

NCPRI Statement on the Lokpal Discussions in the Parliament

There appear to be three “sticking points” between Anna Hazare and the Government that are reportedly preventing Shri Hazare from breaking his fast. The National Campaign for People’s Right to Information (NCPRI) has the following position on these three points.

The NCPRI is completely in agreement that all three objectives put forth by Team Anna should be addressed immediately. NCPRI believes that the most practical, appropriate and focused architecture should be built and enacted.

Covering the entire bureaucracy under the Lokpal

The NCPRI agrees with Team Anna that the entire bureaucracy should be covered but feels that it would be too much for one institution to handle complaints against over 40 lakh public servants. Besides, it would distract the Lokpal from its primary task of combating high level corruption. Therefore, NCPRI has proposed that the lower bureaucracy be concurrently covered by a revamped and fully independent Central Vigilance Commission, which would have been relieved of its current jurisdiction over the top bureaucracy. However, the NCPRI has no objection if the CVC is made administratively subordinate to the Lokpal.

Providing for a citizen’s charter

The NCPRI agrees with Team Anna that grievance redress is as critical, if not more critical than the prevention of corruption, especially for the common man or woman. However, again given the numbers involved and the need to have decentralised redress mechanisms, the NCPRI thinks that grievances should be handled by a different institutional structure, in the form of concurrently set up grievance redress commissions/authority in every district of the country . These may be integrated with existing and proposed grievance redress structures for central programmes for employment, food, health, education like the MG National Rural Employment Scheme, the Right to Food and the Right to Education, etc. We believe that the Parliament is competent to legislate on this under Point 8, Actionable Wrongs in the Concurrent List. In any case, state governments can either use these mechanisms or set up their own.

Legislating for State Lokayuktas

The NCPRI is fully with Team Anna on the demand that the Central Legislation setting up the Lokpal should also create Lokayuktas in each of the states, along the lines of the Lokpal at the Centre. The NCPRI feels that the Parliament is competent to legislate on this but the states should be consulted on an urgent basis.

Having said this, the NCPRI strongly believes that the Parliamentary processes and the process for public participation at the pre-legislative stage should not in any way be subverted. However, the NCPRI appeals to the Parliament that, given the prevailing situation, it might consider completing these processes as expeditiously as possible.

Signed/-

Nikhil Dey

Co-convener, NCPRI

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