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Mrs. Sonia Gandhi
Chairman, National Advisory Council

Subject: Replacing the Jammu & Kashmir Right to Information of 2004 with the Central Government's Right to Information Act of 2005

Dear Mrs. Gandhi:

As an organization concerned with good governance, we congratulate the National Advisory Council for passing the National Right to Information Act of 2005. We strongly believe that this new Act is a robust and laudable replacement for the former National Freedom of Information Act of 2002.

It is regrettable, however, that the National Right to Information Act of 2005 does not extend to Jammu & Kashmir. Presently, J&K is saddled with the J&K Right to Information Act of 2004, a weak and ambiguous piece of legislation that was originally based upon the moribund National Freedom of Information Act of 2002. The present Act governing J&K has several deficiencies, particularly the lack of an independent appeals process and direct penalties for officers who violate the Act. In contrast, the National Right to Information Act is a strong piece of legislation that is not marked by such deficiencies, which place the burden of responsibility on ordinary citizens.

We believe that the citizens of Jammu & Kashmir should not be denied the fundamental right that will soon be granted throughout the rest of India. Therefore, we strongly recommend that the J&K Right to Information Act of 2004 should be replaced with the National Right to Information Act of 2005.

In this regards, we have written to the J&K Chief Minister and Finance Minister in the past few weeks requesting the replacement of the old Act with the National Right to Information Act of 2005. Unfortunately, we have not received any response.

For this reason, we are appealing to your good offices to recommend the adoption of the National Right to Information Act of 2005 by the Government of Jammu & Kashmir. We believe that such a recommendation will be critical in improving the standards of transparency and governance in Jammu & Kashmir.

We look forward to working with you to make Jammu & Kashmir a better place to live in.

Sincerely,

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