

8 September 2010

To  
Mrs. Sonia Gandhi,  
Chairperson, United Progressive Alliance,  
10 Janpath, New Delhi 110 011

Dear Mrs Gandhi,

Greetings from the All India Christian Council, a non-denominational organisation representing several thousand church groups, NGOs and Individuals.

We write with deep concern at the two Houses of Parliament passing the Foreign Contribution Regulation Act, 2010 (FCRA 2010). The law was conceived by the former NDA government headed by the Bharatiya Janata party and was specially meant to target religious minority communities and their social action and welfare organisations. This was quite obvious during the discussions in the Parliamentary Committee headed by a BJP leader. We had hoped that the Bill would be put in cold storage, if not actually buried, with the going away of the NDA government. The Passing of the Bill under a UPA government came as a surprise to us.

Civil society had also consistently opposed the FCRA Bill as it ran entirely contrary to the National Policy on Voluntary Organisations adopted by this government, as had been highlighted by the CHRI and Voluntary Action Network of India (VANI), an umbrella organisation of several hundred networked organisations including community based organisations working on development and democracy across India.

We request your urgent intervention to prevent the operationalisation of what is an entirely unfair and discriminatory Act. The comparative study and analysis we enclose spells out our concerns, which basically are harsh and debilitating restrictions on our work in education, health and development amongst Dalits and the poorest of the poor of India.

.2.

FCRA 2010 creates a completely targeted discriminatory regime for even other civil society organisations (CSOs) that receive funds from abroad. This indicates a deep distrust of the sector and a clear desire to have control over the internal management of organisations at will - beyond that permissible under our constitutional right to associate.

On issues of foreign contributions we have consistently asked to be treated on par with any other sector such as the corporate sector and be governed by Foreign Exchange Management Act. At the present time all CSOs, irrespective of their affiliation, are all subject to the charities law, the Income Tax Act, the Company's Act (as non profit companies) and the Societies Registration Act as necessary. The present reporting regime that requires separate and specific reporting of all incoming funds from both the organisation and the receiving banks. Existing criminal and special laws such as the money laundering laws and the Unlawful Activities (Prevention) Act exist to address other concerns.

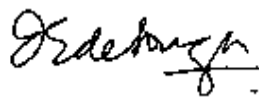
Experts have pointed out that if government has any concerns that there is inadequate compliance with reporting the cure lies in strengthening overseeing bodies like the charities commissioner and the registrars of societies rather than penalising a whole sector and creating ever more procedures which will only burden these bodies more.

We are law abiding people, and our record proves it. And our work is entirely in the public domain, entirely transparent, properly audited and for the good of the people not reached sometimes even by the state agencies.

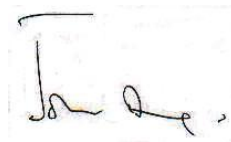
Your intervention will allow us to carry on with this work.

God bless you

Sincerely,



Rev. Dr. Joseph D'souza,  
President,  
All India Christian Council



Dr. John Dayal,  
Secretary General,  
All India Christian Council