

MPs and MLAs who have voluntarily disclosed their IT Returns in Larger Public Interest:

BEFORE THE CENTRAL INFORMATION COMMISSION 2ND EXTRA SUBMISSION IN RESPECT OF COMPLAINT NO. CIC/DS/A/2011/004188/004189/004205/ 004216/004218/004220/004231 /004234 FOLLOWING A HEARING TO BE CONVENED ON 16-04-2013

1) Backdrop behind the submission:

I would like to invite the attention of the Commission to my second Submission, and urge it to please take the contents of this submission into consideration before coming to any decision on the complaints being decided.

The present concern of this submission is that owing to the fact where all of the 20 MPs as involved in our filed appeal are so hesitant in getting the details of their IT Returns under public domain, there are examples of some Parliamentarians who have felt the need of making their IT Returns go public.

Based on our filed appeal with the CIC on IT Returns, ADR had approached some Parliamentarians to see if they would declare their IT Returns into the public domain for more transparent and accountable towards public and the evils of corruption and money power can also be curbed and checked.

So far so many Parliamentarians have come forward. **We have already got a list 28 MPs/ MLAs who have voluntarily declared their IT Returns. Apart from these 28 MPs/MLAs, there are also others who are in the process of sending us their IT Returns. All of these legislators have strongly emphasized on the need of making it accessible to the people at large.**

Furthermore, in concurrence of our appeal, we had also sent RTI applications to one MP namely Bajju Ban Riyani asking for their IT Returns. We are pleased to inform this Commission that the said MP ardently provided us with the details of their IT Returns under RTI Act (**Attached as annexure 3**). Some MPs have also willingly put their details of IT Returns on CMO's and PMO's website. Apart from that after our request, two MPs named Ajoy Kumar (<http://ajoykumar.info/>) and Tathagata Satpathy (<http://tathagatasatpathy.com/web/TaxReturns.aspx>) have already put the details of their IT Returns on their website. (**Attached as annexure 2,3 and 4 as well as on ADR's website <http://adrindia.org/content/disclosure-mp-it-returns-cic-hearing>**).

2) Table showing the names of the MPs/MLAs who have voluntarily declared their IT Returns:

MP IT Return						
S.No.	Name	State	Constituency	Party		Source
1	Neeraj Shekhar	UP	Ballia	SP	MP LS	By letter
2	Sadashiv Dadoba Mandlik	Maharashtra	Kolhapur	IND	MP LS	By letter
3	Abhijit Mukherjee	West Bengal	Jangipur	INC	MP LS	By letter
4	Mirza Mehboob Beg	J&K	Anantnag	J&K National Conference	MP LS	By letter
5	Bijoy Krishna Handique	Assam	Jorhat	INC	MP LS	By letter
6	Arnavaz Rohinton Aga	Maharashtra	NIL	Nominated	MP RS	By letter
7	Raju Anna Shetty	Maharashtra	Hatkanangle	Swabhimani Paksha	MP LS	By letter
8	Dr Ajoy Kumar	Jharkhand	Jamshedpur	JVM	MP LS	By letter
9	Mandagadde Rama Jois	Karnataka	Karnataka	BJP	MP RS	By letter
10	Dinesh Trivedi	West Bengal	Barrackpur	AITC	MP LS	By letter
11	Vilas Baburao Muttemwar	Maharashtra	Nagpur	INC	MP LS	By letter
12	Baishnab Charan Parida	Orissa	Orissa	BJD	MP RS	By letter
13	Tathagata Satpathy	Orissa	Dhenkanal	BJD	MP LS	By letter
14	Baju Ban Riyan	Tripura	Tripura East	CPI(M)	MP LS	By RTI
15	Sudip Bandyopadhyay	West Bengal	Kolkata Utter	AITC	MP LS	By Website
16	Subodh Kant Sahay	Jharkhand	Ranchi	INC	MP LS	By Website
17	Pratik Prakashbapu Patil	Maharashtra	Sangli	INC	MP LS	By Website
18	Mahadeo Singh Khandela	Rajasthan	Sikar	INC	MP LS	By Website
19	Ajay Maken	Delhi	New Delhi	INC	MP LS	By Website
20	Ambika Soni	Punjab	Punjab	INC	MP RS	By Website
21	Sadanand Singh	Bihar	Kahalgaoon	INC	MLA	By Website
22	Pramod Kumar	Bihar	Motihari	BJP	MLA	By Website
23	Subodh Roy	Bihar	Sultanganj	JDU	MLA	By Website
24	Virendra Beniwal	Rajasthan	Lunkaransar	INC	MLA	By Website

MP IT Return

S.No.	Name	State	Constituency	Party		Source
25	Rajkumar Sharma	Rajasthan	Nawalgarh	INC (Contested on BSP Ticket)	MLA	By Website
26	Rajendra Pareek	Rajasthan	Sikar	INC	MLA	By Website
27	Murari Lal Meena	Rajasthan	Dasua	INC (Contested on BSP Ticket)	MLA	By Website
28	Hema Ram Choudhry	Rajasthan	Gudamalani	INC	MLA	By Website

3) Quotes by MPs regarding voluntary disclosure of IT>Returns:

While disclosing their IT Returns, some MPs had also commented on why IT Returns of the Parliamentarians should be in the public domain.. Below is what they said: (Attached as Annexure 5)

Ms. Anu Aga -MP Rajya Sabha:

"I am convinced about the value and utility of this request made by the Association for Democratic Reforms. As a member of Rajya Sabha, I feel it is my responsibility to be transparent and contribute in every way for a cleaner public life. I am also clear that any move for change in our society has to begin with our private selves."

Dr. Mirza Mehboob Beg- MP Lok Sabha:

"I really appreciate the initiative and strongly believe that unless and until the political class makes itself accountable and leads by example, the people will lose faith in the system and that is what shouldn't happen."

Mandagadde Rama Jois -MP Rajya Sabha BJP:

"Among all kinds of purities, financial purity is the most important."

Dinesh Trivedi -MP Lok Sabha:

"For your kind information I had filled my statement of my financial account even as back as 1990 when I became 1st time MP.....that time I was told no such system existed.....but any case I feel people in public life should have everything open to public...."

Ajoy Kumar -MP Lok Sabha:

"In my view, a true public representative is one who governs effectively and at the same time maintains honesty and integrity in character. In a democracy that is as vibrant as India, 'effective governance' can

only be ensured when there is 'accountability' in the system and similarly, accountability can only be ensured when there is 'transparency'. The three terms are inextricably linked with each other

In a time when parliamentarians are increasingly showing exponential increase in their assets, it becomes all the more important to put the right checks and balances. The disclosure of IT returns by public representatives and making the same information available in public domain is definitely a step in the right direction. As an elected Member of Parliament representing Jamshedpur, I am accountable to the people who have chosen me to represent them and hence every aspect of my work and life is bound to come under public scrutiny. A voluntary disclosure by a Member of Parliament or any public representative provides information that empowers the citizen to make an informed choice. Furthermore, a public representative who makes a voluntary disclosure of his I.T returns is sending out at a clear indication of his/her honest inclinations having nothing to hide.

Lastly, as the Election Commission of India (ECI) in 2011 has already made it mandatory for candidates to disclose information about the last Annual Income Tax filed by them in their affidavits, I fail to understand why this information hasn't come into public domain yet."

Baishnab Ch. Parida -MP Rajya Sabha :

"In politics, to maintain transparency in life, people should know about the income of elected people. Sometimes, people amass money which is out of their sources of income and they misuse it in elections. By that reason, election has become a joke and if this continues the ideals of democracy will not sustain in our country. The CSOs like NEW are doing commendable work and they should expedite their work further and bring the realities of political life to the notice of our people."

Tathagata Satpathy -MP Lok Sabha:

"Very few people in the nation pay taxes. Every tax payer is a breed apart. I am grateful to the society that it has enabled me to be a taxpayer. Therefore, my tax returns give me pride as well as sense of ownership of the nation."

Muttemwar Vilasrao Baburaoji- MP Lok Sabha:

"Transparency should be there in the public life. People want their elected representatives to be transparent."

4) Conclusion:

In view of the above and our earlier submissions, it is once again reiterated that getting the IT Returns of our Parliamentarians into the public domain is absolutely in **Larger Public Interest**. This step will undoubtedly work to "cleanse our democratic polity and can have a corrosive effect on corruption as well as will infuse transparency in the activities of Parliamentarians.

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Annexure:

- 1) **Copy of the original letter sent to the MPs/ MLAs**
- 2) **Copy of the correspondence through email and post.**
- 3) **Copy and correspondence on the RTI sent for MP Bajju Ban Riyan asking for their IT Returns.**
- 4) **Copy of the IT>Returns**
- 5) **Copy of the letter containing quotes of the MPs.**
- 6) **Copy of the letter showing support for the filed appeal.**