

Dated :

To,

Respected Sir,

Through this Public Interest Litigation (PIL) we would request the Central Government to make provision of twenty four hours live audiovisual coverage of the activities of the elected candidates available through dedicated individual website of each elected candidate. This single step would greatly help in the attainment of the following objectives to which the Government is already committed to.

- (a) That the citizens have a right to know about the affairs of the Government which has been elected by them.
- (b) That there should be provisions to ensure maximum disclosure and minimum exemptions consistent with the constitutional provisions and effective mechanism for access to information and disclosure by authorities.
- (c) That this is the new democratic culture of an open society towards which every liberal democracy is moving and our country is no exception. (In fact, we believe that our country can, and should, provide the lead to other democracies in this regard.)
- (d) That educational programmes should be developed and organised for the public in general and the disadvantaged communities in particular, on their right to information.
- (e) That a democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed.

We admit Sir, that, in order to achieve the above mentioned objectives, the Right to Information Act, 2005 and the Freedom of Information Act, 2002 before that have been commendable steps. But, having said that, we would like to suggest an alternate methodology to achieve the above mentioned objectives than the one adopted in the Right to Information Act, 2005. This methodology, we believe, would be much more effective in helping us achieve these objectives.

Sir, we have enumerated below the various points which, we believe, are the deficiencies in the present Right to Information Act and tried to explain how our suggested alternate methodology would conveniently act to remove these

deficiencies. Our methodology will help in the attainment of larger public interest in several ways mentioned below, which the present RTI Act is unable to do.

- (1) Majority of the Indian population is uneducated. Written documents have no meaning for them. But all individuals can understand what they see and hear. Therein lies the value of live audiovisual monitoring accessible through internet on a computer, mobile phone or television.
- (2) Information seeking process under the RTI Act comes into effect in a retrospective fashion. It does not have a direct preventive value against undesirable behaviour. Twenty four hours live monitoring acts as a direct psychological deterrent for undesirable acts while at the same time promoting desirable behaviour among the elected candidates.
- (3) For the people, the RTI Act has a very limited access and very limited scope. In the present RTI Act, information is only available to those who have the requisite knowledge of the Act and to those who can manage to submit the forms and then follow them up.

On the other hand, twenty four hours online information on website is available to all and covers all activities of elected candidates. With the Government aiming to provide computers in all villages, and with wide availability of mobile phones, people can see the functioning of the elected candidates sitting in their village / home.

- (4) Twenty four hours availability of information on website of activities of elected candidates would act as a bridge between the people and the elected candidates establishing the vital link that was missing so far and redressing the commonest grudge of the people today that they have no information on the working of the elected candidates post-election.
- (5) Reluctance of responsible individuals to part with information can be gauged from the large enforcement paraphernalia under the RTI Act. Twenty four hours online monitoring uniformly applicable by law overcomes this reluctance.
- (6) The present Act exposes the individual / group of individuals, seeking information. Majority of people shun such exposure and choose not to seek information instead. Twenty four hours online monitoring would be available on website to all sitting in the privacy of their home / cybercafe etc.
- (7) Guiding principles of the present suggestion are same as that of the RTI Act. Only possible criticism can be the resort to right of privacy by elected candidates. However, overwhelming public interest overrides this right. Information is not exempt from disclosure when public interest in disclosure outweighs the harm to the protected interests. Provision can, of course, be made to exclude the intimate life of concerned individuals and visit to toilets, etc. while maintaining the comprehensiveness of coverage.

Some elected candidates may seek exemption from this round the clock direct monitoring by People as they are working under an oath of secrecy. However, this secrecy oath is preceded by, and overridden by, their oath of faith and allegiance to the Indian Constitution, and thereby to the Indian People. Constant monitoring by the People is essential to ensure that these

elected candidates are not 'secretly' breaking their faith and allegiance oath under garb of secrecy oath. The Indian Constitution itself warns against having blind faith in elected candidates by giving extreme importance to the guarding of Public Purse from them. Even the matter of 'defence secrets' has ceased to be of much value in these days of spy satellites, stealth planes, AWACS etc., when even the minutest details of defence matters are already known the world over. Besides, there is enough wisdom prevailing among the Indian Citizens to be able to responsibly decide as to what may, and what may not, be openly discussed and, importantly how to screen some audio or audiovisual information WITHOUT COMPROMISING COMPREHENSIVENESS OF MONITORING OF ELECTED CANDIDATES DIRECTLY BY THE PEOPLE. This would also help in ensuring that it is the 'Public interest' and not 'Political interest of the elected candidates' which guides decision making in all, including security, matters.

- (8) India should be a world leader as a democracy not merely based on its numerical strength but also by taking initiatives like twenty four hours online audiovisual coverage of elected candidates which can act to strengthen roots of democracy and which other world democracies can emulate.
- (9) Implementation of the present Act is a case of high cost – low return in meeting its objectives. Elaborate staff is required yet benefit accrues to only those who ask for information.

Twenty four hours online audiovisual monitoring through individual websites of all elected candidates would provide information to entire Indian population having access to internet connection through a computer, television or mobile phone and with much less staff requirement.

- (10) RTI Act in itself has very low education value. Twenty four hours online live coverage of the activities of elected candidates educates public about nitty gritty of working of democracy and is similar to live coverage of activities of Lok Sabha / Rajya Sabha but much larger in its scope and ambit. Transparency provided by live coverage can act as a real confidence building measure between public and its elected candidates.
- (11) In a democracy, the people elect persons in local and central bodies who run the administration on behalf of the people and are answerable to the people. As a natural corollary, for any information about the functioning of the government, these elected candidates should be in a position to act as a via media for their constituencies. The fact that under the present RTI Act, people have to approach officers of various public authorities who are not directly answerable to them suggests that the elected candidates are either not accessible to the people who have elected them or are unable to do the needful for some reason. This adds to the common, and for any democracy, harmful grudge of the people that, having elected the candidate for five years, they are totally blind to the activities of that person till next election. This vital link having been thus broken, people are left at the mercy of officers for addressing their grievances. But, these officers are not answerable to them and, therefore, morally indifferent towards them.

Twenty four hours live audiovisual coverage of the activities of all elected candidates through dedicated individual websites would act to restore this

vital link between the people and their elected candidates. An elected candidate, helped by his / her clerical staff, seeking information for the people of his / her constituency from officers who are answerable directly / indirectly to him / her, while being visible on website to all, is a much better scenario and tells us how things should be in a true democracy.

- (12) Twenty four hours live audiovisual monitoring by people has the potential to prevent elected candidates from being pressurised and harassed by shady characters to perform, or help perform, illegal jobs. Also, it would prevent large number of influential persons of the constituency, sycophants, flatterers, friends and relatives of the elected candidate from crowding around him/her with inappropriate demands.

The precious time thus saved can be utilized for solving the real problems of the overwhelming silent majority of people.

- (13) Besides the obvious advantages of twenty four hours live audiovisual monitoring by people of the activities of elected candidates in fields of enhancing education and information of the people, its utility as a mechanism to PREVENT CORRUPTION also has a great potential. All Government agencies which are supposed to supervise the elected candidates in this regard have been acting in a reactive rather than PROACTIVE mode. This can very well be understood because these agencies would naturally be reluctant to act against their MASTERS who have appointed them. As one proof of this fact, we can recall that no elected candidate was apprehended by them for accepting bribe to ask question in Parliament. It were only the sting operations by the media which brought such acts to light.
- (14) That the great visionaries who framed our Constitution could not foresee such an eventuality where the people, once having elected their candidates to serve them, were left with no foolproof mechanism to supervise their activities thereafter, is difficult to believe. It was probably the non-availability of such technological gadgets, as are so freely available today, that came in the way of their incorporating such a versatile, faith-building and foundation buttressing mechanism as twenty four hours live audiovisual monitoring by people themselves, in the Constitution.
- (15) Justice should not only be done, it should also appear to have been done. Is there a better way to ensure that elected candidates do justice to their responsibilities towards the people who have elected them than their twenty four hours live audiovisual monitoring by people?
- (16) There is a dire need to guard elected candidates from 'poaching' by opposition parties which gives the impression to the people that they are saleable commodities. Their twenty four hours live audiovisual monitoring by people would prevent such ridiculous happenings from taking place.
- (17) Why Public Grievance Commissions fail to meet the aspirations of the people at large and are not an effective substitute for twenty four hours live audiovisual monitoring of elected candidates by people ? Mentioned below are the major reasons in this regard.

- (a) Questions as regards non-implementation of electoral promises made to the people can only be answered by elected candidates themselves.
- (b) Various 'Parde Ke Peechey' alleged acts of omission and commission by the elected candidates cannot be addressed by these Grievance Commissions as they leave no proof as of now due to absence of any effective surveillance mechanism. The conduct of elected candidates must be above suspicion and only their twenty four hours live audiovisual monitoring by people can ensure that.
- (c) Several grievances of the people that need decision at the political level cannot be addressed by bureaucrats manning the Grievance Commissions.
- (d) Bureaucrats manning the Grievance Commissions cannot be expected to advise, let alone reprimand, their masters the politicians, for any instances of wrong doing on their part.
- (e) Of course, one cannot expect the Grievance Commissions to act as a mechanism to provide 'education' and 'information' to the people through telecast of the activities of the elected candidates.
- (f) Nothing can match the transparency provided by audiovisual feedback to people round the clock of the elected candidates. In fact, transparent behaviour on part of bureaucrats can be demanded by the politicians who appoint them and not by the people whose only and tender link to the administration is by the person whom they have elected and over whom they can hope to exert such right.
- (g) Nothing can also match the quickness of redressal of grievances as compared with that of twenty four hour audiovisual coverage of activities of the elected candidates which is 'real time'.

Public Grievance Commission may take several weeks to several months just to inform that one may approach such and such department with the complaint, that is, if one is still left with the patience to do so. In fact, one needs to have UNLIMITED PATIENCE AND UNLIMITED DETERMINATION if one expects to get his/her complaint redressed by existing mechanism.

On the other hand, any complaint once made to an elected candidate in front of his/her entire vote bank then becomes the responsibility of the staff of that candidate to follow up to its ultimate redressal and then to inform the complainant through the elected candidate.

Thus, nothing can match such mechanism of grievance redressal in being easy for the people also.

- (18) Twenty four hours live audiovisual monitoring by people of the elected candidates would also serve the people in another regard. It will help ensure that Democracy is followed properly in letter and spirit and will help in setting

right the equation between the electors and the elected candidates in a Democratic setup. Lack of knowledge and understanding of the proper meaning of the word Democracy has led to serious, and for the people, harmful, distortions in the process of governance. Whereas Democracy means rule by the people where the people are the real masters, in practice what is followed is an absolute negation of this sense. Hence, in media, in political circles and often in legal parlance, one can find use of terms and phrases like

So and so party has **come to power**.

So and so party **'enjoys' power**.

Corridors of power.

People **'ruled by'** so and so party.

Unfortunately, without realizing the damaging effect this sort of language has on the psychology of the elected candidates, infact turning the master-servant relationship between the people and the elected candidates topsy-turvy, the people themselves have been using it. What one needs to consider is 'power upon whom?' and 'power by whom?'. Whereas Democracy means that power is ultimately vested in the people, the above terms and phrases indicate just the contrary i.e., power is wielded by the elected candidates over and often against the people. In our opinion, the above distortion would stand automatically corrected if the words **'holding' or 'enjoying power'** are replaced by **'being in position to serve the people'** or being the chief **'server'** of the people.

It is not surprising that, inspite of being the servants of the people under oath, the elected candidates prefer being called a **नेता**, i.e., a leader or a master rather than a **जनसेवक**, i.e., a follower or a servant of the people. As the same person cannot be both the master as well as the servant of the people, this has led to an anomalous situation to the great disadvantage of the people. Arising partly out of lack of knowledge of Indian people about their real status as masters in a democracy and partly because of their lack of assertiveness in not objecting when the persons who are supposed to serve them instead call themselves their masters, the Indian people find that, inspite of being the bonafide masters of the nation, the elected candidates do not feel obliged to consider them to be so in letter and spirit. This, infact, has led to the perpetuation of the servile status of Indian people which has been existing through centuries under one or the other monarch or under the British rule. This has also led to the non-development of work-culture in our country as the persons who are supposed to do maximum work in a democratic setup being the elected candidates for serving people end up shouldering practically no responsibility towards addressing the grievances and aspirations of the people who have elected them, finding justification for this inaction in their status as **नेता** of the people. Another factor which takes the elected candidates away from their duty of serving the people electing them is that 'Winning' the election or 'Capturing' the election seat is not taken as 'Selection' by the People to serve them but as a 'Personal Triumph' to be

rewarded later by 'Enjoyment of Power'. However, twenty four hours live audiovisual monitoring by people of the elected candidates would help in rectifying this situation as this would help the people in ensuring that the elected candidates are following the oath to serve them in letter and spirit.

Even the terminology used for the Head of Government in Indian Democracy in both Hindi and English gives the meaning which, in English, is incomplete and, in Hindi, just the opposite of its intended meaning. The word 'President' does not specify whether it is signifying President as a Server as it should be in a Democracy or President as an Owner as it would be in a Monarchy. But the choice of word **राष्ट्रपति** leaves no doubt that it means the person holding the title is the Master or Owner of the Nation akin to a Monarch (the word **पति** meaning a 'Master'). In that sense, everybody in the Nation, be it the people, the elected candidates, the bureaucracy, the judiciary etc., exist to serve that person. This, in fact, is totally contrary to the form of Government intended in a Democracy where the People are the Owners and everybody else in the Government apparatus is there to serve the Owners. Therefore, we suggest the alternate term **प्रधान जनसेवक** for **राष्ट्रपति** and 'Primary Server' for 'President' so that the master- servant relationship in our Democracy stands clarified. Similarly, **जनसेवा पथ** and **जनसेवा निवास** are more appropriate terms in a Democracy for **राजपथ** and **राजनिवास** which mean a Ruler's Path and a Ruler's House. **जनसेवा नगर**, **जनसेवा खंड** and **जनस्वः** are Democratic substitutes in Hindi for **राजधानी**, **राज्य** and **राजस्वः** which mean a Ruler's City, Area that can be Ruled and a Ruler's Property respectively. **लोकधन** (Public Money) is more democratic than **सरकारी खज़ाना** (Government treasury). The terminology as it exists today is appropriate for a **राजतंत्र** (meaning a Monarchy or Dictatorship) rather than **जनतंत्र** (meaning a Democracy). Infact, the very meaning of the word Politics as understood by elected candidates in a Democracy should be **जनसेवा नीति** and not **राजनीति** which may have been appropriate in a **राजतंत्र**. Similarly, the term **पंचायती सेवा** would be much more compatible with intended Democratic nature of a **पंचायत** than **पंचायती राज**. **५लोकसेवा पालिका** (People's servers) is a Democratic substitute for the word **लोक पालिका** (People's overlord or protector) and **नागरिक सेवा पालिका** is better Democratically than **नगर पालिका 'प्रबन्ध-कार्य'** is Democratic alternative of '**प्रदासन**'.

We also suggest that the phrase 'Rule of Law' is replaced by 'Strict enforcement of Law' in the setup of Indian Democracy. This is because, besides its obvious meaning of strict enforcement of Law, the phrase 'Rule of Law' theoretically may also suggest that the Law makers and Law enforcers are also the Rulers of Indian Nation whereas the only Rulers

in Indian Democracy are its People. Thus, the use of precise words 'Strict enforcement of Law' would help in avoiding this theoretical confrontation with the authority of the Indian People in Indian Democracy. Similarly, terms like 'Rules' and 'Regulations' have, etymologically, imperialistic connotation and may, therefore, be avoided in a democratic setup like ours more so when there are more acceptable terms like 'Laws', 'Norms', 'Articles', 'Clauses', 'Standards', 'Checks', 'Controls', 'Instructions', 'Guidelines', 'Directions', 'Jurisdiction' and 'Restrictions' available that maybe used.

It seems some anomalies have been present in the language used in our Constitution, which in turn has borrowed heavily from the language of the democratic Constitutions abroad and those Constitutions apparently having retained vestiges of the language used in the feudal eras. Thus, instead of referring to the elected candidates (legislature), the executive and the judiciary as being in position to serve the people, they are referred to as the three wings who hold power on the people. So much so that it often becomes a question of demarcation or separation of power between the three, while the people, the real holders of power in a Democracy, get ignored.

Such erroneous use of language when referring to the relation between the people and the elected candidates has the potential of turning the head of any individual who, once having been elected and 'coming to power', may be constrained to think on the lines of 'what has power to do with service?'

The people who have elected him/her and are his/her masters, may become in his/her view, the subjects. As things stand today, apart from the election time, for the remaining five years, there is no way open to the people to assert their position as the real masters and the real holders of power. Twenty four hours live audiovisual monitoring of the elected candidates by the people would act as a constant reminder to them as to who the real master is and the purpose for which they have been elected i.e., to serve the people and not to enjoy power.

Infact, the elected candidates lose no opportunity of openly flouting the Constitutional status of the People as owners of the Great Indian Democracy by having themselves designated as V.I.P.s or *गणमान्य व्यक्ति* vis. a vis. the status of People as 'ordinary' or *आम आदमी*. One has to only have a glance at 'Public' places like airports where a list of V.I.P.s exempt from security checkup has been put up. One may be excused if this gives one a 'déjà vu' feeling reminding one of the 'British Raj'. Even though the servants of the People, the elected candidates, would have no qualms about being addressed as 'honourable' by their electing People, one would rarely, if ever, hear a politician using words like 'the honourable People of India' for his Masters.

Even though the Indian People are the Ultimate authority under the Indian Constitution, time and again we find examples where the elected candidates have tried to equate themselves, or more often, treat themselves as being superior to the People. Why else is the building where the servants of the People, the elected candidates and members of 'Lok' Sabha called the 'House of People' and, why in fact, is such a gathering called 'Lok' Sabha ?

Why not 'House of servants of People' and 'Loksewak' Sabha ? For the Indian People, the entire country is their House, being the Ultimate authority and the owners of the Nation.

Use of the words 'The Representation of the People Act' for the Act that covers the elections of the candidates by the People is also such an example. The People may very well ask, for what purpose are they electing the candidates? The clear answer is, to be served for the various needs of the People by these candidates. Now, what has 'REPRESENTATION' to do with this service ? Why do the People need to be represented? In front of whom do the People need to be represented? The elected candidates may answer that they represent People in the Parliament and State Assemblies. Now, who holds the superior status out of the two, the People, the givers of the Constitution under which the People elect candidates or these candidates gathered in Parliament and Assembly Halls? Why would the People need to be represented in front of a subordinate body? This may have been a necessity under the British Raj where the Indian People were the subjects of the British Monarchy. But, in the Independent Indian Democracy, Indian People themselves are the Rulers. Their elected candidates gathering in Parliament and Assemblies are there to serve them, not rule over them as if British Raj is being perpetuated. Such use of words appears to be a clever ploy to render Constitution (People) subordinate to Parliament, which is clearly undemocratic. By thus assuming an equal or superior status compared to the People, and thereby indulging in an Unconstitutional act (the Constitution calling the People, the Ultimate authority), the elected candidates have absolved themselves of their responsibility of being answerable and accountable to the People. Moreover, they have given the People no platform to voice their concern or objection against such Unconstitutional acts. Interestingly, they use the ploy of having been elected by the Ultimate authority, the People to seek immunity against any action by the Judiciary for their unlawful acts. In fact, on reading the nitty-gritty of the Constitution of India and the details of various Acts passed by the Parliament, a Citizen of India realizes that wherever the mention of 'Powers' and 'Functions' of the Parliament and the President of India are mentioned, no mention of the fact that they are holding those 'Powers' and performing those 'Functions' as rendering Service to the People of India is anywhere mentioned. Non-assertive nature of Indian People, contributed to by the non-availability of infrastructure where they can assert themselves at democratic interfaces, has led to practices where the elected candidates start behaving as the 'People' themselves virtually ignoring their presence after having got elected. One begins to hear statements like 'Voice of Parliament is the Voice of the People'. Acts of Parliament begin with the statement 'Be it enacted by Parliament in the particular year of Republic of India.....' where it should be phrased as 'As rendering service to the People of India, be it enacted by Parliament in the particular year of Republic of India'. We, as Citizens of India, strongly feel that the Status of the People of India as the 'Ultimate authority' under the Constitution need be mentioned EACH TIME and EVERY TIME such 'Powers' and 'Functions' of the Parliament, the President of India, State Assemblies, etc. are mentioned and the Preamble of the Indian Constitution may, if need be, invoked in this regard. The Phrase, 'AS RENDERING SERVICE TO THE PEOPLE OF INDIA', need precede each

'Power' and 'Function' of the Parliament, the President of India', State Assemblies etc. Besides, a map of India with the pictures of diverse Citizens of India contained within it should find place above the seats of the President of India and the Speakers of the Parliament and State Assemblies and various seat holders of the Indian Government as a constant reminder to the fact that it is the People of India, and no one else, who is the ULTIMATE AUTHORITY under the Constitution of India.

Thus, a much better choice for the 'The Representation of the People Act' would be 'The Service of the People Act'. If at all the word 'Representation' has to be used here, it maybe used in the context of the elected candidates representing the Parliament and the Assemblies before the People in capacity of being the servants of the People, not the other way round. The phrase would then become, 'The Representation TO the People Act' instead of 'The Representation OF the People Act'. When the People participate in the process of electing candidates, it is not a servile act on their part under instructions of the Parliament or the State Assembly but an assertion of their status as the Ultimate authority under the Constitution.

Interestingly, such acts of omission and commission committed by any person, which in other institutions in service of People, e.g. the Parliament, the Courts etc. would be considered as punishable Acts of Contempt, when committed by the elected candidates in their conduct towards the People, the owners of the Nation, go unnoticed. This has led to the anomalous situation of the Ultimate authority, the People, not getting the same respect which the Elected candidates and the Judiciary are themselves commanding. Our suggestion, once implemented, would help remove this anomaly by introducing the concept of 'Contempt of the People of India'.

- (19) It is a matter of common knowledge that wherever a Master-servant relationship exists, the Master judges the performance of the servants and awards or rewards those deserving of the honour. Various institutions that come up are named after the Masters. Such a Master-servant relationship exists in a Democracy between the People, the Masters and the elected candidates, the temporary servants. Accordingly, the People should be actually judging the performance of these elected candidates and rewarding the deserving ones. However, that is not what is presently happening in our country. All the civilian awards and rewards are decided and bestowed to the People directly or indirectly by the elected candidates. Time and again, the new institutions built by the Government are named after the elected candidates by elected candidates. This has been made possible due to the non-existence of the infrastructure where the People of India can assert themselves as an entity in flesh and blood separate from that of their servants, the elected candidates. Existence of live democratic interfaces can enable the people in this regard. In fact, in this matter the Great Indian Democracy can score over several Western Democracies where still it is the Monarchs who bestow several awards / rewards / medals to the People.
- (20) Twenty four hours live audiovisual monitoring by people of the elected candidates would not only help in putting a brake on the acts of misconduct on the part of elected candidates, it would, in fact, save them from false

allegations on which they waste lot of their time unnecessarily. This would be possible as their entire conduct has been visible to all at all times.

- (21) Twenty four hours live audiovisual monitoring by people of the elected candidates guards against the danger of middlemen in disseminating governmental information using the RTI Act. This it does so by establishing a direct contact with all the people at all times.
- (22) Twenty four hours live audiovisual monitoring by people of the elected candidates by the people would act as a means of synergisation of a flood of suggestions of national importance with the national think tank through their discussion at the democratic platform, i.e. the website of the elected candidate of the individual making the suggestion. Such suggestions, which otherwise never surface and are never debated because of lack of such a platform, can go a long way towards hastening national progress. Similarly, persons with extraordinary talent would immediately come under national gaze through these democratic platforms thus having the potential to benefit millions of people of our country without having to depend on media or NGOS and a large factor of chance for them to be noticed.
- (23) Twenty four hours live audiovisual monitoring by people of the elected candidates would provide an immediate, automatic and constant feedback of the effectiveness or otherwise of the various schemes declared by the Central and State Governments in benefitting the people at the grassroot level. If these schemes have failed, the reasons would be immediately visible whether it be the failure of the elected candidate to explain the details about the scheme to the people of his / her constituency, or the funds having dried out by the time they were supposed to reach the grassroot level for various reasons, or some technical reasons surfacing, which were unforeseen by the planners. Besides, for getting such information, the Government would not have to depend on claims and counterclaims by vested interests but would obtain it through the mouths of the beneficiaries, i.e. the people themselves.

Moreover, through realtime monitoring by the people, the various promises made in the manifestos of various political parties would be put to test everyday by the people as the activities of all the elected party functionaries would be transparent before the people at all times. Thus, party manifestos would cease to be mere formalities or rituals at the time of elections but promises for which the elected candidates would be held answerable and accountable everyday. Thus, the elected candidates will not be able to cite reasons like, "I have just got elected, therefore, need time to settle down" or "My term is soon going to be over, elect me again so that I can take the issue further", as the People would be keeping track of all the developments themselves on a day to day basis.

- (24) Democratic law has stressed the great importance of witnesses in practically all public events whether it be by their physical presence on occasions like marriage functions or appending their signatures on various agreements. All Judicial decisions are taken with due consideration to the statements of witnesses, where available.

As Twenty four hours live audiovisual monitoring by people of the activities of the elected candidates ensures that the entire electorate is witness to the conduct of all elected candidates at all times, this would, no doubt bring about responsible conduct and probity in public life.

As the conduct of all elected 'decision makers' would be monitored, having made any commitment to the people following debate and discussion at these democratic interfaces, they will not be able to back out behind the back of the people neither pass the buck as these commitments are being made in the 'line of decision' of Government apparatus.

- (25) All Indians are one. As co-owners of the great Indian Democracy, our destinies are tied together. Our suggestion, if implemented, would help in meeting the Constitutional goal of promoting amongst the Indian People, a feeling of fraternity. Monitoring of elected candidates would help in making certain that they work towards uniting the Indian people and not secretly working to the contrary. Monitoring would help in ensuring and building verifiable proof that, in independent India, unlike the divide and rule policy adopted by the dictatorial regimes prior to independence, the elected candidates work towards provision of equal opportunities for progress of all Indians, especially the deprived classes. The deprived classes must realize that elected candidates are not doing them any favour by providing them service or spending money for their wellbeing. The fact that, by virtue of being co-owners of the Nation, they have equal right to monitor utilisation of Public money even if they do not pay any taxes, should be known to them. They should understand that it is their brother and sister co-owners, who, by contributing to the Public exchequer by way of taxes, are working for their upliftment. By employing the divide and rule policy, the elected candidates have successfully, over the years, been able to divert the attention of the deprived classes away from their right of monitoring and more important task of ensuring the proper utilisation of Public money by these candidates. Non-transparent use of Public money over the past several decades has been the major cause of deprivation of deprived classes. Our suggested methodology would enable the deprived classes to understand the cause, as well as the remedy, for their deprivation and would go a long way towards removing prejudices sowed by politicians in the minds of some Indians that they are discriminated against by other Indians.
- (26) In fact, round the clock live democratic interfaces will help the People of India have a separate identity of their own in flesh and blood where they can monitor and guide the elected candidates. As givers of the Constitution of India and as the owners of the Indian Nation under the Constitution, the People would be able to thus establish their position separate from and above the elected candidates whom they elect to serve them for a period of five years at a time. Unable to monitor these elected candidates and as a result of Non-performance of these elected candidates, the Indian People have to bear the label of being 'among the most corrupt people of the world', 'among the least developed people of the world', 'among the least Olympic medal winners' etc. Frustrated by such a state of affairs, People start looking for various alternatives. Unfortunately, many fall prey to design of various violent anti-national groups. Some other start making attempts at electoral reforms

so that 'better' candidates get elected. But, the fact remains that until and unless elected candidates have to work in such circumstances where they are being constantly and directly monitored by People themselves, they cannot be trusted to deliver goods. Our present suggestion is an effort to enable Indian People to do so by the provision of requisite infrastructure to them.

- (27) Round the clock monitoring of the elected candidates directly by the people would prevent the distortion of the democratic process as described below.

Under the current system, decision making on vital issues by the elected candidates is apparently motivated by (i) Various individuals or groups influencing the elected candidates in various ways, (ii) Small groups of individuals resorting to formation of mobs, noisy protests and often violent means forcing elected candidates to accede to their often unjustified demands, to buy peace, and (iii) Catering to the special interests of committed voters of the elected candidates.

Overwhelming majority of the people, however, approach the elected candidates with their views individually, personally or by writing letters. As non-democratic considerations mentioned above weigh heavily on the mind of elected candidates, and as in the current system of governance, there is no way for the people to know that their opinion in fact is the opinion of the overwhelming majority, the elected candidates are able to get away with convincing each of these persons approaching individually that their view is a minority view. No surprise, therefore, that very frequently we find the elected candidates taking decisions clearly inimical to the national interest and passing these decisions to be for public welfare etc. Their direct round the clock monitoring by the people would thus help in strengthening and unifying all the Indian people and Indian Democracy while taking away the option of 'divide and rule' from the elected candidates.

- (28) 24 hours audiovisual monitoring of its elected candidates directly by the people would also help in avoiding the frequent development of situations of confrontation between the judiciary on one hand and the nonfunctioning / improperly functioning executive (& indirectly, their masters, the legislature) on the other. Naturally, the Judges would sometimes feel the need to monitor the functioning of the executive at the ground level but it would be physically not possible for them to do so personally at all times and at all sites. Some individuals would need to be appointed by the judiciary to do the needful in such cases. Such action could put the judiciary in odd position as (i) there is presently no infrastructure to ensure that even these individuals appointed by the Judges would go about doing their task in an honest, efficient and transparent manner; (ii) the legislature could claim that appointing individuals to execute various acts is entirely its prerogative under the Constitution; and (iii) under the current system of functioning of democracy in the country, the functioning of the elected candidates is not monitored directly by the people and the elected candidates are not likely to subject themselves to monitoring by any other agency. Howsoever privileged the legislators or their appointees, the executives, may consider themselves when facing the judiciary, no individual or institution can consider itself privileged enough to be outside the right of direct monitoring of its electing People in a Democracy. Surveillance

agencies owing their appointment to the elected candidates cannot, of course, be expected to implicate their masters.

- (29) Round the clock direct monitoring of its elected candidates by the People would guard against the seasoned experts in various expert committees appointed by the elected candidates, misguiding them for various reasons as well as guarding the People against danger of elected candidates themselves forcing decisions and recommendations on the experts to be mentioned in their reports by various means and for various reasons. For, in case of erroneous decisions, it is neither the experts, nor the elected candidates, temporary servants of the People, who will suffer. All suffering will have to be borne by the People, the owners of the nation, for decision made by the servants without its knowledge.

In fact, it is all about extending monopolies by the elected candidates and their appointed experts in the entire process of decision making. After independence, both seemingly found that even though the system of Government has changed from the dictatorship of the British Raj to a Democracy under the Indian Constitution given to themselves by Indian People, they could get away by initially ignoring the presence of the People and, getting bolder, in effect totally excluding the People from process of decision making. Interestingly, assuming the status of owners, these servants of the People, declare all their decisions to be taken in 'People's interest', for 'Nation's sake', etc. However, a veil of secrecy is always kept consciously between the People and the decision making process. The attitude of the servants makes it apparent that they treat their owners, the People, as naïve, immature and unable to make or judge any decisions. Infact, the extremes to which they go in trying to withhold information from or exclude People from decision making process gives the impression that they treat People as a 'National Danger'. For, in most of these cases, various aspects in the decision making even in matters of 'defence secrets' and other 'sensitive issues' are known to diverse, including foreign experts, but not to the People themselves. Even reports of various committees, like Mashelkar Committee on patent laws which are not even remotely concerned with national security, are made open to the People long after their servants had a look on it.

How can owners of the Nation, its People pose a danger to themselves? Why cannot the People, if provided with the infrastructure to have an entity of their own, in flesh and blood at various democratic interfaces with their elected candidates, not decide as to what should, and what should not be discussed in public? What is there to hide from the People, the owners of Nation and PERMANENT STAKE HOLDERS IN ALL DECISIONS BEING MADE, much more than their five – year appointees and various appointed experts of their appointees? Why cannot the People discuss and debate (they contain enough experts amongst them on all issues being discussed) and give their reactions on various issues themselves at various democratic interfaces when, in any case, the present decision makers tout all decisions to be for People's interest even predicting and pre-empting People's reactions like 'People of India welcome this', 'People of India were waiting for this', 'People of India will not tolerate this', etc., etc.

- (30) The attitude of the elected candidates often reveals that they treat their election by the People as an 'end' in itself so far as the word 'democracy' means to them. After that, People are 'dead and gone' for all practical purposes and, forgetting that they represent the People in capacity of being their servants, they start behaving as People's representatives as their Masters or as themselves being the People personified. Little do they realize that their election by the People is actually a 'means' for getting service from them for various needs of People and for which their servants take oath and make numerous promises personally and in party manifestos at time of elections. Elected candidates are appointed BY the People FOR serving the People and hence, are servers OF the People. After electing the candidate, the People, being the Masters of their appointees, are very much alive and interested in knowing how the elected candidates are walking their talk made at time of elections. Under the Right to Information Act, they have a right to know the MAXIMUM about the elected candidates through most EFFECTIVE means. Elections of the candidates by People is a 'work contract' between the People, 'the Masters', and the candidates 'the servers' for a period of five years and not a 'Power of Attorney' given to the candidates where the People abdicate all their rights and status as owners of the Nation and set the elected candidates free to behave virtually as dictators treating themselves as owners of Nation, changing the very sense of democracy to that of a dictatorship of elected candidates. Election of candidates by People is not akin to finding the Most Suitable Boy or Girl for marriage and resigning to fate thereafter. Hence, their direct monitoring at all times by the People would be a constant reminder to them of their status as servers of the People and that they are being constantly watched as to how honestly they are rendering this service.
- (31) As things stand today, the Indian People, even though being the Ultimate authority under the Constitution, and even though being over a hundred crore in number, have no forum to voice their concerns which their elected candidates would be bound to not only hear on their faces but also respond and act upon behind the People's back. This state of affairs can lead to situations where the People's Constitutional and Fundamental rights maybe snatched away by declaration of a State of Emergency without the People having any way to unitedly oppose it. Our suggestion, if implemented, would provide the People with such a forum in the line of decision and provide a check on any person with despotic tendencies. In fact, any individual projection in the line of Governance is undemocratic and should be strongly resisted by the People, and these democratic interfaces provide People the fora to do so effectively. Honesty and Hard work of the elected candidates, as visible to all People at all times, are the only criteria in a Democracy to judge their performance.

Besides, in those situations, where the decision making passes temporarily from the elected candidates to those elected by the elected candidates, i.e., the President of India, (like when the Lok Sabha stands dissolved or suspended) such democratic interfaces should naturally cover the conduct of the person responsible for decision making during such a period. Apart from providing a continuity in the performance of their bounden duty by the People of monitoring their servers, it would provide a check on any arbitrary and despotic tendencies of any person holding such a vital position in such times.

- (32) The need for monitoring use of 'Public' money is felt very much within the Indian Constitution. In fact, Parliamentary Committee on Public undertakings examines accounts of public undertakings and sees whether they are being run on SOUND BUSINESS PRINCIPLES. Besides, the Comptroller and Auditor-General of India is called the GUARDIAN OF PUBLIC PURSE and is called the FOURTH PILLAR OF INDIAN CONSTITUTION.

Sound Business Principles require that for any Business to be run successfully, the owner must devote time to his business and must monitor the conduct of his servants lest they while away their time or cheat him otherwise. It would be foolish on the part of the owner to trust his servants to supervise and monitor themselves. No matter what, cash box should never be under charge of servants. If circumstances make it unavoidable, then the master must keep an eye on such entrusted servants at all times.

Technology available today enables the Indian People, the ULTIMATE AUTHORITIES under the Indian Constitution, to THEMSELVES BE THE FOURTH PILLAR of the Constitution they have given themselves. Our suggested methodology can very well enable the Indian People in this regard with the help of currently available technology.

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