**Minutes of the Annual General Body Meeting of COMMON CAUSE held at Common Cause House, New Delhi, on March 9, 2013.**

Mr. Vikram Lal, President, Common Cause, called the meeting to order at 11.00 A.M. As the quorum was not complete till 11.15 A.M, the meeting was adjourned to be reconvened at 11.30 A.M. with fourteen members in attendance.

The President extended a warm welcome to the participants. A silent homage was paid to the members of Common Cause who had expired since the last meeting of the Society’s general body. Thereafter, the President invited the Director, Mr. Kamal Kant Jaswal, to proceed with the items on the agenda.

**Consideration of the Annual Report and Adoption of the Annual Accounts**

The Director recapitulated the main points of the Annual Report of the Society for the year 2011-12 and updated the status of the court cases mentioned therein. The members expressed their satisfaction over the information presented. Mr. Vikram Lal proposed that the Annual Report and Audited Accounts of the Society be adopted. Mr. V. K. Taneja seconded the motion, which was adopted unanimously.

**Appointment of Auditors for the year 2012-13**

The Director informed the members that the work of the Auditors, M/S VKGN & Associates Chartered Accountants, who had been associated with the Society for the last eleven years, continued to be satisfactory. Dr. Ashok Khosla proposed that they be reappointed for the year 2011-12. The proposal was seconded by Dr. B. P. Mathur and adopted unanimously.

**Activities and programmes**

The Director made a brief presentation of the activities and programmes undertaken in furtherance of the missions and objectives of the Society, which has continued to network with like-minded civil society organisations with a view to extending the reach and impact of its interventions.

Common Cause is the lead petitioner in a comprehensive PIL filed in the Supreme Court on irregularities in the allocation of coal blocks for captive mining. The petition highlights the arbitrary and opaque manner in which the Central Government allocated a scarce natural resource to a few select private companies to the detriment of the public exchequer, deferring the introduction of competitive bidding. Many of the favoured companies, which had close links with influential politicians, were not even eligible, or had no real need of coal. The PIL seeks the cancellation of the allocations made since 1993 in favour of private entities as well as the resumption of coal blocks alienated by allottees in the public sector. It also prays for a Court-monitored investigation into the entire allotment process. The co-option of reputed public interest organisations and eminent citizens and activist as petitioners has ensured a certain salience for the PIL and facilitated its admission.

As a corollary to the Society’s PIL challenging the *vires* of the Civil Liability for Nuclear Damage Act, 2010, CPIL, Common Cause and two others have filed a writ petition in the Supreme Court praying that suppliers of the Kudankulam Nuclear Power Plant in Tamil Nadu should be bound by the principles of ‘Polluter Pays’ and ‘Absolute Liability’ in case of an accident. The petition seeks a further declaration that the suppliers would be governed by the Act of 2010, irrespective of any bilateral agreement to the contrary. The Apex Court has taken up the PIL on priority.

Judicial accountability and reform continued to be a thrust area for the Society. Pursuant to the decision of the Supreme Court in its PIL for starting the statutory process for the removal of Justice K. G. Balakrishnan from the office of Chairman, National Human Rights Commission on grounds of misconduct, Common Cause filed an interlocutory application urging that the competent authority be directed to expedite a decision on the complaint of Campaign for Judicial Accountability and Reform under intimation to the petitioner. The IA is to be listed before the bench which had heard the original petition.

The Society has also filed a PIL in the Supreme Court to challenge the obstructive rules framed by the Allahabad High Court as competent authority under the Right to Information Act. At a hearing in November 2012, the High Court was allowed two months’ time to amend the deviant rules in accordance with the provisions of the RTI Act. A positive outcome in this initiative should go a long way in securing the reform of the RTI rules of other courts.

The alarming spurt in cases of abuse of the sweeping powers given to enforcement agencies under the Information Technology Act as amended by the amending Act of 2008 has underlined the urgency of judicial intervention to ensure that citizens were not deprived of their freedom of speech and expression and personal liberty for opinions expressed on social media networks. In this context, the Society has taken the initiative to file a PIL in the Supreme Court to challenge the constitutional validity of Sections 66A, 69A and 80 of the Act.

The Director informed the members that the multi-pronged campaign against money circulation schemes camouflaged as Direct Selling/Multi Level Marketing companies was about to yield tangible results. The Ministry of Corporate Affairs had circulated model rules under the Prize Chits & Money Circulation Schemes (Banning) Act, 1978, which provided a blueprint for effectuating the intent and purpose of the Banning Act. Their adoption by state governments should go a long way in strengthening the capacity of state agencies to fight the menace of fraudulent money circulation schemes.

In response to the public notice issued by the Justice J. S. Verma Committee inviting suggestions for amendment of the laws to deal with the scourge of growing sexual violence against women, Common Cause, in concert with Commonwealth Human Rights Initiative, Foundation for Restoration of National Values and Manushi Sangathan, made a joint submission to the Committee underlining the urgency of comprehensive police reforms. It was emphasized that enhancement of the penalties for offences against women would not serve any purpose in the absence of a revamp of the criminal justice system, of which policing was a key component. The submission also cautioned against any dilution of the Constitutional guarantees and the principles of natural justice.

It was gratifying to note that police reforms were accorded the pride of place in the Committee’s report. Regrettably, the ordinance promulgated by the Central Government after considering the Committee’s report did not address the issue of streamlining the criminal justice system. A concerted civil society initiative would be needed to rectify this omission.

The Society pursued with renewed vigour its agenda for bringing about greater accountability and transparency in the system of appointment to constitutional bodies. A fresh memorandum urging the adoption of a transparent and objective procedure for appointment of the Comptroller & Auditor General of India in line with international best practices was submitted to the Chairman of the Public Accounts Committee of Parliament.

The Anti-corruption logo designed for Common Cause by the National Institute of Design was launched at Jantar Mantar on July 25, 2012. The logo has been well received. Efforts to promote it as the symbol of the ongoing War on Corruption are underway.

The Society continued to extend moral, intellectual and material support to other civil society organisations that shared the objectives espoused by it. Since the last meeting of the general body, Common Cause extended financial assistance to Public Cause Research Foundation, Ghaziabad, for the India Against Corruption movement; to Vanangana, Chitrakoot, for its initiatives to promote communal harmony; and to Centre for Environment & Food Security, New Delhi, to support its PIL in the Supreme Court seeking systemic reforms in the implementation of the Mahatma Gandhi Rural Employment Guarantee Act.

**Mr. Narendra Ahuja** recounted his struggle to raise the levels of public awareness of the complexities of testamentary and non testamentary succession and sought the help of Common Cause in the following matters.

* Persuading the Land & Development Office of the Ministry of Urban Development to dispense with the requirement of obtaining ‘No Objection’ certificates from all the legal heirs in the case of mutation of the records of immovable property on the basis of a registered will.
* Contesting the practice in the DDA of registering immovable property only in the joint names of spouses.
* Ensuring the implementation of the Delhi High Court’s order for videography of the process of registration of wills.

The Director apprised Mr. Ahuja of the correspondence already made with the L&DO in the matter of mutation of property records. Common Cause could consider taking up the issue of implementation of the High Court order for videography of registration of wills. The DDA’s policy of encouraging the registration of immovable property in the joint names of spouses, on the other hand, subserves a larger social goal and need not be challenged.

Mr. Ahuja also pressed for wider dissemination of the anti-corruption logo. He was informed that anyone who undertakes to abide by its terms of usage is welcome to use the logo for non commercial purposes.

**Mr. V. K. Taneja** suggested that a pithy slogan in Hindi or Sanskrit should be added to the logo to enhance its appeal. It was clarified that the logo is non verbal by design so that it may transcend the barriers of language.

**Mr. B. Shadrach** underlined the need for a concerted civil society response to the onslaught on internet freedom. He asked for a copy of the Society’s PIL on the subject.

**Mr. J. C. Khera** complimented the Society on its recent initiatives in public interest litigation and suggested that the petitions should be published in its quarterly journal. He was assured that this was an established practice at Common Cause and that the relevant petitions, which had immediately been put on the Society’s website- www.commoncause.in- would be published in the journal at the first opportunity.

**Mr. Prashant Bhushan** referred to the systemic deficiencies and endemic corruption in the process of allocation of precious national resources, as highlighted in the Society’s PIL on Allocation of Coal Blocks for Captive Mining. He stated that the case of the petroleum sector was no different, as demonstrated by the C&AG’s report on the concessions awarded to the Reliance Industries Limited in the Krishna – Godavari Basin. He was of the view that this was a fit case for a PIL.

**Dr. B. P. Mathur** stated that the undue favours shown to the Reliance Industries Limited in Panna – Mukta, Tapti and Ravva oil fields were the subject of the C&AG reports of 1996/2006 vintage. He offered to make the relevant reports available for action as deemed appropriate.

**Elections**

The President informed the members that in accordance with the Rules of the Society, the two senior most members, namely Ms. Madhu Kishwar and Mr. Lalit Nirula, were due to retire on the day of the General Meeting and that both of them had offered themselves for re-election. Dr. Ashok Khosla proposed that Ms. Madhu Kishwar be re-elected. The proposal was seconded by Mr V. K. Taneja. Thereafter, Dr. B. P. Mathur proposed that Mr. Lalit Nirula be re-elected. This proposal was seconded by Mr. B. Shadrach. Both the proposals were unanimously approved by the General Body.

The meeting concluded with a vote of thanks to the Chair.

(**Vikram Lal**)

Chairman