

Dear Hon'ble Members,

Greetings from VANI!

I am writing this appeal on behalf of VANI (Voluntary Action Network India), which is apex body of voluntary organisations in India with the outreach of 4000 small and medium sized organisations. Our members are primarily development organisations engaged in working towards improvement of quality of life of marginalised communities all over India. The prime objective of VANI is to facilitate enabling environment for such small and medium sized organisations.

Shortly, **the government is going to table the Foreign Contribution Regulation Bill (FCRB) in Lok Sabha, and we would like to urge you to consider the following changes** if suggested will not only strengthen the voluntary sector but also take care of the security concern of the country.

1. **Automatic Renewal of genuine organisation:** The bill proposes the renewal of registration for every five years: If an organisation is submitting its audited accounts of foreign funds regularly and following the provisions of law of the land, should be grant renewal automatically or that instead of introducing the renewal requirement for all NGOs every five years, government should exercise the discretion of discontinuing erring NGOs based on evidence of gross financial irregularities or clear deviation from stated objectives.
2. **Ensure mutual transparency:** The cause of rejection should be communicated to the organisation in writing in the stipulated time. This will ensure accountability from both the parties as well as document the reason of rejection.
3. **Vagueness in the concept of National Interest:** The concept of “National Interest” is left un-defined which may lead to arbitrary denial and victimisation of those questioning the status quo of dominant socio-economic realities of the country. Since most of the voluntary agencies are engaged in non-violent social mobilisation movements wherein the national building is the prime objective, such organisations should not be targeted. We suggest that either this should be defined or at least the decision of government officials should be available in public domain.

We have enclosed document of our key suggestions which will help you understanding our view point. In case you need further input pleased to provide you additional information.

Thanking you

Sincerely,

Harsh Jaitli  
Chief Executive Officer  
VANI

### KEY SUGESSTIONS ON THE FCR- Bill, 2010

S.N	Issue	Clause in FCR Bill, 2010	Suggestion
1.	<b>Process of Registration</b> (Clause 12)	A sub-clause has been added that if the central government deems it fit to register a person making an application, it may do so within 90 days of receiving the application. If permission is not given within 90 days, the central government has to give reasons in writing. - A person shall not be eligible for permission if the certificate has been suspended and such suspension continues till the date of making the application.	Registration status of any organisation should be continued unless it attracts penal provisions. The erring organisation should be show cased before cancellation of its FCRA. The entire process should be carried out transparently.
2.	<b>Use of foreign contribution for speculative business</b> (Clause 8)	A sub-clause has been added allowing the central government to specify businesses or activities that may be classified as speculative.	In the clauses mentioned in the FCR Bill 2010, We urge the need of <b>transparency</b> of data related to these clauses and mention specific time lines.
3.	<b>Notifying an organization of a political nature</b> (Clause 5)	A sub-clause has been added providing a time-limit within which the central government has to make the order. The order has to be made within 120 days of giving a notice to the concerned organization. If the order is not made within 120 days, the central government has to give reasons in writing and can then make the order within a further period of 60 days.	
4.	<b>Renewals of the certificate of grant</b>	The central government shall renew the certificate within a period of 90 days from the date it receives the application. If renewal is not done within 90 days, the reasons for the same shall be communicated to the applicant. Renewal can be refused on grounds of violating the provisions of the Bill or rules made under it.	In case of cancellation the central government must have <b>public disclosure</b> of the reason for cancellation and there should be a right to appeal.