

PROPOSITIONS

Lordships, this matter is about (18) reported cases of RTI. activists being killed and (08) reported cases of murderous attacks, since (14-01-2010) and all instances reflected well in this petition. The act. does not provide for even limited masking of the identity of the applicants and hence, the wrong doers, are able to – identify the applicants, when such query is initiated and thereafter intend to harm the well being of the applicant. Since the wrong doers, are normally powerful entities, either belonging to the legislature or the executive and the applicants normally being – Public Spirited Citizens, with limited means, the probability of an effective defense is minimized. However if the identity of the applicant, can be masked, through provision of initiation of queries, by post box service of India Posts, under Government of India – then it will act as, an effective deterrent, to ensure the safety of life, of RTI. applicants. In fact if the government is worried about the misuse, then it is beyond doubt, that tracking a post box is much easier than tracking an individual. It is for the wrong doers to get worried and not the constitutional bodies, who have the constitutional duty to protect the lives of the citizens and since constitutionalism should be reflected in every state action, the present prayers ought to be granted.

The right to peaceful and safe environment is one of the tenets of right to life. The purpose underneath this constitutional right given to an individual, is for protecting public interest and every endeavour should be made by State to create a peaceful and safe society/environment to live in.

The role of judiciary as mentioned, in the Beijing Statement of Principles of the Independence of the judiciary in the LAW ASIA region and accepted by the Chief Justices of the Asia and the Pacific at Beijing in (1995) as those representing the minimum standards necessary to be observed in order to maintain the independence and effective functioning of the judiciary -

The objectives of the judiciary mentioned in the Beijing Statement are:

(a) to ensure that all persons are able to live securely under the Rule of Law;

(b) to promote, within the proper limits of the judicial function, the observance and the attainment of human rights.

The governments might argue that, they have been making sincere efforts all along but if they are not delivering targeted results – then for sure policies have to be reworked & redeployed. Citizens cannot be enslaved, by the inefficiencies, of the governing class.

The grounds taken by the petitioner herein have not been taken in any of the petitions and no court had the benefit of hearing the issue in the light of the grounds dealt herein.

01]] MEDIA ARTICLES TO BE CONSIDERED AS EVIDENCE - PAGE - (28); PARA - (04).

02]] VERY IMPORTANT FACTS -

A)) ACTIVIST MURDER - PAGE - (09/10/14/15/17/18//21/22/24/26/28).

B)) AS PER UNITED NATION'S REPORT, ON THE COUNTRY'S COMPLIANCE WITH THE - UN CONVENTION AGAINST CORRUPTION, WHICH INDIA HAD RATIFIED IN MAY 2011, ALTHOUGH INDIA HAS A LAW ON PUBLIC INTEREST DISCLOSURE, BUT IT DOES NOT OFFER ANY PROTECTION, TO THE WHISTLEBLOWER OR HIS RELATIVES - PAGE - (27); PARA - (05); ANNEX - (114).

C)) CRIME STATISTICS ARE LOWER THAN INCIDENCE BECAUSE POLICEMEN ARE RELUCTANT TO REGISTER F.I.R. THE STUDY WAS CONDUCTED IN NORTH BENGAL BY THE SUPERINTENDENT OF POLICE AND REFLECTED THAT THE NUMBER OF RECORDED CASES OF CRIME WENT UP BY MORE THAN (400%) AFTER REGISTRATION OF F.I.R.S WAS MADE MANDATORY - PAGE - (11); PARA - (04); ANNEX - (53).

D)) AGAINST A SANCTIONED STRENGTH OF (173.5) POLICE PERSONNEL FOR EVERY (01) LAC OF CITIZENS, THE ACTUAL STRENGTH IS ONLY (131.4). WHEREAS THERE ARE (03) COPS TO PROTECT EACH V.I.P. THERE IS ONLY (01) POLICEMAN FOR (761) CITIZENS. ITALY HAS (559), MEXICO HAS (491.8), JAPAN HAS (303), GERMANY (298) & NEPAL

IN (2002) HAD (192.7) – POLICE PERSONNEL FOR EVERY (01) LAC OF POPULATION. ACCOUNTING FOR THE SHORTAGE OF POLICE PERSONNEL WE NEED TO INCORPORATE FIRST LEVEL DETERRENTS (**WHERE EVER POSSIBLE**) TO REDUCE INSTANCES OF CRIMES AGAINST HELPLESS CITIZENS - PAGE – (16); PARA – (03); ANNEX – (62).

E)) INDIA'S RANK HAS FALLEN SEVEN POINTS ON THE GLOBAL PEACE INDEX (**GPI**) (2011), WHICH RANKS COUNTRIES ACCORDING TO HOW PEACEFUL THEY ARE. INDIA NOW RANKS (135) OUT OF (153) COUNTRIES. WE ARE NOW AMONGST THE (20) LEAST PEACEFUL NATIONS IN THE WORLD, ALONG WITH COUNTRIES SUCH AS PAKISTAN AND AFGHANISTAN.

AT RANK (80). "INDIA'S SCORE REMAINS THE SAME ON MOST PARAMETERS USED TO MEASURE PEACEFULNESS. HOMICIDE AND CRIME RATES IN INDIA, TOO, ARE A LOT LOWER THAN MANY OTHER COUNTRIES. THE FALL IN RANKINGS IS LARGELY DUE TO AN INCREASING PERCEPTION OF CRIMINALITY IN SOCIETY," - PAGE – (20); PARA – (01); ANNEX – (70).

F)) TRANSPARENCY INTERNATIONAL CORRUPTION INDEX INDIA DROPS TO 95TH POSITION" !! THE ARTICLE REFLECTS THAT HOW, IN A REAFFIRMATION OF THE GENERAL PERCEPTION, INDIA HAS DROPPED 11 PLACES TO BE RANKED 95TH IN THE TRANSPARENCY INTERNATIONAL CORRUPTION INDEX - PAGE – (23); PARA – (07); ANNEX – (84).

G)) BECAUSE IT IS THE DUTY OF THE JUDICIAL CONSTITUENT OF THE STATE, LIKE ITS POLITICAL AND EXECUTIVE CONSTITUENTS, TO PROTECT THE RIGHTS OF EVERY CITIZEN.

H)) BECAUSE CONSTITUTIONALISM MUST BE REFLECTED IN EVERY STATE ACTION.

I)) BECAUSE IN THE PRESENT CASE THE PETITIONER IS ONLY SEEKING TO INCORPORATE MEASURES WHICH WOULD ACT AS A FIRST LEVEL DETERRENT TOWARDS COMMISSION OF MULTIPLE CRIMES AGAINST PUBLIC SPIRITED CITIZENS OF INDIA, WHO EXPOSE WRONG DOINGS WHICH ARE DETRIMENTAL TO NATIONAL INTEREST.

J)) BECAUSE THE ATTACKS ON ACTIVISTS LOWERS THE MORALE OF PUBLIC SPIRITED CITIZENS AND SOCIAL ACTIVISTS AND HENCE HELPS THE CORRUPT AND CRIMINALLY INCLINED, TO CARRY THEIR ACTIVITIES IN FULL PUBLIC GLARE.

K)) BECAUSE THE NUMBER OF PUBLIC SPIRITED CITIZENS IN THE NATION ARE SCARCE AND ALL EFFORTS NEED TO BE ENSURED TO PROTECT THEIR VALUABLE LIFE.

L)) BECAUSE POLICY DECISIONS NEED NOT BE PLACED BEFORE THE PARLIAMENT AND ONLY WHEN A LAW IS ENACTED ON BASIS OF POLICY IT IS REQUIRED TO BE PLACED IN PARLIAMENT.

M)) BECAUSE WE ARE ASKING FOR MODIFICATION AND IMPLEMENTATION OF POLICY AND FOR THE SAME NO NEW LAWS NEED TO BE FRAMED.

N)) BECAUSE THE RESPONDENTS LACK OF SERIOUSNESS, HAS LEAD TO SUCH AN ALARMING SITUATION, THAT THEY ARE REQUIRED TO CONTAIN IT.

O)) BECAUSE THE RESPONDENTS CAN VERY WELL FORMULATE GUIDELINES, POLICIES, NOTIFICATIONS AND INSTRUCT TO EXECUTE WHAT IS BEING PRAYED.