforts would also need to be made to link up with other movements and to develop methods to demonstrate to them the value of transparency in pursuing their own concerns and agendas.

4. *Developing human capacities*

NGOs, civil society, community groups, interested individuals, government departments, and functionaries all need to develop their capacity to use the RTI. Professional groups like journalists, lawyers, doctors, and teachers also need to be trained. There is, therefore, a need to organise training programmes and to involve people with the ongoing process of social audits, so that they can learn to use these techniques. The poor are also empowered by this act. Usually exploited and mistreated, the RTI Act levels the playing field in some respects, by empowering the rural poor and the urban homeless and slum dwellers to hold the government and the society accountable. The NCPRI will endeavour to help them all develop their capacity to effectively use their fundamental right to information.

5. *Setting up Information Clearing Houses*

Though individuals can usually access local level information, sometimes the information is in such a complicated or scattered form that it needs to be compiled and de-mystified before it is universally comprehensible. In some cases, there is a risk involved in individuals directly seeking sensitive information, as the affected vested interests can monitor this and threaten or even harm the concerned individual. Also, there are data about state and national projects, about policy formulation, planning, financial allocations, security, environment, etc. that cannot be easily and meaningfully understood by the common person. Yet it is critical for all these to come into the public domain so that there can be public participation and scrutiny.

Therefore, it is felt that there is an urgent need to set up national and sub-national clearing houses that can access government information, compile and de-mystify it and make it accessible to the public. Such clearing houses can also “blow the whistle” on any sensitive information that needs urgent public attention.

6. *Developing Support Systems*

Though the RTI Act can provide access to information, it does not automatically provide a redressal of grievances or promise action against the misdeeds that it helps expose. To achieve that, various other social and governmental mechanisms have to be used. These include the media and the courts of law. In many cases, wrongdoings uncovered by the use of the RTI, were not followed up on because the victims were too poor to pursue the matter, or were intimidated into silence. A support system would assist follow up and advise the public and community institutions. Otherwise, there is a danger that if no action results from these exposures, people will become cynical and disillusioned with the law.

7. *Research and Development*

The laws, institutions and processes connected with the RTI have to be continuously monitored to ensure that the letter and spirit of the law is being respected. Changes must be made to adjust to situations, and to deal with problems as they arise. Experiences of users and the respondents have to be collected and analysed and the government advised on how to improve the functioning of the law. There must also be an ongoing public debate on how to expand the law and make it stronger, and on how to make government and society progressively transparent.

For this purpose, it is thought important to have ongoing surveys and research on RTI and its uses. It would also be important to set up

documentation and information centres where researchers and practitioners can easily access information about all aspects of the RTI.

8. *Carrying out Social Audits of National Institutions, Projects and Programmes*

The NCPRI will encourage and support the use of social audits and public hearings to make governance more accountable. Social audit of national schemes (like the employment guarantee scheme), of national projects (like the one organised on the Maheshwar Project), and of local schemes and programmes (like the ones recently held in Delhi on the Public Distribution System), promote transparent governance. They allow the public to participate directly in the monitoring of various government schemes and projects.

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