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CIC members refuse to declare assets in public

NEW DELHI: Information commissioners have chosen not to disclose their own assets' declaration on the CIC's website, in a development which may cause many to wonder whether the transparency watchdog has trouble following what it preaches to others.

In a candid admission, chief information commissioner Wajahat Habibullah said, "All information commissioners have declared their assets but they felt that this information should not be put on the commission's website. They did not want it on the CIC website."

Queried further why the transparency watchdog was not keen on disclosure of its assets, Habibullah said, "The commissioners felt that they could put up the information on their personal website." Crucially, none of the eight commissioners have their own website.

A recent CIC meeting saw information commissioners, save a couple of exceptions, vigorously contesting the idea of full public disclosure of their assets. They felt that giving income details would force state commissioners to follow suit, giving opportunity to those who wish to "embarrass them". Sources said that since it was not "legally binding", the commissioners decided to reject the idea.

Though the law does not require the commissioners to make their assets public, information rights activists including Shailesh Gandhi, a commissioner himself, feel that the CIC should not take shelter behind technicalities. In fact, commissioners have often frowned upon and ruled against those who have cited procedures and conventions to resist demands that their assets be put in the public domain.

The decision comes days after a CIC order in which it ruled that the Chief Justice of India is a public authority and information held by the CJ's office — including the number and names of judges who have filed their assets — should be made public. The decision has been challenged by the SC in the Delhi High Court.

The issue of declaration of assets by information commissioners was first raised by activist-turned-CIC member Shailesh Gandhi who has made his property statement public. In November 2008, a Pune-based applicant sent an e-mail to Habibullah asking information commissioners to reveal their personal income. In his reply, Gandhi gave details of his personal income and family wealth amounting to Rs 5.38 crore. He also wrote to Habibullah suggesting that other commissioners should, in public interest, follow suit.

While making public details about his income, Gandhi said in response to an RTI appeal, "I believe that my decision to transparently declare my income and assets is right."

Times View

The CIC owes its very existence to the principle of transparency in public life. It must therefore go beyond just what the law mandates in furthering the cause of transparency. While passing orders on others it will be restricted by what the law says, in its own case it would do well to set a moral example for others to follow. This could be done by pro-active disclosures that may not, strictly speaking, be legally required. Hopefully, this will also shame other public bodies into following suit.
