**MINUTES OF MEETING OF THE GOVERNING COUNCIL OF COMMON CAUSE**

**Date:**  July 20, 2015

**Venue:** Common Cause House

**Participants:**

Mr Vikram Lal      President Emeritus

Mr Kamal Kant Jaswal President

Maj. Gen. (Retd.) J. P. Gupta Vice President Emeritus

Dr. B. P. Mathur Vice President

Dr. Divya Jalan

Mr Lalit Nirula

Mr Jyoti Sagar

Dr Ashok Khosla

Prashant Bhushan

Mr Paranjoy Guha Thakurta

Dr. Vipul Mudgal Director

Leave of Absence was granted to Mr Prakash Singh and Ms Madhu Kishwar.

1. **Confirmation of minutes**

Minutes of the Governing Council meeting held on April 23, 2015 were confirmed.

1. **Director’s presentation of the Society’s activities**

The Director reviewed the society’s activities since the last meeting and tabled a detailed note on the cases in the pipeline, ongoing PILs and advocacy initiatives.

**Cases in the pipeline:**

1. **Contempt Petition regarding violation of order dated May 15, 2015 in Large Scale Advertisement (CWP 13/2003):** Common Cause has drawn up a contempt petition against the State Governments of Uttar Pradesh and Tamil Nadu for publishing publicly-funded advertisements in violation of the letter and spirit of the Apex Court’s guidelines regarding large scale advertisements. The Supreme Court by its order dated May 13, 2015 had banned images of politicians in advertisements published at the taxpayer’s expense. The Court had carved out exceptions for the Prime Minister, President of India and the Chief Justice of India. Subsequent to this order the States of Tamil Nadu and Uttar Pradesh published advertisements containing images of their respective Chief Ministers on the pretext of commemorating various occasions.The Common Cause petition seeks to bring these violations to the Court’s notice.

A view was expressed that the proposed contempt petition was premised on a rather narrow interpretation of the Supreme Court order, which deprecates all publicly-funded advertisements of a political nature, including those that do not carry any photographs. The contempt petition filed on behalf of CPIL was based on a broader interpretation of the Court order. It was decided to coordinate action in the matter with CPIL.

1. **Challenging the vires of the appointments made to the Central Vigilance Commission**: Common Cause has formulated a PIL challenging the recent appointments of the Chief Vigilance Commissioner(CVC) and Vigilance Commissioner(VC) by the central government. Following an animated discussion on the thrust of the petition, it was decided to highlight upfront the disregard by the central government of the requirements of “institutional integrity”, “unblemished record” and “transparency in selection process” as laid down in the Supreme Court’s order in *P J Thomas*.
2. **Petition in Delhi High Court on electrocution by live wires:** A petition under article 226 is ready to be filed in the Delhi High Court on the issue of recurring deaths due to live wire electrocution, especially during monsoon. Common Cause had earlier made representations to the executive authorities concerned for taking corrective steps well in time and fixing responsibility for electrocution deaths. As there was no response, it was decided to approach the judiciary.

The PIL highlights the sorry state of electric poles and wires as well as the callous attitude of the distribution companies (discoms). The petition seeks to safeguard the Right to Life guaranteed under the Constitution and make the officers of the state agencies and discoms accountable for their failure in taking adequate precaution to save lives.

1. **NOIDA Writ**: Our PIL filed in the Supreme Court in March 2015 seeking extension of the CAG’s audit jurisdiction to NOIDA, Greater Noida Industrial Development Authority and Yamuna Expressway Industrial Development Authority was dismissed as withdrawn on April 27, 2015. The Court had however granted liberty to the petitioners to approach the High Court of Allahabad. It was agreed that Mr. Prashant Bhushan’s good offices would be used to ensure that the case was taken up in right earnest by a competent lawyer based in Allahabad.

**Advocacy Initiatives:**

Initiative for Police Reforms: Common Cause has been interacting with CSDS, Lokniti, CHRI, ADR and Transparency International to collaborate on a State of Policing Report and a Police Performance cum perception Index. It was felt that the need was to work towards making the police force functional and effective for the ordinary citizen, particularly for the weaker sections. The Director apprised the GC of the attempts being made to seek collaborations and funding along with partners. A view was expressed that foreign funding may not be a good idea for such an initiative.

Initiative on Right to Education: Following deliberations with Video Volunteers and CIVIC, Bangalore, about using videos evidence for gross violations of the RTE Act, the Director apprised the council of the 60 videos discussed so far. These videos document lack of access to clean drinking water, separate toilets for girls and boys, proper mid-day meals and safe buildings, libraries and playgrounds. It was decided to continue these efforts and evolve an effective strategy for advocacy and legal interventions.

RTI Portal: Taking note of the brainstorming meetings held with NCPRI, ADR, CHRI, Satark Nagrik Sangathan and RTI activists, it was decided to continue to work towards creating a warehouse of important RTI cases and their outcomes. The Director apprised the Council of a template shared with collaborators to arrange their model RTI cases uniformly and in order to build a critical number of cases before creating the portal.

Real Estate Bill and other matters: The Council was informed of the submissions made before the Rajya Sabha Select Committee on Real Estate (Regulation and Development) Bill 2013. This led to a lively discussion on the absurdities of the builder-buyer agreements and other lopsided provisionsin vogue.

It was felt that it would be appropriate to expeditethe hearing in the PIL challenging the undue restrictions on news broadcast by private FM Radio and Community Radio stations broadcasting matter.Suggestions were also made for revivingthe proposal for promoting an independent public service broadcaster.

The Council was informed that the donation of Rs. 5 lakh to Nishthaa Trust, which could not be encashed due to technical difficulties, was reissued at the instance of the Trust.

For filing an application to change the name of Editor/Publisher and Printer, the following resolution was put up to the Council and was passed unanimously:

**“Resolved that Dr. Vipul Mudgal, Director will be the Editor/Publisher/Printer of our quarterly journal entitled ‘COMMON CAUSE’ “**

**“ Resolved further that Dr. Vipul Mudgal, Director be and is hereby authorized to file required application in the concerned Government offices to carry out the above changes and to do all acts, deeds and things in this regard.”**

The Director presented five applications for the Society’s individual membership received between March 24 and June 11, 2015. The applications were accepted.

It was decided that in future meetings of the Executive Committee would be held at regular intervals. It was also agreed that the idea of creating a forum for reflection and research on issues of interest to the Society, which could be called ‘Friends of Common Cause’, needs to be pursued.

The Meeting ended with a vote of thanks to the chair.

(Kamal Kant Jaswal)

President