



Communist Party of India (Marxist)

Central Committee

(67)

March 3, 2014

Dr. M. K. Sharma
Registrar
Central Information Commission
New Delhi

Dear Sir,

Sub: Reply to notice issued by the Central Information Commission
Ref: F. No. CIC/SM/C/2011/001386 dated 7th February 2014

The Communist Party of India (Marxist) considers that the order of the Central Information Commission dated June 3, 2013 is wrong before facts and law. The finding of the Supreme Court decision in Thalappalam Service Cooperative Bank Ltd and others versus state of Kerala 2013 STPL(web)818SC and others also makes it clear that political parties cannot be treated as "public authorities" as per Right to Information Act 2005.

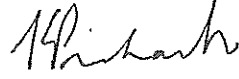
The issue whether political parties are "public authorities", as defined by the Right to Information Act, is under the consideration of Parliament. A Bill (Bill No. 112 of 2013), the Right to Information (Amendment) Bill 2013, was introduced in the Parliament to amend the Right to Information Act to keep political parties out of the purview of the RTI Act with a view to remove the adverse effects of the decision of the Central Information Commission on June 3, 2013. The Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice considered the Bill and submitted its report to the Parliament. The Parliament was not able to take a final decision on the matter. Now a final decision on the matter can be taken by the Parliament only after the Lok Sabha elections.

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Hence, it is requested that six months time may be given for filing a reply to the notice issued to us.

With regards,

252-a/Rg/14
3/3/14

Yours sincerely

(Prakash Karat)
General Secretary

COMMUNIST PARTY OF INDIA

CENTRAL OFFICE

Ajoy Bhavan, 15 Com. Inderjit Gupta Marg, New Delhi - 1100 02

E-mail : cpiofindia@gmail.com, nationalcouncil@communistparty.in Web : www.communistparty.in

Tele. : 232328
232355
232350
232350
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S. Sudhakar Reddy

General Secretary

Registrar CIC /

*118573
5/3/14*

March 3rd, 2014

Dr. M. K. Sharma
Registrar
Central Information Commission
New Delhi

*300-d/Reg/14
14/3/14*

Dear Sir,

Sub: Reply to notice issued by the Central Information Commission
Ref: F. No. CIC/SM/C/2011/001386 dated 7th February 2014

The Communist Party of India considers that the order of the Central Information Commission dated June 3, 2013 is wrong before facts and law. The finding of the Supreme Court decision in Thalappalam Service Cooperative Bank Ltd and others versus state of Kerala 2013 STPL(web)818SC and others also makes it clear that political parties cannot be treated as "public authorities" as per Right to Information Act 2005.

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14.3.14*

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Hence, it is requested that six months time may be given for filing a reply to the notice issued to us.

With regards,

Yours sincerely

S. Sudhakar Reddy
(S. Sudhakar Reddy)
General Secretary

N.B. : However we are putting all our income-Expenditure Accounts, and Donors' lists on the CPI website www.communistparty.in to make the information available to public. We are also replying to all enquiries addressed to us from our office. We are regularly submitting the Accounts & the Donors list to Election Commission of India and the Income Tax Authority

S. Sudhakar Reddy
(S. Sudhakar Reddy)



Ph. : 23018492 (91)
23019080

INDIAN NATIONAL CONGRESS

24, AKBAR ROAD, NEW DELHI-110011

Motilal Vora

Treasurer

14428

March 21, 2014

To,

Dr. M. K. Sharma,
Registrar,
Central Information Commission
Second Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi - 110066

333-d/Rgr/14
24/3/14

Sub: Non-compliance of Commission's order dated 3.6.2013 in complaint case No. CIC/SM/C/2011/000838 dated regarding Political Parties as "Public Authority".

Ref: Your Notice F. No. CIC/SM/C/2011/001386 dated 7th February, 2014

Sir,

With reference to your above notice, you must be aware that the Right to Information (Amendment) Bill, 2013 has already been moved in the Parliament and the report of "Department – related parliamentary standing committee on personnel, public grievances, law and justice" has also submitted. The Parliament has yet to take a final decision on the amendment of the RTI Act in view of the recommendations of the Standing Committee, as such it would be appropriate to await the final outcome on the issue.

You would also appreciate that legally also, it may not be permissible for the CIC to decide on its' own jurisdiction, since the political parties are not covered within the definition of "public authority" under the Act. It is also noticed that Commission has taken different views on the subject. In any case, there is no judicial pronouncement on the issue so far and since the recommendations of the Parliamentary Standing Committee has already been submitted and the RTI Act is to be amended, at a time when process for holding general election has already commenced, it would be advisable to await the final outcome, as a propriety. It may also be pointed out that no copy of the order has been received by us from the CIC.

Re
24.3.14

In this view of the matter, it is therefore requested that the Commission may await the final outcome on the issue.

Yours sincerely,

Motilal Vora
(Motilal Vora)

Recd at
12.00 Noon
today (24.3.14).

[Signature]
24/3/14
(D.S. NEGI)

Registration (CIC)



NCP/SEC/3626/2014

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NATIONALIST CONGRESS PARTY

10, Dr. Bishambhar Das Marg, New Delhi - 110 001 Tel. : 23314414, 23359218, 23752938 Fax : 23318075
Email : srkohli@hotmail.com * website : www.ncp.org.in

S. R. Kohli

Hony. Permanent Secretary &
Member Working Committee

New Delhi, 8th April 2014

BY SPEED POST

To,
Dr. M. K. Sharma, Registrar,
Central Information Commission,
Second Floor, August Kranti Bhawan,
Bhikaji Cama Place,
New Delhi - 110066

Sub: Notice F. No. CIC/SM/C/2011/001386 dated 7th February, 2014.

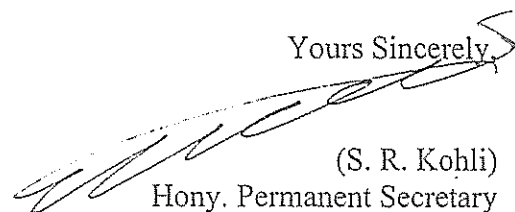
Sir,

As you are aware that a bill (bill No. 112 of 2013), namely The Right to Information (Amendment) Bill, 2013 has already been moved in the Parliament. The said bill is being brought to re-emphasise that the 'political parties' are outside the purview of the RTI Act and thereby removing the basis of decision of the Hon'ble CIC. A report has also been submitted by "Department-related parliamentary standing committee on personnel, public grievances, law and justice". The bill is pending before the Parliament and therefore, it would be appropriate to await the final decision on the issue.

It is pertinent to note that the CIC do not possess the power to look into, and decide on its own jurisdiction. It is admitted view and fact that the political parties are not within the definition of "public authority". On several occasions the commission itself has taken different views on the aforesaid. Furthermore, in view of latest decision of the Hon'ble Supreme court as held in Thalappalam Service Cooperative Bank Ltd. and Ors. v. State of Kerala in Civil Appeal No. 9071 of 2013 (decided on 07.10.2013). The political parties are not covered by RTI Act.

In this view of the matter, it is therefore requested that the Commission may await the final outcome on the issue.

Yours Sincerely,


(S. R. Kohli)
Hony. Permanent Secretary

SHARAD YADAV

Member of Parliament
(Rajya Sabha)

PRESIDENT
Janata Dal (United)



7, TUGHLAK ROAD,
NEW DELHI-110011
TELEPHONE : 23017405
23792738
FAX : 23017405

October 21, 2014

Registrar,
Central Information Commission,
2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place,
New Delhi 110066

Do.MP.(RS)...92...2014

Sub: Declaring Political Parties as "Public Authority"

Sir,

We do not accept the findings of the Commission that the Political Party is a Public Authority within the meaning of Section 2(h) of the Right to Information Act, 2005. To designate the Central Public Information Officer and an Appellate Authority and to give effect to the provisions of Section 4(1) (b) of the Right to Information Act by way of making voluntary disclosures on the subjects mentioned therein are ill founded and contrary to law. We believe that the order of the Commission bringing political parties under the ambit of the Right to Information Act is contrary to law, and such an alteration can and should only be made by the legislature by way of amendment in the Act.

In view of the above, we would request you to keep your above action on hold.

Thanking you,

Yours faithfully,


(SHARAD YADAV)

JANATA DAL (U)