

## **News on Right to Information**

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**1<sup>st</sup> December 2009**

### **RTI award for India Today journalist**

#### ***The Hindu***

A journalist of *India Today* has been selected for the first PCRF-NDTV National RTI Award for his new reports based on information he gathered under the Right to Information Act.

Vice-President Hamid Ansari will give away the award, comprising a citation and Rs. 1 lakh, to Shyamlal Yadav on Tuesday, a release said. Based on the information he gathered under the Act, Mr. Yadav wrote stories on the foreign jaunts by Ministers of the UPA government, bureaucrats junketeering, corruption cases and the delay in hanging Afzal Guru.

Mr. Yadav, who filed more than 1,700 RTI applications, was selected by a jury consisting of actor Aamir Khan; N.R. Narayana Murthy, chief mentor of Infosys Technologies; NDTV CMD Prannoy Roy; Justice (retd.) J.S. Verma; danseuse Mallika Sarabhai; and the former Election Commissioner, J.M. Lyngdoh.

**1st December 2009**

**Every 5th sample adulterated**

***The Times of India***

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CHANDIGARH: Having a sweet tooth may necessitate possessing a stomach capable of handling adulterated food. That seems to be a logical conclusion for city residents if one looks at data procured through a Right To Information Act query.

UT health department has stated in its reply to RTI activist R K Gargâs question that every fifth sample taken from sweet shops this year had been found adulterated.

Garg said samples that failed the test were of milk, khoya, cheese and curd. In all these cases, the department has launched legal proceedings against owners of the sweet shops, he added.

The data is related to samples taken since January. Ten samples taken in November failed. Garg said, Some of the dairies and sweet shops that provided such samples enjoy a lot of consumer trust.

A UT official stated that a distinction needed to be made between adulteration by way of adding harmful elements and acts like mixing water in milk. He added that the high number of samples taken from shops showed how active the department had been.

**2<sup>nd</sup> December 2009**

**RTI branch without computer, net facility**

***The Times of India***

LUDHIANA: The municipal corporation (MC) continues to be lax towards implementing the Right to Information (RTI) Act as the branch dealing with RTI applications does not have required infra-structure. Even basic things like computer and internet are also missing.

This fact came to light after MC authorities replied to the application made by RTI activist Rohit Sabharwal, who is the head of an NGO named Anti-corruption and crime investigative cell, on the matter.

In his letter, Sabharwal asked the civic body officers, who are already facing the wrath of State Information Commission for pending complaints, about the type of infra-structure they had provided to the RTI branch.

In their reply, the MC submitted the list of all officers but said the branch lacked even one computer and internet facility.

Commenting on it, Sabharwal said both the computer and internet were basic requirements for smooth working in any RTI branch.

But due to MC apathy in implementing this Act that empowers people, the RTI branch was deprived of basic infrastructure, he rued.

Calling it a big scam, he revealed that in the name of filing replies to the commission orders, the civic body officers were actually giving huge amounts of money to private computer operators.

It is surprising how they could remain updated without these office wares, he expressed.

Continuing in the same vein, he said the MC had not even installed any zerox machine.

Hence, RTI branch staff were spending Rs 2 per zerox copy while submitting any information or filing reply to any query.

**3<sup>rd</sup> December 2009**

**RTI should be more effective, say activists**

***The Times of India***

HYDERABAD: Activists across the country demanded that there should be no amendment to the Right to Information (RTI) Act, even as they voted for a more effective system of implementation.

In a three-day RTI convention held at the University of Hyderabad, executives, administrator, bureaucrats and academicians said the RTI Act will be beneficial to citizens only if the delay in furnishing information is reduced.

“There is a delay due to the shortage of staff in the information commission. On the existing staff there is an overload of pending applications. The Public Information Officers (PIOs) are not worried about punitive action against them as system of imposition of penalties is flawed,” said Sekhar Singh, Member of National Campaign for People’s Right to Information (NCPRI), on the final day of the convention on Wednesday.

Speaking at the convention, Wajahah Habibulla, Chief Information Commissioner said the Act should be a tool in the hands of the common people and they should be encouraged to use it. He, however, added that punishing PIOs is not the solution for delay. Other issues discussed during the convention included, RTI & Democracy, RTI & People’s Movement and RTI & Government.

Representing the state information commission, C D Arha said AP is doing better in implementing the law when compared to other information commissions.

**10<sup>th</sup> December 2009**

### **AMC fails to deposited PF money**

#### ***The Times of India***

ALLAHABAD: The provident fund money of the [employees](#) of AMC had not been deposited in their accounts for the past few months. The authorities of the Allahabad Municipal Corporation are mum over the issue and not replied to the RTI filed on the issue.

About Rs 40 lakh are being deposited in the provident fund of the employees every month. However, the provident fund money has not been deposited from February 2009 to September 2009. As a result, about Rs 2.80 crore had not been deposited. The employees are worried about their money.

An employee, Alok Sand, has sought information regarding the provident fund under RTI (Right to Information Act) on November 10, 2008. However, the the authorities have maintained silence over the issue and not replied to his queries under the RTI.

There is also growing resentment among the employees as they are paid only 3 per cent interest on the provident fund whereas the employees of other municipal corporations of the state are getting 8 per cent. The state government employees are also getting an interest of 8 per cent on their provident fund.

The AMC has not been transparent in the financial matters and the employees are kept in darkness about their allowances. The salary slips are not given for the past two decades. The accounts department does not prepare the salary slips.

An old employee recalled that in 1982, they used to get salary slips which had information on allowances and cuts being made. But after that, AMC has failed to issue the salary slips. The new employees are unaware about the deductions made from their salaries. It is only after shelling out some money to the clerk of the accounts department that they are being informed about various components of their salary.

Municipal commissioner Ashok Kumar accepted that the provident fund money had not been deposited from February 2009. He said that efforts would be made to deposit the amount in the days to come.

**12<sup>th</sup> December 2009**

**In race to be first, reporters fail to verify facts: Hooda**

***The Indian Express***

Chandigarh : "There is a race to be first with news, leaving reporters with little time to verify the facts. Therefore, at times, facts are misrepresented," said Haryana Chief Minister Bhupinder Singh Hooda, sharing his experiences about his 'sweet and sour' relations with the media.

He was speaking at the 31st All India Public Relations Conference, organised by Public Relations Society of India, at Hotel Shivalikview on Friday. The theme of the three-day conference is 'Communication Challenges in the Globalised World'.

Hooda said communication plays a very vital role in democracy. "Positive communication can create unity and negative emotions can create divisions on basis of caste, creed and religion. The world is growing smaller due to globalisation and the media creates a link between the administrators and the public. However, journalism is no longer a mission, instead it has become just another commercial enterprise," he said.

High Commissioner of Mauritius Mookshwur Choonee talked about the importance of public relations and stressed on optimum use of internet to disseminate information.

PRSI Advisor Ajit Pathak said: "There is a need to promote Brand India. The country is being viewed as the 'destination next' so there is an immediate need to present it in a good light."

Addressing the media on the sidelines of the conference, Haryana Chief Minister Bhupinder Singh Hooda said the economy of the state was strong and measures had been taken to overcome the affect of world-wide economic meltdown.

Allaying fears that the state's economy was in disarray, Hooda said the economic measures taken by the government are aimed at reducing expenditure and ensuring transparency. Recently, a decision was taken to reduce the prescribed rate for furnishing copies of documents under the Right to Information Act from Rs 10 to Rs 2 per page.

**12<sup>th</sup> December 2009**

**Poor & illiterate people urged to take help of legal aid**

***The Times of India***

SINDRI: Judicial magistrate Ramakant Mishra has urged the poor and the illiterate people to take benefit of the free [legal aid](#) provided by the legal services authority.

Addressing a legal awareness camp at the Vidyapati Auditorium here on Saturday afternoon, Mishra said that ignorance of laws and rights is the main cause of exploitation. The event was organised by the Rotary Club of Sindri.

Speaking on the legal provisions against child labour and dowry-related excesses and on powers given to the public through the Right to Information Act, Mishra said that it is the right of the people to get their complaints registered in police stations.

"It's only because of the ignorance of legal provisions that people often cough up money to get their complaints registered. In case police personnel refuse to lodge complaints, people can send a registered letter to the SP which would be sufficient to get their complaints registered in the court," he added.

Referring to the complexities of the legal system, he said that cases in courts are decided on the basis of the merit and demerits of the exhibits and witnesses produced in the court. Moreover, in a majority of cases, the witnesses turn hostile, thus jeopardising the entire process of dispensing justice. Unlawful activities are not only crime against persons concerned but also against the society at large. Maintaining order in the society is the moral duty of each and every citizen of the country, he said.

Gautam Singh, a physically challenged former employee of the PDIL, submitted an application to the judicial magistrate, seeking legal aid in getting his services restored. He was appointed as a grade four employee in the PDIL against the handicapped quota but was made to retire prematurely under the voluntary separation scheme in complete violation of laws related to appointment of physically challenged persons, he alleged.

Several others persons submitted their applications regarding problems ranging from obtaining caste certificates and red cards to getting old age pension. The magistrate promised them to forward their complaints to the departments concerned for quick redressal of their problems.

Earlier, advocate Subhash Thakur and Rajiv Ranjan of the legal aid panel informed about the objective of the camp and threw light on different types of legal and [financial assistance](#) schemes being provided by the legal services authority.

Dr Y N Sinha presented a detailed report on the social services being carried out by the Rotary Club of Sindri. Club secretary and advocate Ashok Sharma compered the programme while Ranjeet Kumar proposed a vote of thanks.

**12th December, 2009**

## **Government set to 'strengthen' RTI Act**

### ***Daily News Analysis***

New Delhi: The Centre is all set to amend the Right to Information (RTI) Act to "strengthen it", but activists are apprehensive.

The ministry for personnel, public grievances and pensions, which heads the all-powerful department of personnel and training in charge of bureaucracy, said all stake-holders would be consulted before the Act is touched.

The government wants a suitable amendment to the Act to provide for disclosure in all "non-strategic areas". It is also examining a proposal to incorporate provisions regarding constitution of benches of the information commission and rejection of vexatious and frivolous applications.

On Chief Justice of India (CJI) KG Balakrishnan's concern that the globally-lauded law hampers certain areas of work, such as appointment of judges through the Supreme Court (SC) collegium, a matter pending before SC, the ministry said the issue will be examined carefully.

However, the government would also determine what constitutes vexatious and frivolous applications, a key area where certain rights of anxious applicants could be curbed.

Prime minister Manmohan Singh, law minister M Veerappa Moily and the chief election commissioner have held a few meetings to discuss the concerns of the bureaucracy, judiciary and the home department.

CJI Balakrishnan recently urged the prime minister to protect the judiciary from increasingly "intrusive" queries under RTI.

He said the SC collegium made judicial appointments on the basis of constitution bench judgments. CJI is aggrieved by the chief information commissioner's (CIC's) direction to disclose why three meritorious chief justices of high courts were not elevated to SC, and why other three judges were appointed.

The government is also grumbling at CIC's observation that the notings on cabinet files were open to public scrutiny.

A panel set up by CIC says the predominance of bureaucracy, such as former IAS and IPS officers, in state information commissions set up

under the RTI Act is "hampering" the functioning of such quasi-judicial bodies.

It says bureaucrats remain "sympathetic" to defiant public information officers of different government departments and liberally give them opportunities to "correct mistakes" even when the mistakes are in the form of denial of information to the needy with mala fide intentions.

**13<sup>th</sup> December 2009**

**UPA will not dilute Right to information Act: Prithviraj Chavan**

***Daily News Analysis***

Allahabad: The UPA is fully committed to ensuring transparency in governance and the proposed amendments in the Right to Information Act are in no way aimed at diluting it, Union minister Prithviraj Chavan said here today.

"The proposed amendments in the RTI are aimed at removing certain legal shortcomings and would in no way render it ineffective. We are working on certain recommendations from the Administrative Reforms Commission with additional inputs from private organisations and NGOs.

"People must not fear that their right to information would be curtailed," the minister of state for public grievances told reporters on the sidelines of a function.

Chavan said the government is, "in fact, of the view that all matters of governance other than those relating to national security and hence deserving confidentiality should be made available on respective websites so that people can get the information required by them without even undergoing the cumbersome process of filing an RTI application".

Moreover, the UPA will never forget that RTI has been one of its main achievements and has done a lot to enhance its credibility among the common people of the country," he said.

Chavan was in Jhalwa, on the outskirts of the city, to address the concluding session of a function organised by the Indian Institute for Information Technology-Allahabad.

Speaking at 'Science Conclave', Chavan said improving the quality of education in basic sciences is vital to the progress of the country.

"The UPA government had last year doubled the expenditure on science and technology in recognition of its vital role in economic progress," he said.

"This would, however, not yield desired results unless we have a pool of talent that can adequately cater to the needs of the country," Chavan said, adding that to achieve this, efforts are being made to provide impetus to science education.

The minister expressed concern over the fact that "our youth, lured away by more lucrative options like engineering and finance, does not seem to be sufficiently interested in basic sciences".

"We are trying to change this with the help of schemes like INSPIRE, in which brightest young minds from across the country are picked up and given an opportunity to interact with top scientists who would introduce them to the wonder and joys of science," he said.

Replying to a question, Chavan said "the UPA government was doing everything possible to improve the state of higher education in Uttar Pradesh. The grant for BHU has been hiked recently.

Under the INSPIRE programme, 600 students have been picked up from this state alone, the minister said.

**13<sup>th</sup> December 2009**

**46 years on, the government is still to settle my claims'**

***Daily News Analysis***

Mumbai: Vinod Bhatia first came to India in 1962 on a ship from Mozambique as a 19-year-old. His family was uprooted by the-then Portuguese rulers, as after the liberation of Goa in 1961, the Portuguese government had expelled Indian nationals from Mozambique, earlier a Portuguese territory.

Forty-seven years later, Bhatia is still nurturing a hope -- one that he inherited from his late father -- that the Indian government will compensate him for having to leave everything behind in Mozambique. Thanks to the Right to Information (RTI) Act, Bhatia, a Portuguese national, found out that the total claims of the 2,300 Mozambique repatriates as of 1979 were to the tune of Rs5.30 crore. Through two RTI applications made in May and November this year, Bhatia received replies from the Union ministry of home and external affairs and he was told that the decision of the government regarding the compensation is final.

"I was born in Mozambique and my father had a flourishing garments business there. We had a 10,000 sq ft property which included our shop and home," Bhatia, now 65, said.

"My father made petitions to the government of India in 1963 and filed his claims with the Chief Settlement Commission. We had made claims worth Rs13 lakh then." He had received Rs84,000 in 1982, in the form of ex-gratia. Bhatia says that an association was formed by the Mozambique repatriates, but with its members scattered across the country they did not persist with their claims.

In a treaty between India and Portugal in 1974, the countries had agreed to settle claims of repatriated citizens through bilateral negotiations. "My father kept pursuing the matter with the government until he died in 1973. We were given no medical, educational or travel benefits from the government. Having neglected us for 46 years, the government must now pay 100 per cent penalty on the claimed amount with interest." The outstanding amount of Bhatia's claims, at that rate, would now be Rs100 crore, he says.

"While there were rehabilitation schemes for those who came from Pakistan at the time of Partition, there should have been similar schemes for Mozambique repatriates as well," said Bhatia's advocate Pradeep Havnur. He added that they are awaiting the Centre's reply but if they continue to be dissatisfied, they will consider moving court.

In 1961, when Goa, Daman, Diu, Dadra and Nagar Haveli were liberated and the Portuguese Army was airlifted from Goa, the Portuguese government had asked Indian nationals from Mozambique to leave the country. "I still remember that some Portuguese officials came to my father's shop to serve evacuation notices. We were told that if we did not leave, we would be detained in dark quarters," Bhatia said. What followed was the repatriation of 600 Indian families.

Bhatia said, "I came on a vessel that left from Mozambique and landed in Mumbai (then Bombay) on March 12, 1963." With no accommodation provided by the government, Bhatia spent the first few weeks in Mumbai at a dharamshala near the GPO. After living with a relative for six months near Girgaum Chowpatty, Bhatia moved to Vile Parle and now lives in Andheri (W).

**14<sup>th</sup> December 2009**

**CIC show-cause notice to PNB officer**

***The Times of India***

KANPUR: The Central Information Commission, New Delhi, recently issued a show-cause notice to the central public information officer (CPIO) Punjab National Bank, regional office, Kanpur Nagar and asked why a maximum penalty of Rs 25,000 for delay in supply of information might not be imposed upon him.

Issuing a warning against the CPIO, Satyananda Mishra, the information commissioner said if written explanation was not received from him by December 18, 2009, the commission would decide the case ex parte and would impose maximum penalty prescribed under section 20 (1) of the Right to Information Act (RTI) Act that is an amount of Rs 25,000.

The commissioner, who has sent a copy of this show-cause notice to the complainant, Prabhodita Mishra, a resident of Nawabganj, asked her that if the CPIO responds in time and provides the required information, she should let the office know about the same at the earliest.

The office also advised the complainant that if she did not receive any information from the CPIO despite this order then she may write to the commission against the non-compliance of the commission's order.

The complainant had filed an application under RTI Act and had sought the information regarding the bank balance of her deceased father, Brahmendra Nath Mishra's account. The complainant had made first appeal before the superior officer that CPIO had only provided just one piece of information and was denying rest of the information under the pretext that it was not related to her query. Also, he replied after more than 17 months. Mishra had filed an application before the CPIO on February 24, 2007, which was answered to by the CPIO on July 21, 2008.

**14<sup>th</sup> December 2009**

**Unhappy with RTI answer? Move the consumer forum**

**The Times of India**

It is common knowledge that public information officers often do not furnish the information sought by the applicant under Right To Information Act (RTI). Is an appeal to the appellate authority of the Information Commission the only remedy? Or would failure to furnish information without valid reason constitute a deficiency in service for which compensation can be sought by filing a consumer complaint? This issue has been decided by the National Commission in a trendsetting judgment.

Case Study: Dr S P Thirumala Rao, a consulting physician in Mysore, was upset that some agency had dug up the footpath in front of his clinic for laying telephone cables through PVC pipes but had failed to restore it after completion of the work. The damaged footpath and the projecting pipe was causing obstruction to his patients as well as to pedestrians. He submitted two RTI applications to the Mysore City Municipal Corporation seeking information about the telephone service provider who was responsible for this.

As the information was not furnished within the prescribed period, he filed a consumer complaint before the District Consumer Forum claiming compensation and costs from the municipal corporation. In its defence, the corporation claimed that the information could not be furnished within the prescribed period due to heavy workload. It also claimed that the work was carried out by Reliance and the Government of India through the Department of Telecommunications, and hence the corporation could not be held responsible for the same. The jurisdiction of the consumer forum was also challenged.

The forum observed that the RTI Act bars the jurisdiction of courts, but not the consumer fora as the Consumer Protection Act (CPA) is meant to be an additional remedy. Further, the RTI Act does not deal with compensation for deficiency in service. Hence, a complaint filed to claim compensation for deficiency in service for failure to furnish the information would be maintainable under the CPA. Since delay was admitted, the forum awarded token damages of Rs 500 and costs of Rs 100.

The corporation challenged this order before the Karnatake State Commission. It argued that since the RTI provided for an appeal against failure to furnish the information sought, the proper remedy would have been to approach the appellate authority, and not the consumer forum.

Hence, the complaint ought to be dismissed. The State Commission upheld this contention, allowed the appeal and dismissed the complaint.

Dr Rao then approached the National Commission by filing a Revision Petition. Being a matter of public importance, the commission appointed advocates Aditya Narain and Astha Tyagi as amicus curiae. In its judgment delivered by Justice R K Batta, presiding member, on behalf of the Bench comprising himself and S K Naik, the commission observed that the settled law was that even if a particular law barred the jurisdiction of courts, a complaint could still be filed under the provisions of the CPA as it provided an additional remedy.

The RTI Act did not bar the jurisdiction of the consumer fora. Also, the provision for appeal under the RTI Act was restricted to the failure to furnish the information sought, but there was no provision to claim compensation for deficiency in service. An applicant under the RTI Act has to pay fees for getting the information, and hence he acquires the status of a consumer. If there is any deficiency in service in respect of providing such information, a complaint could be filed under the CPA for claiming compensation.

With this reasoning, the National Commission set aside the order of the State Commission and restored that of the District Forum. [Judgment dated 28.05.2009 in the case of Dr S P Thirumala Rao v/s Municipal Commissioner, Mysore City Municipal Corporation. This landmark and historic judgment is a new milestone, both for RTI as well as consumer activists, for holding the authorities accountable to the citizen.

The author is a consumer activist and has won the Govt of India's National Youth Award for Consumer Protection. His e-mail is [jehangir\\_gai@indiatimes.com](mailto:jehangir_gai@indiatimes.com)

**14<sup>th</sup> December , 2009**

**Coming soon: A law to guarantee govt services**

***The Indian Express***

New Delhi : In what is being billed as Prime Minister Manmohan Singh's next big move after Right to Information, the PMO has decided to implement the concept of service-level agreements. This will mandate penalties to be deducted from salaries of dealing officials if there are delays in providing citizen services like issuing ration cards and driving licences.

It's learnt that Delhi will be getting off the blocks first in April 2010. The PMO is targeting Delhi and then the Union Territories, and hopes other states begin taking the initiative on their own as many of the services fall under state subjects.

This far reaching move will essentially convert existing citizen charters, which are largely a statement of intent, into a SLAs that make it binding on authorities to help provide certain services in a timebound manner.

It adds teeth by levying a fine or a penalty that would be deducted from dealing official's salary if deadlines are not met. While the fine amount is still to be finalized, sources said, the broad consensus is on Rs 200 to begin with in Delhi.

Against much resistance and after several rounds of consultation, sources said, the Delhi government agreed to implement the SLAs from next April. At a meeting with the Delhi government last month in the PMO, it was decided to initially cover nine services. These include:

- Issuing of ration cards
- Issuing and renewal of driving licences
- Registration of voters
- Issuing of voter identity cards
- Registration of births
- Registration of deaths
- Registration under Department of Value Added Tax
- Issuing of SC certificate
- Issuing of OBC certificates

The government will issue a notification to make the SLAs statutory and just as commercial establishments are bound by their public claims, officials say the aim here is to bind government departments to time commitments for the service they seek to provide.

According to SLAs, the clock starts ticking the moment the department concerned accepts the application form for any of the above services. A dealing official will be identified and the applicant will be informed at the point of submission of forms about who will be handling the case.

In fact, the agreement makes it clear that the onus to help an applicant complete and submit the form also falls on the officials of the department concerned. Once accepted, it will be assumed that all formalities have been completed and a time limit will be set for each applicant's case. If any shortcomings are detected in the form after it has been accepted, then the SLAs hold the official who accepted the form accountable and not the applicant.

Given that this will be all computerized, the monitoring on each official's performance will be done electronically and if there is a delay, then a penalty will automatically be deducted from the salary of the official responsible for this through what are known as TR-5 (treasury receipts).

To ensure that officials don't buck the system by delaying the submission of forms, sources said plans are afoot to separate the officials dealing with the case from those who would accept the forms. This way any vested interest could be avoided at the time of accepting forms.

The Delhi government wanted to first start the process manually and then move to monitoring SLAs on an e-governance platform. This was, however, rejected by the PMO which has insisted on a centralized web system to monitor the SLAs.

This is now being developed at a quick pace following pressure from the PMO, which wants the entire process to be brought on e-stream and made public on April 1, 2010 in Delhi. To this end, Delhi government has been asked to re-engineer the identified services, if needed, which means making forms more user-friendly, removing needless documentation requirements among other steps before next April.

**15<sup>th</sup> December , 2009**

**MPs, MLAs or Councillors can't ignore you now**

***Daily News Analysis***

New Delhi: You were promised a school or a drinking water connection by the MP or MLA in your area. Now, you want to know whether the school is coming up at all or how soon the water connection will be up, but can't get across to the MP or MLA for that information.

Now, thanks to a directive from the Central Information Commission (CIC), that information will be supplied to you. The CIC has directed the parliament secretariat, all legislative assemblies and municipal authorities to accept people's applications under the Right To Information (RTI) Act and answer their queries. Though MPs, MLAs and councillors aren't 'public authority' as understood under the RTI, the bodies they represent on behalf of the people are liable to answer queries about any development work that was expected of them in the constituency.

This directive comes in the wake of a group of appeals filed by people who failed to get any response from Congress president Sonia Gandhi, Rahul Gandhi and other lawmakers on development work in their constituencies. In 2007, one Awdhesh Mishra had written to Rahul Gandhi asking him whether he had sent his recommendations about assistance to NGOs to the ministries concerned. When he didn't get a reply, Mishra went to the Lok Sabha speaker, asking that Gandhi comply with the RTI. The Lok Sabha secretariat said the MP isn't a 'public authority' under the law.

Then Girish Mishra, a lawyer, sought an appointment with Ms Gandhi over a plan to root out corruption. He didn't get a reply, so he invoked the RTI. Later, one Radhey Sham approached the CIC saying, "Sir, under the law for public welfare, kindly direct or order Sonia Gandhi to supply the information." He had requested Ms Gandhi for an appointment in October 2007 but didn't a reply.

To determine whether elected representatives are covered under RTI, the CIC consulted attorney-general Goolam E Vahanvati and senior lawyers. According to the CIC, MPs, MLAs, councillors or members of panchayats are not public authorities, but, the organisations and committees in which they fulfil their obligations are and information on the work promised by elected representatives should be accessible to people under RTI.

**15th December 2009**

**PMO pushes states to make delivery of services time-bound**

***The Times of India***

NEW DELHI: In a move to reduce India's infamous red tape and quicken delivery of services like ration cards, driving licences, voter IDs and caste certificates, the Centre has urged states to legislate timeframes for processing applications and proposed penalties for delays.

The initiative is aimed at ensuring that some punitive measures, by way of deductions from salaries of slack officials, will make government more transparent and responsive. Fixing responsibility more directly will ensure that officials feel the need to reduce red tape.

The PMO is understood to have had discussions with Delhi government and would like a beginning to be made in implementing an accountability law. It is clearly up to the states to pass appropriate laws in keeping with India's federal structure.

There are laws governing delivery of various services and delays in processing applications have come under sharper scrutiny following the enactment of the Right to Information law, but it is hoped that more accountability by way of fines on erring officials would make government more open.

It is felt that if a few states were persuaded to take the initiative, more would follow as the efficacy of such laws become more apparent and they also receive popular backing. The success of such laws will depend on proper e-tracking of applications and identification of officials handling applications.

**16<sup>th</sup> December 2009**

**MC again found lax in releasing information under RTI Act**

***The Times of India***

LUDHIANA: In a significant move after getting a rap from the state information commission (SIC), two assistant public information officers (APIO) have submitted unconditional apology to the commission for delaying information to an applicant under the Right to Information (RTI) Act.

According to information, Rohit Sabharwal, the president of the Anti Corruption and Crime Investigation Cell had in two different applications sought information from the municipal corporation (MC) regarding the working of Enforcement and Monitoring Committee for removal of encroachments in the city along with action against the poor quality of road constructed by the MC. However, in both the cases, the MC officers had delayed information by 45 days and 120 days.

Following this, the applicant had moved the SIC, demanding a strict disciplinary action against the erring officers who had delayed information to him. After which, the SIC, Surinder Singh had fixed the hearing of the case for December 15. During the hearing of the case, two APIOs Nirmal Preet Singh of Zone C and VB Khanna of Zone D appeared before the commission.

While Nirmal Preet pleaded that the delay in information had taken place as he had to collect the information from all the zones and as the process involved in it took some time, so the information was delayed. On the other hand, Khanna said that as he had not got the application in time, the information was delayed for sometime.

However, both the officers tendered unconditional written apology to the commission and said that both of them would ensure that in future no such delay takes place while giving information.

Pertinently, it is not for the first time that the MC officers have given unconditional apology to the commission, earlier also many officers including joint commissioner Mahinder Pal Gupta had submitted apology to the commission. Observing the laxity of the MC in dealing with the RTI applications, the SIC had even ordered the civic body to conduct a seminar on RTI, which was held a few days back.

**19<sup>th</sup> Dec 2009**

**Dinakaran told to keep off administrative duties**

***The Indian Express***

BANGALORE: High Court judge D V Shylendra Kumar on Friday urged Chief Justice P D Dinakaran, who has decided to keep off judicial functions till further notice, to refrain from exercising administrative functions as the Chief Justice and requested him to go on leave.

The Chief Justice refused to accept justice Shylendra Kumar's request to hold a full court meeting to discuss the issue of the CJ continuing with administrative duties. Shylendra Kumar, whose much discussed article on 'Judges and the Right to Information Act,' compelled the Chief Justice of India and other judges of the Supreme Court to declare their assets, released a six-page article to the media on Friday in which he urged Dinakaran to refrain from administrative duties.

Shylendra Kumar stated in the article that "if a person exercising such vast powers on the administrative side is a suspect person... whose past conduct and exploits do not inspire the confidence of the people and (sic) can possibly misuse and abuse the powers of a Chief Justice on the administrative side also." On Thursday, Shylendra Kumar, who is presently conducting judicial sittings at the Gulbarga circuit bench, wrote a letter to R B Budihal, registrar general of the HC and instructed him to call a full court meeting on Saturday.

The registrar general wrote to the additional registrar of the Gulbarga court stating that the letter has been placed before the CJ. But the CJ declined permission for the meeting. Bangalore, December 18 HIGH Court judge D V Shylendra Kumar on Friday urged Chief Justice P D Dinakaran, who has decided to keep off judicial functions till further notice, to refrain from exercising administrative functions as the Chief Justice and requested him to go on leave.

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**19<sup>th</sup> December 2009**

**Corporate info not private: CIC**

***The Times of India***

NEW DELHI: In a decision that is likely to send alarm bells ringing for corporates, the Central Information Commission (CIC) recently ruled that information held by corporates or institutes could not be termed "private" and should be made public.

In this particular case, the commission has allowed disclosure of income tax assessment records of Escorts Heart Institute and Research Centre and its promoters Dr Naresh Trehan and Rajan Nanda. This is a major departure from CIC's previous orders where income tax-related information has been ruled as personal information of third party and so far not been disclosed.

Interpreting corporates as a "legal person" rather than a natural person, information commissioner Shailesh Gandhi said personal was attributed to an individual rather than an institute or corporate.

A part of the order also recognised that whistle-blowers were working in public interest and should be given access to information. Applicant Rakesh Gupta had asked for information regarding the income tax records of Escorts group which he alleged had evaded tax. Ruling that the applicant was using the Right to Information (RTI) to expose tax evasion, Gandhi said, "If an informer is using RTI to get information... by showing that tax has been evaded, it cannot be denied that a larger public interest is being served of getting the public's due taxes and curbing corruption."

According to the order, IT department had assessed tax evasion of an estimated Rs 500 crore by Escorts Limited and Escorts Heart Institute and Research Centre, Chandigarh and Delhi. While Rajan Nanda was assessed with tax evasion of Rs 8 crore, Dr Trehan was assessed with evasion to the tune of Rs 10 crore. While some cases have been remanded to be reassessed, there are others that are pending before the Delhi High Court or have been settled by the Income Tax Appellant Tribunal (ITAT).

Recognising that Gupta played the role of a whistle-blower and added "hundreds of crores" as additional income for the IT department, Gandhi overruled objections laid down by appellate authority to rule that giving the informant access to the records was serving "a larger public interest".

Gandhi added, "The applicant fears that a lot of alleged tax evasion will go unpunished leading to a loss of revenue and perhaps his reward money. If

citizens monitor this through RTI, it could be a major gain for public revenue and perhaps a good check on corrupt officials.

**19<sup>th</sup> December 2009**

**Dinakaran told to keep off administrative duties**

***The Indian Express***

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**20<sup>th</sup> December 2009**

**Arrest warrant against official for delaying info**

***The Times of India***

NEW DELHI: In an unusual move to ensure compliance by a public official under the Right to Information (RTI) Act, the Arunachal Pradesh state information commission issued an arrest warrant. Needless to say not only was the public information officer present at the next date of hearing but also gave the requisite information after some delay.

Applicant Tago Pai Camdir had asked for information regarding details of appointments in the state art and culture department in June 2009. With no compliance by the department, the information commission asked the department's deputy director J Siram to furnish the information within three days and also explain why the Civil Procedure Code should not be invoked against him for causing "unreasonable delay".

Despite the July 13 order, the applicant did not get the requisite information and at the next hearing on July 31, the PIO, J Siram, was absent. Irked by the non-compliance, information commissioner Toko Anil issued an arrest warrant for Siram under CPC order XVI, rule 10(3) that allows for a warrant to be issued to summon a person to ensure his or her presence in court. In his order, Anil said that "...it appears that the PIO/APIO has given less importance to interim order passed by this commission...which tantamounts to non-compliance of the order."

Not only was Siram forced to execute the bail bond but had to give a written explanation on the delay where he blamed non-cooperation by department officials. Ruling that the explanations given by Siram and his colleagues were not satisfactory, the commissioner issued a showcause notice on why a penalty of Rs 250 per day for 30 days not be slapped on the PIO.

While the fine was finally waived off, the department seems to have learned a hard lesson and has promised to set up an RTI cell and ensure compliance under section 4 of the RTI Act that mandates proactive disclosure by all public institutions.

**20<sup>th</sup> December 2009**

**HC seeks info from govt on RTI PIL**

***The Times of India***

PATNA: The Patna High Court on Tuesday directed the state government to file a counter affidavit to a PIL that has challenged the validity of the amended provision of the Right to Information Act for realising fee at a concessional rate from the people below poverty line (BPL) for filing an RTI application.

A division bench comprising acting Chief Justice Shiva Kirti Singh and Justice Shyam Kishore Sharma issued the directive on a PIL of petitioner Chaitanya.

Petitioner's counsel Dinu Kumar submitted that the RTI Act did not provide for any fee from the BPL people. But the amended rule says that a BPL person seeking information under RTI would get a relaxation of Rs 10 for filing every application. The amendment brought in on November 19, 2009 is bad in law as this would discourage the poor from seeking information under the RTI Act, Kumar submitted.

While giving four weeks' time to the state government to file its counter affidavit, the court directed petitioner's counsel to delete the personal allegation levelled in the PIL against chief information commissioner Ashok Kumar Chaudhary.

**20<sup>th</sup> December 2009**

**Rs 4.5 crore down the drain in Mohali?**

***The Times of India***

MOHALI: Money has been flowing into the works of public health department here. However, a Right to Information Act query by municipal councillor of Ward No. 27, Kuljeet Singh Bedi, has raised worries that it might just be going down the drain.

Bedi has written a letter to Punjab's director (local bodies) alleging the department had spent Rs 4.5 crore from April 1, 2008, to March 31, 2009, in the name of maintaining sewerage and water supply lines, without properly informing the civic body about where the amount had been utilized, which was in complete violation of rules. He has demanded a probe into the matter.

Bedi had submitted the RTI query and sought to know about the spending till September 30, 2009. He said the details for the expenditure till March 31, 2009, were not made available. He mentioned that the MC house's approval should have been taken before spending such a large amount.

The councillor said that in Mohali, public health department collected the sewerage cess and water bill while the MC paid crores of rupees for the electricity bills to run these services. "If the public health department does not inform the MC about the expenditure, it is a scam," he stated.

He added that in other districts of the state, municipal councils collected the water bill amounts and Mohali should not be an exception to that. "I have written to the director that MC should be given these responsibilities as we have the necessary staff," he said. The councillor said the reply had also stated that the department had spent amounts of Rs 26.64 lakh, Rs 64.14 lakh and Rs 9.98 lakh without informing MC.

Executive engineer of public health division-II, Mohali, HPS Dhillon claimed that Bedi had misinterpreted the information in the reply. He stated that the amount was spent after following set procedures. "The machines we have, need a lot of maintenance. We spend far less on the lines than they do in Chandigarh," said Dhillon.

**23rd December 2009**

**BMC's open space misuse exposed**

***Daily News Analysis***

Mumbai: The city's public playgrounds and recreation grounds, which are meant to nurture young sporting talent, are instead hosting cultural and political events. The Brihanmumbai Municipal Corporation (BMC) is engaged in furthering agendas of politicians instead of making the grounds available for the sporting activities.

According to information gathered through the Right to Information Act, the civic officials are even fudging records and issuing illegal permissions to conduct events at the grounds.

This blatant misuse of open space in the city has come to the fore after social activist Ramakant Pawaskar file an RTI seeking details of bookings and reservations made during the year in two recreation grounds -- the Sadakant Dharan ground at Bhoiwada and the Kamgaar Maidan near KEM Hospital.

As per the BMC records, the Sadakant Dharan ground has been let out to an educational institution -- the Pratik Shikshan Sanstha -- since December 14 for a ten-day sports programme. In reality, however, a cultural fair -- the Malvani Jatrostav -- organised by Congress MLA Kalidas Kolambkar and his supporters is currently on at the ground. Also, the educational institution, which had applied for permission, is headed by Mahesh Mungekar, the local Congress president and the fair's organiser.

A similar fair was organised by the Sena-backed Parel Vibhag Sarvajanik Navratotsav Mandal from November 1-15 at the Kamgaar Maidan, when the BMC had issued permission for a vocational training camp at the ground.

Pawaskar, also a member of Citispace, said that it was disappointing to know that the very people, politicians and civic officials, who should work to get children to play at the grounds, were depriving them of an opportunity.

While admitting that the BMC had issued permissions at the grounds for fairs, Harshad Kale, assistant municipal commissioner, said that often the permission was issued in the interest of the local community. A large section of the middle-class goes to such fairs, Kale added.

Apart from sports related activities, public playgrounds can be let out only for religious events and educational programs and even these have to be restricted to 30 days in a year.

**23th December 2009**

**DGCA admits AI pilots dozed off in cockpit**

***The Times of India***

MUMBAI: Over a year and a half after an Air India flight overshot its destination, a right to information query filed by TOI has confirmed that both pilots had dozed off in the cockpit. The DGCA response confirms that the pilots did not react to the air traffic controllers and that the aircraft did not start descending on reaching its destination -- Mumbai. Till date, no action has been taken against the pilots as the airline continues to deny the incident.

On June 4 last year, Air India's Jaipur-Mumbai flight IC 612 did not land on reaching the city but overshot it and continued to fly south, maintaining a cruising altitude of 30,000 feet for several kilometres. It then turned back, descended and landed safely after intervention by air traffic controllers. TOI reported the incident on June 26, 2008, stating that the pilots were woken up by the Mumbai air traffic controllers.

An Air India spokesperson had called the TOI report "misleading" and denied that the aircraft overshot Mumbai due to pilots sleeping at the controls. "The pilots had temporarily lost contact with the ATC and, therefore, the aircraft had strayed 10-15 kilometres away from Mumbai," the airline's letter said.

But the DGCA response to the RTI query blows the lid off the attempted cover-up. The investigation carried out by the directorate-general of civil aviation (DGCA) concluded that it was a "case of induced sleep". The matter, say aviation experts, is yet another example of how both airlines and regulatory authorities treat such serious cases in India.

The RTI response confirms that the aircraft continued to fly south even as the air traffic controllers tried to contact the pilots using the SELCAL facility a number of times. "The exact cause could not be ascertained. However, it appears (to be a) case of induced sleep due to fatigue. Preventive measures were suggested to avoid recurrence of such incidents. Based on those, an Air Safety Circular 2 of 2009 has been issued," said the reply given by DGCA director (air safety), Bir Singh Rai. A copy of the said air safety circular was also attached to the reply.

The circular calls for strict adherence to pilots' rest rules and implementation of crew fatigue-management training. It also introduced a new procedure whereby the cabin crew should interact with pilots over the intercom every half hour during the period when crew activity is low.

The DGCA issues such air safety circulars to register the lessons learnt following an incident/accident.

What also stands out in the entire incident is the fact that the DGCA officials let the pilots go free even though it was confirmed that the aircraft did overshoot Mumbai by several kilometres. If one goes by the airline's explanation -- that the aircraft overshoot due to radio communication failure -- why were the pilots not hauled up for not following standard operating procedures in case of loss of radio contact with the ATC, industry insiders experts asked. "When a pilot loses radio contact, he does not continue flying at cruising altitude even after reaching the destination the way the AI pilots did," said air safety expert Capt A Ranganathan.

According to the laid-down procedure, the pilot alerts the air traffic controller by squawking "7600" on the aircraft transponder and then, on reaching the airport, joins the holding pattern and commences a descent-and-approach as close to the expected time of arrival. "The AI pilots did what no pilot in the world would do by flying past the destination," Ranganathan added. Surprisingly, neither the DGCA nor the airline felt the need to put the pilots through refresher training for not following the basic procedures.

**25<sup>th</sup> December 2009**

**Activist's fight brings aided schools under RTI's ambit**

**The Times of India**

CHENNAI: A Right to Information activist's campaign has exposed the reluctance of the school education department to disclose information pertaining to the functioning of government-funded schools. General secretary of the Federation of Anti-Corruption Teams India T Retna Pandian had to file a series of RTI applications before four different agencies and pursue them with appeals before the State Information Commission to achieve the task of bringing state-aided schools under RTI ambit.

Lourdhu High School at Pattabiram in Tiruvallur, which refused to accept two RTI petitions from Pandian has now been slapped a fine of Rs 25,000 by the commission.

The school had dismissed RTI petitions on the grounds that aided schools need not have a public information officer (PIO), thereby defying the authority of the commission.

The commission's order said, "Since the school is aided, as per the RTI Act and judgement of the high court, it is a public authority. It is directed to appoint a PIO and supply information within 2 weeks. If they fail, the district educational officer is directed to take necessary action under Section 20 (2) against the school."The PIO at the Directorate of School Education, who had claimed in an RTI reply sent to Pandian that all schools in the state were following mandatory requirements in terms of infrastructure, has been asked by the commission to explain why a penalty should not be imposed.

Pandian, first filed an RTI application to the school asking details related to the total area and built-up area of the buildings.

When the application was returned, he filed an appeal which was also returned.

He then filed an RTI application with the district education officer on the same subject, who replied to some of the queries.

He said any school in municipal limits should have 24,000 sq ft land and an extra three acres for a playground. The Lourdhu school was functioning in less than 7,200 sq ft land, he said. He added that the school did not have an approved plan for its buildings.

However, he claimed in his reply that about three acres of land in a discarded lake was being used as play area and the revenue officials had recommended that it be handed over to the school permanently.

The information about the playground proved to be false when Poonamallee tahsildar, replying to another RTI by Pandian, said no such recommendation had been sent.

Pandian filed another RTI with the directorate of school education asking whether all the schools in the state had adequate land, buildings and play ground.

While replying in the affirmative to these queries, the PIO at the directorate also claimed that no school was allowed to function without obtaining building plan approval from the competent authority. The petitioner, pointing out the case of Lourdhu school, exposed before the commission that the public information officer at the directorate had given wrong information.

**27<sup>th</sup> Dec 2009**

## **The best of decades, the worst of times**

### ***The Economic Times***

It has been the best of decades, the worst of decades. In the 2000s, India became an economic growth champion (especially in services), and was

recognized as a potential superpower through admission to the world's nuclear club. But the same decade witnessed gross misgovernance, rising terrorism and Maoist insurrection, and outrageously high rates of malnutrition and anaemia.

In 2000, India was just recovering from the Asian financial crisis, but was then hit by the 2001 recession and worst drought of the century in 2002. Agricultural growth fell below population growth. Foreign investors flocked to China but not India, which was seen as a manufacturing failure. Indian industrialists were dead scared of Chinese competition.

Astonishingly, this sombre beginning was followed by miraculous economic acceleration. India averaged almost 9% GDP growth in the five years, 2004-09, with agriculture averaging over 4% annually, the highest rate ever. Even the poorest states -Bihar, Uttar Pradesh, Orissa, accelerated. Infrastructure and private educational and health institutions expanded faster than ever before. India then survived the Great Recession of 2008-09 with only minimal deceleration, and now expects 7.5-8% in 2009-10. This excellent performance explains why it is seen as a coming superpower.

In the 2000s, business and knowledge process outsourcing followed the lead of computer software to become globally competitive. India proved that its main advantage lay not in cheap labour but cheap skills. Professor Vivek Wadhwa said Indian companies "have climbed the value chain to become outsourced providers of critical R&D in sophisticated areas such as semiconductor design, aerospace, automotive, network equipment and medical devices.

This is happening as multi-nationals set up their own R&D operations in India and partner with local shops. Both the Palm Pre smartphone and the Amazon Kindle, two of the hottest consumer electronics devices on the market, have key components designed in India. Intel designed its six-core Xeon processor in India.

IBM has over 100,000 employees in India. A large number of these are building Big Blue's most sophisticated software products. Cisco is developing cutting edge networking technologies for futuristic 'intelligent

cities' in Bangalore. Adobe, Cadence, Oracle, Microsoft and most of the large software companies are developing mainstream products in India".

Cheap skills enabled Tata Motors to produce the Nano, the cheapest car in the world. Bharat Forge is set to become the biggest auto forgings company in the world. Reliance has created the largest oil refinery complex in the world at Jamnagar.

Instead of being swallowed by MNCs, Indians went on a global acquisition spree. Tata Steel acquired several foreign plants including Corus, and now gets 65% of its revenue from global operations. Every top pharma company has become a multi-national. Economist Arvind Subramanian says India has beaten China in terms of overseas investment as a percentage of GDP.

However, better economic performance has been accompanied by worse political management. The Gujarat killings of 2002 badly dented India's claims to secularism, as did the killings of Christians in Orissa. In 2001, we said proudly that India had over 150 million Muslims but no al-Qaida. Alas, India has now developed home-grown Muslim terrorists exploding bombs in several cities, with impunity. Indian extremists have retaliated with their own bombings in Malegaon.

The government has hardly a clue about the perpetrators. Its anti-terrorist efforts look pathetic. It looks equally clueless to deal with rising Maoist attacks in 167 of the country's 600 districts. Some silver linings: Kashmir is much quieter, Andhra Pradesh has largely ended Maoism, and the ULFA chief has been apprehended.

Government service delivery remains terrible. Absenteeism of teachers and other staff remains scandalous, with no sign of political will to discipline the culprits. Political corruption is mind-boggling; politicians have found they can make more money out of a liberalized, dynamic private sector than they could in the old days out of inefficient public sector monopolies.

Will worsening governance make improving economic performance unsustainable? Maybe, but I am an optimist. This is because in some ways governance has actually improved enormously. Consider the computerization of rail and air bookings, banking, court cases, land records, tax returns and much else. Consider the rise of NGO watchdogs and the Right to Information.

The end of industrial and most import licensing has ended corruption in those areas. The end of price controls has ended black marketing. Low import duties have killed smuggling. The black market in foreign currency has disappeared.

So, economic reform itself has improved governance in a hundred ways. I believe this explains why economic growth has accelerated despite terrible misgovernance in some areas. For this reason, we can view the next decade with optimism.

**28<sup>th</sup> December 2010**

**Documents on Rs 550 crore Balco disinvestment  
'cannot be traced'**

***The Business Standard***

Tender documents and minutes pertaining to the Rs 551.5-crore divestment of Bharat Aluminium Company (Balco) in Chhattisgarh's Korba district eight years ago cannot be traced by the ministries concerned, according to a response to an Right to Information (RTI) application, seeking details of the same.

In its order on an RTI query filed by advocate Arjun Harkauli on the issue, the Central Information Commission (CIC) observed, "In response to the request for information relating to disinvestment of government's 51 per cent stake BALCO, the Chief Public Information Officers of the respondents have stated that they have made attempts to search and trace the desired documents but to no avail."

In its reply, the government of India has nowhere stated that the documents have been destroyed or that it cannot be supplied due to any bar under Section 8 of the Right to Information Act, 2005.

Sterlite Industries had acquired 51 per cent stake in Balco in March, 2001. The global advisor for the deal was Jardine Fleming India Securities Ltd, with whom the agreement was signed by Department of Disinvestment on behalf of the Indian government.

In its response dated January 29, 2009, the Department of Disinvestment, which comes under the Ministry of Finance, said, "The records available with the Department of Disinvestment show that Ministry of Mines, and not Department of Disinvestment were in consultation with the advisors, even though the Department of Disinvestment has signed the agreement with the advisors."

In its response dated March 3, 2009, the Ministry of Mines had stated: "The said documents have not been found in the available files in this ministry." It also said: "There are no records available showing that discussions were held with them (Sterlite industries) in connection with their acquisition of majority stake in Balco."

**29<sup>th</sup> December 2009**

**Karnataka CM spent Rs 20L on flying visit to Delhi**

***The Times of India***

BANGALORE: When it came to kissa kursi ka, chief minister B S Yeddyurappa didn't mind spending lakhs of rupees on a 'flying visit' to New Delhi. It turns out that at the height of rebel activity in the first week of November, Yeddyurappa spent Rs 20 lakh on a chartered flight to Delhi to meet the party bosses.

This emerged from an RTI query put by TOI under the Right to Information Act.

The amount was blown away on a flight from Bangalore to Hubli and to New Delhi on November 4. Though Yeddyurappa chose to make the trip official as he met Union ministers on the flood issue, the main reason was summons by BJP's central leadership, which was trying to bring him and the Reddy brothers, pioneering the rebellion, to the negotiation table. But it turned out to be a wasted trip as the talks did not take place. The Reddy brothers who were firm in their stand did not attend the talks.

The cost was precisely Rs 19,88,100. The RTI reply said: "The trip was official and the flight was from Hubli to New Delhi." It was a reply to a query on the air travel cost of the CM to New Delhi between October 1 and November 8.

According to sources, the aircraft, VT-RAN, flew from Bangalore to Hubli with the CM, some ministers and a couple of officials on board. Yeddyurappa was to inaugurate the symbolic shifting of flood-affected villages in Arahatti village in Navalgund taluk of Dharwad district on November 4. After the function, the flight took off to New Delhi.

**30<sup>th</sup> Dec , 2009**

**RTI seeks Ruchika case details from CBI**

***The Indian Express***

New Delhi : A Supreme Court lawyer has, in a Right to Information (RTI) Act application filed on Tuesday, demanded from the CBI to provide copies of the entire case file on Ruchika Girhotra "with all the notings and opinions of all the officers".

"This shall include the recommendation of then Joint Director and I/O of the 'case of molestation and death of Ruchika Girhotra', R M Singh, to the then Director of CBI that SPS Rathore be charged for abetment of suicide also under Section 306 IPC," Ajay K Agarwal has sought from the investigating agency.

According to the Act, the CBI has to respond within the next 30 days. If the reply is not found satisfactory, the lawyer may appeal. The records, if any, obtained through RTI has premium importance and admissibility as evidence in a court of law.

The RTI request has also sought the order of then CBI chief R K Raghavan and then Director of Prosecution S K Sharma, among other prosecuting officers, who allegedly turned down the recommendation of Singh to book Rathore for abetment to suicide.

**31<sup>st</sup> December 2009**

## **12 departments to go 'paperless'**

### ***express buzz***

BANGALORE: The e-governance department's ambitious programme to make 12 government departments 'paperless offices' the coming year is touted to be 'one step beyond' the Right to Information (RTI) regarding transparency in the government's affairs.

Delivering a lecture on 'e-governance projects' on Wednesday, M N Vidyashankar, principal secretary, department of e-governance, said that 12 government departments would be made 'paperless offices' starting with his department, which will be made 'paperless' on January 10, 2010.

"The IT department is already paperless and we are in the final stages of making the e-governance department paperless. This is one step beyond the RTI as there will be complete transparency.

The public can track the movement of files and find out whether the concerned officers had cleared it and if it had the approval of the chief minister and the principal secretary, all on a computer system," he said.

Among the other projects the e-governance department will be taking up shortly are the setting up of the new level-III data centre at Vikas Soudha and to integrate Bhoomi, Kaveri and the Survey Settlements.

Vidyashankar said that under the Unique Identification Authority of India (UIDA) for which Karnataka has been chosen as the pilot state, unique identification cards will be issued to majority of the state's population by December, 2011.

**31st December 2009**

**SC advocate seeks Ruchika case details**

***Express Buzz***

NEW DELHI: Supreme Court advocate Ajay K Agrawal has sought information from the Central Bureau of Investigation (CBI) Director on why the investigating agency did not charge then IGP S P S Rathore with abetting a suicide.

This, in spite of then Joint Director and in-charge of Ruchika Girhotra's molestation and suicide case R M Singh recommending that Rathore be charged with abetment also.

In his application filed under the Right to Information Act, he sought a copy of the entire case file and opinions of all the officers, including R M Singh's recommendation.

He also sought the order of the then CBI Director R K Raghavan and opinion of then Director of Prosecution S K Sharma rejecting the Singh's recommendation.

Meanwhile, the Haryana Government on Wednesday announced the setting up of a committee to probe the charges made against S P S Rathore in the two fresh FIRs registered against him, state government sources said here.