

The Government of India tables its Whistleblower Bill in Parliament **August 27, 2010**

Dear all,

The *Public Interest Disclosure and Protection of Persons Making Disclosure Bill, 2010* (the Whistleblower Bill) has been tabled in the Lok Sabha (Lower House of India's Parliament) yesterday (26th August 2010). The Department of Personnel and Training (DoPT), Government of India, which piloted this Bill did very little to consult with people on its contents. They refused to publicise the contents of the Bill while formulating it despite being mandated to do so under Section 4(1)(c) of the Right to Information Act, 2005. During a full bench hearing at the Central Information Commission in my complaint case, representatives of the DoPT acknowledged that they had not disclosed anything about this Bill in the public domain. The Commission's decision in this case is awaited. Meanwhile the text of the Bill as introduced in the Lok Sabha is not available on the DoPT's website, nor does the link to the text of the Bill on the Lok Sabha website work. The attached text of the Whistleblower Bill has been sourced from the website of PRS-India. Congrats guys, you have proven again that civil society puts information about public documents in the public domain faster than public authorities themselves. The text of the Whistleblower Bill is accessible at: <http://prsindia.org/uploads/media/Public%20Disclosure/Public%20Interest%20Disclosure%20Bill,%202010.pdf>

The following issues are highlighted in the [attachment](#) which contains a preliminary analysis of the Indian Whistleblower Bill:

- 1. Limited coverage of reportable actions**
- 2. Only one authority prescribed for receiving public interest disclosure**
- 3. CVC permitted to disclose the identity of whistleblowers to the Head of the Department**
- 4. Whistleblower Bill does not apply to the private sector**
- 5. Armed Forces have been left out**
- 6. Vexatious complainants will be imprisoned but no policy for rewarding whistleblowers**
- 7. No clarity on the kinds of protection that a whistleblower is entitled to receive**

Advocacy Recommendations:

Given the several major lacunae in the Whistleblower Bill introduced in the Lok Sabha, there is an urgent need to have this Bill referred to the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice for detailed deliberations and improvement. I request readers to send their analysis of the Whistleblower Bill highlighting other weaknesses. I am sure a more detailed examination will reveal more grey areas which need rectification.

In order to access the complete text of this analysis and also our previous email alerts please click on:

http://www.humanrightsinitiative.org/index.php?option=com_content&view=article&id=65&Itemid=84

You will find the links at the top of this web page. If you do not wish to receive email alerts please send an email to this address indicating your refusal to receive email alerts.

Thanks

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