

**CENTRAL INFORMATION COMMISSION**  
**August Kranti Bhawan, Bhikaji Cama Place, New Delhi 110066**

File No. CIC/SM/C/2011/001386  
 File No. CIC/SM/C/2011/000838

**Complainants:**

1. Shri Subhash Chandra Aggarwal
2. Shri Anil Bairwal

**Respondents:**

1. Indian National Congress/ All India Congress Committee (AICC);
2. Bhartiya Janata Party(BJP);
3. Communist Party of India (Marxist) (CPM);
4. Communist Party of India(CPI);
5. Nationalist Congress Party(NCP); and
6. Bahujan Samaj Party(BSP)

**Dates of hearing: 26<sup>th</sup> September & 1<sup>st</sup> November, 2012.**

**Date of Decision: 3<sup>rd</sup> June 2013**

**Facts:**

Complainant Subhash Chandra Agrawal (Shri S.C.Agrawal) has filed Complaint No. CIC/SM/C/2011/001386 and Complainant Shri Anil Bairwal, Complaint No. CIC/SM/C/2011/000838. In both the complaints, the common issue relating to the disclosure of the accounts and funding of Political Parties has been raised. Hence, it has been decided to dispose of these matters through a common order.

**File No. CIC/SM/C/001386:**

2. By his RTI application dated 16.5.2011, complainant S.C. Aggarwal has sought the following information from the Presidents/Secretaries of the Indian National Congress (INC/AICC) and the Bhartiya Janata Party (BJP):

- “1. Copies of Election Manifestoes by BJP for Lok Sabha elections in the years it formed NDA government with Shri Atal Bihari Vajpayee as Prime Minister.
2. Were all the promises made in these election manifestoes fulfilled after BJP having formed government at the Centre.

democratic institutions in the country. In view of the above discussion, we do not find any merit in the submissions of Adv. Tiwari and reject the same.

92. In view of the above discussion, we hold that INC, BJP, CPI(M), CPIO, NCP and BSP have been substantially financed by the Central Government under section 2(h)(ii) of the RTI Act. The criticality of the role being played by these Political Parties in our democratic set up and the nature of duties performed by them also point towards their public character, bringing them in the ambit of section 2(h). The constitutional and legal provisions discussed herein above also point towards their character as public authorities. The order of the Single Bench of this Commission in Complaint No. CIC/MISC/2009/0001 and CIC/MISC/2009/0002 is hereby set aside and it is held that AICC/INC, BJP, CPI(M), CPI, NCP and BSP are public authorities under section 2(h) of the RTI Act.

93. The Presidents, General/Secretaries of these Political Parties are hereby directed to designate CPIOs and the Appellate Authorities at their headquarters in 06 weeks time. The CPIOs so appointed will respond to the RTI applications extracted in this order in 04 weeks time. Besides, the Presidents/General Secretaries of the above mentioned Political Parties are also directed to comply with the provisions of section 4(1) (b) of the RTI Act by way of making voluntary disclosures on the subjects mentioned in the said clause.

94. The complaints are disposed off as per the above directions.

(Mrs. Annapurna Dixit)  
Information Commissioner

(M. L. Sharma)  
Information Commissioner

( Satyananda Mishra )  
Chief Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges, prescribed under the Act, to the Additional Registrar of this Commission.