



# News Letter

## Inside

- Apex Committee Meeting
- SC upholds LOK SATTVA's contention
- NCER forms issue based coalition
- Workshop on Delimitation
- Consultation Meeting on Local Courts
- Federation for Empowerment of Local Governments
- Power Sector Reforms
- Health Care Initiative
- Invited Lectures, Seminars & Workshops
- People Behind - Profile of Sri DVVS Varma

### Apex committee meeting

The Apex Committee (general body of the organization) of LOK SATTVA met in Akiveedu, West Godavari District between May 3-4<sup>th</sup> and took stock of the activities of the organization and held deliberations on the future course of the movement in the state and at the national level. It was resolved to campaign for empowerment of local governments and enactment of a local courts legislation at the state level, while pursuing the larger electoral reform goals at the national level. Later on, Dr Jayaprakash Narayan, Sri DVVS Verma, Sri Rama Reddy and other senior functionaries of LOK SATTVA addressed a well-attended public meeting on the 4<sup>th</sup> of May in Bhimavaram.

### SC upholds LOK SATTVA's contention

March 13<sup>th</sup>, 2003 will remain a memorable day not only for all of us working at LOK SATTVA but in the history of the movement for electoral reforms. The Supreme Court delivered the long awaited judgment upholding LOK SATTVA's contention that Section 33-B inserted in haste by an act of Parliament in the Representation of People Act, 1951, violated the people's fundamental right to know. The impact of the judgment is:

1. The Parliament cannot abridge the citizens' fundamental right to know about the candidates seeking to represent them.
2. After the earlier Supreme Court judgment of May 2<sup>nd</sup>, the Parliament hastily drafted a Bill which sought disclosure only for serious crimes. The candidates needed to disclose only convictions

involving a sentence of 1 year or more and about pending charges framed by a magistrate entailing a sentence of imprisonment of 2 years or more. This Bill was quickly passed by the Parliament. But now, because of the petition filed by LOK SATTVA and partner organizations, the **Supreme Court directed that candidates have to reveal all convictions, charges framed and cases of which cognizance was taken.**

3. No provision for financial disclosure had been provided for in the amended act. With the SC judgment, the candidates have to disclose statement of assets, liabilities and dues to public financial institutions in respect of themselves, spouses and dependent members of their families.
4. LOK SATTVA had not put emphasis on educational qualifications; however, that disclosure also is mandatory now.
5. The nomination of a candidate who does not file the affidavit along with the nomination papers will be rejected.

The Election Commission (EC) issued a notification on March 27<sup>th</sup>, 2003 detailing the procedure candidates have to follow in filing the criminal and financial disclosure statements along with their nomination papers. The power of the Returning Officer to verify the information furnished has been withdrawn.

### NCER forms issue based coalition

In the aftermath of the May 2<sup>nd</sup>, 2002 Supreme Court judgment, several activists and organizations from across the country met in Delhi. On June 11<sup>th</sup>, 2002 they decided to form an issue based coalition - to work for long term electoral reforms with decriminalization of politics as the immediate goal. This body came to be known as the National Campaign for Electoral Reforms (NCER). At one of its recent meetings on March 6<sup>th</sup>, 2003 in New Delhi, Dr Jayaprakash Narayan made a presentation on larger issues involved in political reforms and identified specific areas for possible advocacy both for short and long term by the NCER so that agenda for action could be expanded beyond a single issue of "disclosures". In the long run, reducing unaccounted poll expenditure, proportional representation, direct election to state and local governments are identified as goals to be pursued at the national level while in the short run empowerment of local governments and local courts for speedy justice are identified as goals to be pursued at the state level.

The participants at the meeting discussed at length possibility of taking up "Election Watch" campaigns

in the four states going to polls this year. Sri Bibhu Mohapatra (of Commonwealth Human Rights Initiative- CHRI) volunteered to take up Election Watch in Chattisgarh and Madhya Pradesh using LOK SATTA's AP model as the basis. Sri K C Sivaramakrishnan (former secretary to govt. of India and advisor to LOK SATTA) and Admiral Tahiliani (Transparency International) were requested to help and guide organizing Election Watch in these States with Bibhu Mohapatra.

On the issue of campaign funding reform, a Bill is pending in Parliament. The Bill has several positive features including tax exemptions for political funding, compulsory disclosure, indirect public funding etc. If the Bill becomes law, once again we would have made remarkable headway in the electoral reform arena.

### Workshop on delimitation

A half-day Workshop on Delimitation was organised by the Centre for Policy Research (CPR), the Centre for Study of Development Societies (CSDS), Delhi and LOK SATTA on March 6<sup>th</sup>, 2003 in New Delhi. The main purpose of the Workshop was to familiarise elected representatives and scholars interested in the subject about the provisions and the issues involved in the delimitation exercise. Prof Charan Wadhwa, President, CPR, welcomed the participants.

A presentation was made by Dr Yogendra Yadav of CSDS, focusing on the past delimitation exercises, extent of the problems now emerging as a result of the long time gap in undertaking Delimitation which remained frozen since 1976. Dr Yadav and Prof Sivaramakrishnan moderated the discussion. The workshop was attended by MPs from across the political spectrum in addition to civil society and media representatives.

The participants expressed some concern and anxiety on the following issues:

- (i) The Delimitation Commission appears to have made progress in its work and in some states draft proposals are reported to be ready. However, the guidelines adopted by the Commission are not known. Since Delimitation is taking place after a long gap and several existing constituency boundaries may need readjustment, controversies could be avoided if the guidelines are made public and the process is transparent.
- (ii) Involvement of the Associate Members (5 MLAs and 5 MPS drawn from various parties) so far appears to be very limited. It was felt that their participation should not be limited only to the penultimate stage of the draft publication.
- (iii) In the past decade, in most of the states there has been extensive delimitation of panchayat and municipal constituencies including reservation of seats for SC/ST. The Delimitation Commission could have utilized the experience and insights gained by the state election commissioners' by involving them during the current exercise. However, the involvement and participation of the SECs in the Delimitation Commission's work is reported to have been very limited so far.

Participants of the workshop hoped that these concerns would be addressed by the commission and the government. The MPs belonging to different political parties felt that the concerns raised at the workshop should be brought to the attention of the

Delimitation Commission and other appropriate authorities for necessary action.

**PS:** Subsequent to this meeting, the government took note of the protest from across the political spectrum and decided to start the delimitation exercise afresh with 2001 census as the basis and accordingly amended the Constitution.

### Consultation meeting on local courts

As reported in our earlier newsletter, LOK SATTA has prepared a draft legislation for local courts and circulated it to eminent judges, lawyers, bar council members, jurists and civil society activists and sought their suggestions. LOK SATTA held a consultation meeting on the 12<sup>th</sup> of February in which Justice A Lakshmana Rao (former chief justice Allahabad High Court), Justice Jeevan Reddy (former chairman Law Commission), Smt Rama Devi (former governor of Karnataka), Justice Chalapathi (former judge of Punjab & Haryana High Court), Justice Seetharama Reddy (former Lok Ayukta of AP), Justice Jagannadha Raju (former Lok Ayuktha of AP) and others participated. The participants were very positive about the proposed legislation and heralded it as a step in the right direction and offered very constructive suggestions to improve on the draft Bill. A committee comprising Justice Lakshmana Rao, Justice Chalapathi, Justice Seetharama Reddy, Justice Jagannadha Raju, Sri KSN Murthy and Dr Jayaprakash Narayan was entrusted with the task of considering the different suggestions received and revising the draft accordingly. The committee met a number of times over the following weeks and after intense deliberations finalized the draft legislation. LOK SATTA intends to approach the government, political parties and the High Court to seek broad support for this legislation. We will also make all efforts to build broad public support for this initiative. At the national level also we aim to make this a major advocacy issue for other states. The draft can be accessed at [www.loksatta.org/draftlocalcourts.pdf](http://www.loksatta.org/draftlocalcourts.pdf).

### New Publications

Ms Deepa Varma, a political science major from Emory University, USA, has interned with us for the past 6 months. During her internship, she worked on the composition of political parties and the existing representational distortions. Her paper "*Good governance through diversity : Mixed Member Representation in India*" written under the guidance of Dr Jayaprakash Narayan established the hypothesis that the political process is closed excepting for a select few with the help of empirical data. Ms Deepa will be starting law school at Georgetown University this coming fall and all of us at LOK SATTA wish her the best.

*Local Courts - An Idea Whose Time Has Come : This paper authored by Dr Jayaprakash Narayan looks at the status of justice delivery in India, contrasts it with systems in other major democracies and makes a compelling case for creation of a new tier of local courts to ensure speedy and accessible justice. The paper can be accessed at [www.loksatta.org/gnyayalaya.pdf](http://www.loksatta.org/gnyayalaya.pdf)*

## Federation for empowerment of local governments formed

On LOK SATTAs initiative, elected heads of local governments at various levels, senior leaders who served as former local government heads and representatives from civil society got together on the 23<sup>rd</sup> of February in Hyderabad and formed a Federation for Empowerment of Local Governments (FELG). Approximately 400 representatives from across the state cutting across party lines participated in the daylong deliberations.

The delegates were addressed by a number of senior local government leaders. The delegates appointed a committee to finalize the articles of association for registration of the federation as a society. The delegates have also elected zonal coordinators along with a coordination committee for running the day-to-day affairs. The delegates have unanimously elected Dr Jayaprakash Narayan as the coordinator of the federation and Sri DVVS Varma as the secretary.

The delegates debated and approved the plan of action for the campaign to empower local governments in a phased manner. The primary objective of this campaign is to make people aware of the relevance of local governments in addressing their day-to-day concerns. Also redefinition of state, making school education, health care and sanitation the major issues of governance is identified as a key objective. Accountability of elected governments is made the center-piece of the overall strategy. People's participation and collective assertion are therefore emphasized in the campaign. Finally, the campaign seeks to establish the links between the people's vote and public good, authority and accountability, and taxes and public services. In order to accomplish these objectives, grassroots campaign for mobilization of public opinion, identification and adoption of best practices in other states and all over the world, and strong advocacy for empowerment of local governments are fused together into a seamless whole.

The FELG campaign has picked up steam in the past few months. Senior local government leaders from various political parties interacted with elected grass roots members of panchayats across the state to mobilize support for the campaign. The FELG will shortly be embarking on a drive to collect one crore signatures in support of its charter of demands which will be presented to the Governor in a major public rally proposed to be held on the 9<sup>th</sup> of August in Hyderabad.

## Power sector reforms - LOK SATTAs insists on setting performance standards

Ever since power sector reforms commenced in Andhra Pradesh and the Electricity Regulatory Commission was constituted, LOK SATTAs has endeavoured to assist the authorities concerned to improve the performance of the electricity sector and enable the consumers to have good quality power supply at a reasonable price. The Regulatory Commission has so far issued three Tariff Orders for 2000-01, 2001-02 and 2002-03 finalising the tariffs for the respective years and issuing directives to the licensees to improve their performance. Unfortunately, though the licensees have been making efforts, the results are hardly encouraging. Many directives of the Commission were not complied with. As such, last year, CORE (Consumer Organization for Reforms in Electricity) of LOK SATTAs filed an appeal against the last Tariff Order in the High Court of A.P. The appeal is still pending.

In the meantime, the proposal of the licensees for the year 2003-04 has been received and objections if any are to be filed by 3<sup>rd</sup> Feb. 2003. If we follow the previous practice of merely raising objections and being heard at Public Hearings, the Commission will continue to pass Tariff Orders with Directives. But these will remain ineffective as before. LOK SATTAs has therefore decided to insist on the Commission setting reasonable standards of performance such as, Losses, Interruptions, Voltage fluctuations, prompt consumer service etc. and offer to the Licensees incentive for exceeding the standards set and impose severe penalties for failure to achieve. Fortunately, there is a Supreme Court judgment, which gives us hope that such a course of action may be possible.

Purchase of Power accounts for 70 % of the cost of electricity supply. LOK SATTAs has last year objected to the approval of four gas based private power projects, unless the long term government policy in regard to gas price is in place and its availability is insured. As otherwise, consumers of Andhra Pradesh may have to bear the brunt of escalating gas prices in the coming years. There is real risk of gas prices doubling or trebling in the near future as decontrolling takes effect fully.

LOK SATTAs has just now embarked on setting up four pilot projects in East and West Godavari, Guntur and Krishna Districts to demonstrate how distribution systems can be made more efficient and consumer friendly with a single point responsibility of a franchisee, working in tandem with LOK SATTAs volunteers and the consumers of the area, particularly, the farmers. Sri S R Vijayakar, (former secretary, Government of India) one of the foremost experts on power sector in India and Sri Madanmohan (retd. Engineer, APSEB) are spearheading LOK SATTAs efforts in this sector.

## Health care initiative

As reported in January's News letter, LOK SATTAs along with Co-operative Development Foundation (CDF) is in the process of setting up a primary healthcare project in 20 villages surrounding Mulkanoor in Karimnagar district of Andhra Pradesh. Dr Arole visited Mulkanoor in the last week of March and interacted with LOK SATTAs and CDF members in detail. LOK SATTAs along with CDF has presented a proposal to the government for taking over the existing public health infrastructure in the project area, which was favourably received. Upon formal clearance from the government, the project work will be initiated.

## Visitors

Sri Rao Chalasani, President of Foundation for Democratic Reforms in India (FDRI) was with us in February and took part in many of our activities during the course of the month.

We were privileged to have Ambassador Karen Fogg, Secretary general of IDEA (Institute for Democracy and Electoral Assistance) and her colleague Mrs Sakuntala Kadirgamar with us in March 2003. Both of them had extensive interaction with core team of LOK SATTAs and explored possible areas of cooperation in enhancing democracy in South Asia region.

Sri Sudipt Sen, Smt Bhavana Sen and Sri Mayank Gandhi of K-west citizen's association, Mumbai visited LOK SATTAs in April and spent two days interacting with various members of our team. They held intensive discussions on LOK SATTAs philosophy, strategies, experiences and exchanged ideas on how to go about launching a similar citizen's initiative in Mumbai.

## Invited lectures, seminars and workshops

Invited to participate in the Council of Asian Liberals and Democrats (CALD) conference on **Wealth Creation and Sustainable Development - A Liberal Democratic Agenda** held at Colombo, Sri Lanka.

Invited to participate in the World Bank's **Annual Bank Conference on Development Economics (ABCDE)** held in Bangalore.

**In Pursuit of Democratic Reforms - LOK SATTA's Experiences:** invited speaker at the First National workshop on Electoral Reforms and Right to Information held at Ahmedabad

**Civil Society and Governance - LOK SATTA's Experience in Election Watch:** invited speaker at the National Conference on Best Practices in Advocacy for Good Governance in India held at Bangalore

Invited speaker at the volunteer appreciation week of **Janaagraha** in Bangalore.

LOK SATTA was invited to be a member of the **City Development Strategy (CDS)**, a working group constituted to come up with concrete recommendations for improving the quality of life in Hyderabad.

**Local Courts - An Idea Whose Time Has Come** : invited speaker at the All India Seminar on Justice organized by Supreme Courts Advocates on Record Association, New Delhi

**Transparency and Accountability in Service Delivery** : invited speaker at the International Conference on Reforms in Indian Administration, organized by Centre for Study of Law and Governance, JNU, New Delhi.

Made a presentation on **Election Watch** to Delhi based members of the National Campaign for Electoral Reforms (NCER), New Delhi.

**Electoral Reforms, Impacting Politics of India** : invited speaker at a panel discussion hosted by the India Habitat Centre, New Delhi.

LOK SATTA was invited to address the participants at the AGM of **Consumer Coordination Council** in New Delhi.

**Governance That Indians Deserve** : invited speaker at a symposium organized by Indian Merchants Chamber in Mumbai.

**IEEE Student Congress** : invited speaker at the annual congress organized by Institute of Electrical and Electronics Engineers (IEEE) Hyderabad Chapter.

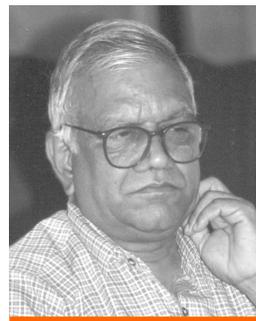
**Governance and Electoral Reforms** : invited speaker at a workshop for mid level IAS officers at Administrative Staff College of India, Hyderabad.

**Institutional Ethics** : invited speaker at a symposium held by ASCI, Hyderabad.

Dr Jayaprakash Narayan was invited to inaugurate the state convention of **Citizen's Action Network** in Trichy, Tamilnadu.

**Dr Narayan** was invited by the government of Netherlands to participate in a seminar on Globalization held in Amsetrdam to commemorate the 400<sup>th</sup> anniversary of Indo-Dutch trade relations.

## People Behind - profile of Sri DVVS Varma



LOK SATTA is privileged to have the services of Sri DVVS Varma. Sri Varma aged 56 years is a person of considerable distinction and great experience in community work. His credibility, commitment and organizational ability are of an exceptionally high order.

Sri Varma has been an active member of the Communist movement in AP for more than 2 decades and worked at the grass roots level. After quitting the communist party in the mid 90's, Sri Varma continued to work in the areas of primary education and sanitation, two issues that are dear to his heart. Sri Varma lives in Tanuku, West Godavari district along with his wife and two children.

Under the able leadership of Sri Varma, LOK SATTA expanded its reach into all 23 districts of Andhra Pradesh and currently has primary units in almost every mandal of the state. The campaign for candidate disclosures led by Sri Varma culminating with the "People's Ballot" was hugely successful and caught the imagination of the people of the state. Sri Varma is currently LOK SATTA's campaign coordinator for Andhra Pradesh.

## Your Contributions Can Make A Difference

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