

## **News on Right to Information**

**Compiled by  
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**1<sup>st</sup> November 2009**

### **TN's bus corpns owe Rs 324 cr to mishap victims**

*The Times of India*

COIMBATORE: Speeding state transport corporation (STC) buses are not just among the worst killers on the roads, they are also the biggest defaulters when it comes to paying compensation to accident victims.

The STCs in Tamil Nadu owe a whopping Rs 323.96 crore in compensation to 11,233 victims and their families, information obtained under the Right to Information Act (RTI) has revealed.

The STCs have not settled compensation amounts of Rs 18.61 crore awarded by the Madras High Court and a startling Rs 305.14 crore ordered by the accident tribunals. Some hapless families of accident victims, like Palanichamy Gounder, have been waiting for compensation for 28 years now. Palanichamy Gounder died in 1981 after being hit by a bus; his family is yet to get compensation.

“We are trying our best to clear compensation due to accident victims and their families,” transport secretary Atulya Misra told TOI, adding that the insurance scheme recently announced by chief minister M Karunanidhi would also help speed up the process. Tenders would be invited soon to identify an insurance company for the scheme, he said.

Also, the government has convened a meeting of managing directors of all the state transport undertakings. On top of the agenda is finalizing a strategy to clear the huge compensation amounts.

The transport corporation of the Villupuram-Kancheepuram region is the top defaulter, with dues of Rs 103.95 crore. Next comes the Kumbakonam region with Rs 43.48 crore. The Metropolitan Transport Corporation in Chennai is not far behind, with an amount of Rs 33.5 crore yet to be paid.

Meanwhile, the wait continues for several families. About 12 years ago, small time trader Loganathan of Dharapuram was run down by a bus; his family was awarded compensation of Rs 2.81 lakh in April 2002 by the

Dharapuram sub-judge. Though the interest on the compensation amount has grown to Rs 2.48 lakh, Loganathan's wife, Bhanumathi, and two children are yet to see any of the money.

"The accident victim's wife is struggling to bring up her two children. But there is no sign of the compensation," says the former Congress MP, S K Kharventhan, who filed the RTI application.

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

**Punjab varsity seeks Rs 12L for RTI reply**

*The Times of India*

CHANDIGARH: Chandigarh's Panjab University (PU) has asked an LLM student, Varun Malik, to pay a whopping Rs 12.22 lakh for replies that he had sought to 19 queries under the Right to Information Act.

Malik alleged that PU asked him to pay through the nose to discourage him from seeking information that could blow the lid off various scams on the campus.

The officials maintain that Malik has to pay the fee as RTI rules make it clear that the petitioner has to pay Rs 2 per page for the information sought. "The information Malik has sought runs into more than 6 lakh pages," an official said. Malik is unconvinced. "It's surprising that the information would run into so many pages," he said.

PU has sent Malik two reminders for the payment, saying the information was almost complete. He has been advised to avoid using "unparliamentary" language while talking to its officials.

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

**Anna Hazare, Aamir Khan want Kiran Bedi to hold top RTI job**

*The Times of India*

*Abhinav Garg & Anil Singh* NEW DELHI/MUMBAI:

The issue of who succeeds Wajahat Habibullah as the country's chief information commissioner has taken on an interesting dimension with film star Aamir Khan, social activist Anna Hazare, RTI activist Arvind Kejriwal and a procession of renowned personalities mounting a vigorous campaign for the baton to be handed over to the first woman IPS officer, Kiran Bedi.

Hazare, Aamir and a host of eminent persons have written to PM Manmohan Singh as well as Congress chief Sonia Gandhi, making a strong pitch that Bedi had the best credentials for a job that is crucial for promoting transparency in governance. "If you are appointing another person, please let us know how that person is more suitable than Kiran Bedi," says the letter.

Signatories include Subhash Chandra of the Zee group, while several other celebrities such as Narayana Murthy of Infosys, are sending their letters on Monday.

The letter comes in the wake of fears that the hard-earned, albeit limited, progress on the right to information is endangered with bureaucracy invoking the specious plea of public interest to negate the gains. A recent study showed that less than one-third of RTI applicants got the information they sought.

The judiciary is yet to warm up to the idea of public disclosure of assets of judges, and the resistance seems to have encouraged the bureaucracy. As a matter of fact, secretaries of key ministries at the Centre are meeting on Tuesday to discuss whether public servants should be made liable to disclose their assets under RTI Act.

The CIC under Habibullah had several run-ins with the bureaucracy as it sought to push the transparency envelope. Though he did not always succeed in the face of entrenched opposition, the country's first chief information commissioner, with access to the top echelons of power, often managed to hold his own.

Information rights activists are wary of the bureaucracy seeking to influence the selection process to help install someone as the CIC who will not be a hurdle in their efforts to reclaim lost ground.

"We have learnt that the government is appointing a person of its choice as CIC this week without the wide consultation that is needed for it," said Kejriwal, echoing the fear that a determined attempt would be made to roll back the progress in making transparency a right available to every Indian citizen.

Obviously, the two information commissioners -- M M Ansari and A N Tiwari -- who are in contention for the job don't inspire much confidence among the activists. They cite the findings of a study analysing the performance of information commissioners to justify their scepticism as well as why they consider Bedi to be the ideal replacement for Habibullah.

A national tennis champ, Bedi joined the Indian Police Service in 1972. She received the Magsaysay award in 1994 for her work in prison reforms as inspector-general of police in charge of Tihar jail. Bedi opted for voluntary retirement in 2007 after being overlooked for the post of Delhi police commissioner.

The CIC is chosen by a three-member panel comprising the PM, the Leader of Opposition and a Cabinet minister nominated by the PM (Veerappa Moily). The post is at par with that of the chief election commissioner and the term is five years or up to the age of 65.

Section 12(5) of the RTI Act states: "The chief information commissioner and information commissioners shall be persons of eminence in public life with wide knowledge and experience in law, science and technology, social service, management, journalism, mass media or administration and governance."

To give such persons a fair chance to apply, RTI activists say, the government must cast its net far and wide, all over India and in all walks of life. It must advertise the position, attract a good number of candidates and select the best from among them with proper screening procedures. Hand-picking people from a small inner circle at DoPT, PMO and Central Information Commission, as it is doing now, is a sure way of "defeating excellence, nurturing mediocrity and protecting vested interests" within the administration, say RTI activists.

Speaking to TOI from Oman, Bedi said the news that Aamir and Anna Hazare had recommended her name for the post was "interesting". However, the feisty former cop wondered if such recommendations mattered. "I wonder if these letters carry any weight with the government. If the responsibility comes through, I will serve the country but won't take any salary. I am independent since the past two years and don't need any salary from the government. If they still insist, I would like to donate it to my foundation for poor children," Bedi said.

**4<sup>th</sup> November 2009**

### **MC fails to keep its word on updating website**

*The Times of India*

*Manvinder Singh, TNN, 09:57pm IST*

LUDHIANA: The municipal corporation authorities have failed to adhere to the directions of the State Information Commission (SIC) to update its website by November 3 for better dissemination of information, but in a face-saving exercise it has uploaded some of the pages on its existing website, which are again full of discrepancies.

While hearing a plea filed by social activist Hitender Jain regarding lack of proper dissemination of information under Section 4(1)-B of the Right To Information (RTI) Act, State Information Commissioner Lieutenant General (Retd) PK Grover had asked MC officers to comply with the norms and put information in preview of the Act on the website. Though the MC officers had asked for three months, the commissioner had directed them to take four months and complete it by November 3. But the civic body authorities, in the habit of delaying matters of public importance, once again failed to update the website by the fixed date. However, in a face-saving exercise, the MC tried to update some of the pages but that too with a lot of discrepancies. The names of the officers who have left the civic body are still figuring the website. Similarly, no vital information regarding the ongoing projects and schemes of the civic body are there whereas the site is full of names of the clubs, hospitals and other institutions, which has perturbed RTI activists.

Commenting on it, Hitender Jain said that according to Section 4(1)-B of the RTI act the MC should have put information regarding its working on the website by June 12, 2005. "They are indifferent towards it and are rather misleading the people and the commission," he added.

Similarly, another RTI activist Rohit Sabharwal said, "The MC does not want to disseminate information to the public and the delay on the website is a testimony to it." He added that the new pages that have been uploaded to the site are totally misleading.

On the other hand, senior deputy mayor Praveen Bansal said they are committed to implement the Act in its true spirit, adding that an agency has been hired to upgrade the website and the work would be completed soon.

Late call

In order to expedite work on building the new website, a high level meeting of the MC took place on Wednesday in which senior deputy

mayor Praveen Bansal and joint commissioner Mahinder Pal Gupta took part. In the meeting it was decided that work done by the agency updating the website would be reviewed on a weekly basis.

**6<sup>th</sup> November 2009**

**Petition challenges HC's appointment of retired persons**

The Times of India  
TNN, 06:53am IST

PANAJI: A petition has been filed before the high court of Bombay at Goa by one Kashinath Shetye and nine others challenging the extension granted to some retired persons by the high court itself.

The petition came up for hearing on Thursday before the division bench of Justice V K Thaliramani and Justice N A Britto. Using the Right to Information Act the petitioners found that four retired persons had been reappointed by the court on contract basis for a period of six months.

The petitioners stated that such extensions in service and contract-basis appointments granted to retired persons violate Articles 14 and 16 of the Constitution of India. Such appointments deprive those in subordinate posts their promotions, the petition states. It also challenges those appointments made without advertising the posts as these deprive eligible candidates from applying.

Praying for an order to immediately withdraw or cancel re-employment of retired officers in its establishment, the petition seeks further directions to fill the posts by making regular promotions, transfers and appointing eligible persons in terms of recruitment rules and by following proper procedure.

When the petition came up for hearing on Thursday morning, Shetye appeared in person and was granted two weeks time by the court to appoint an advocate to represent him. The petition will come up for further hearing after two weeks.

**6<sup>th</sup> November 2009**

**RTI helps ITI students find out about stipend delay**

*The Times of India*

*Vijaysinh Parmar, TNN, 10:36pm IST*

RAJKOT: The Right to Information (RTI) Act helped students of Industrial Training Institute (ITI), Amreli find out why their annual stipend is not being given.

According to details, Vishal Parmar, 20, a student who passed out of the ITI filed an RTI application to know why students eligible for government stipend had not been getting it since 2007.

While ITI officials say the stipend will be given soon, Parmar feels if they are delayed they are of no use. "Most students who opt for courses in ITIs are from socio-economically backward classes and want to get into jobs as soon as the courses are over," he says.

"In March 2009, the institute's principal replied to the application. He said that since 2007 about 459 students studying in various disciplines and belonging to scheduled castes, scheduled tribes, socially and educationally backward classes, minorities and nomads, among others, had not been given stipend. The reason given was that it had not been released by the concerned government department," says Parmar.

Applications of all students eligible for stipend are collected and sent to the concerned department. "According to details, provided under the RTI application, till March 2009, Rs 3,65,600 was not released from various government departments for stipend purpose," he adds.

It also revealed that stipend gets delayed due to government's inter-departmental procedures getting delayed.

"The district backward class welfare officer said the government in 2005-06 had given the stipend responsibility to department of labour and employment, but in 2007-08 it was transferred to social justice and empowerment department," says Parmar.

**7<sup>th</sup> November 2009**

### **SIC to help PIOs overcome their problems**

*The Times of India*

PATNA: Otherwise known for imposing fine on public information officers (PIOs) for their failure to part with information sought under the Right To Information (RTI) Act, the State Information Commission (SIC) is now mulling over the idea of holding meetings with PIOs to sort out problems they might be facing in disposing of applications filed under the RTI.

For now, the SIC is in the process of preparing a list of PIOs against whose name maximum number of applications are pending.

"Once we have the list prepared, the SIC would invite such PIOs in batches to discuss the problems they might be facing in timely disposal of RTI applications," Bihar chief information commissioner (CIC) A K Choudhary told TOI on Friday.

The CIC, however, was quick to add that the performance of PIOs in general has been quite impressive. Records say that against 50,000-odd applications received in 2007-08, the PIOs disposed about 42,000 applications which indicates towards above 80 per cent disposal rate.

The proposed meeting of SIC and PIOs, nevertheless, would be of great use as the number of RTI applications have maintained increasing trends with each passing year. On an average, suggest records, number of application is going up three to four times every year since RTI came into force.

He said while the number of such application was around 50,000 in 2007-08, it went up to two lakh in 2008-09. "Meeting with PIOs would help in preparing them for the likely increase in load of applications in years to come and thus maintaining a right balance between the demand and supply," added the official.

The SIC official said that such meetings would also allow the SIC to clear the confusions of PIOs which they might be carrying regarding the implications of the provisions of the Act.

**7<sup>th</sup> Nov 2009**

### **A street-fighter's democracy**

*Sreelatha Menon / New Delhi , 0:33 IST  
Business Standard*

Magsaysay awardee **Aruna Roy** tells *Sreelatha Menon* that she is ready to chase a new dream, a School for Democracy.

At 63, she is the same age as Sonia Gandhi, but while the Congress President is symbolic of political power, Aruna Roy insists she too wields political power which may not be electoral but is every bit as capable of making changes in society and government policies. It is a role she created when she quit the civil services to join her husband, Bunker Roy, in his adopted village of Tilonia in Rajasthan with the seemingly small but significant issue of a woman's right to earn more than just one rupee for working 12 hours. "She was a fighter and got justice which, in fact, paved the way for the implementation of the Minimum Wages Act," recalls close friend, and Comptroller and Auditor General member, Niranjan Pant.

For a decade she worked along with Bunker Roy, watching him build his school for his "barefoot engineers", before striking out on her own as an activist who insisted on sweeping systemic changes.

The thought led to the birth of Mazdoor Kisan Sangharsh Samiti (MKSS) which was founded in 1990 and its first battle was for access to information. While struggling for the implementation of minimum wages for women, she had realised that getting information from the government was next to impossible. And with that began her fight with the bureaucracy's "oath of secrecy", adds Pant.

Ironically, Roy admits that she had, in fact, abandoned the fight for the right to information from the government, not because she was disillusioned but because she never had any illusions about it. Her father, Jayaraman, an alumnus of Santiniketan, was a government employee in Delhi and so she grew up seeing the workings of the bureaucracy from close quarters. Her mother, a brilliant student of physics, helped her set goals for herself. Not many know that Roy, who graduated in English literature from Delhi University's Indraprastha College for Women, was a student of music and dance too. She, in fact, remembers her two years as a student of Bharatanatyam and Carnatic music at Kalakshetra, near Chennai, with tremendous nostalgia. "Those years were very important," she recalls, admitting that the life of an activist was certainly not one that her parents had in mind for her. "They were never happy with my choice," she says sadly.

Roy's father died before she began Mazdoor Kisan Sangharsh Samiti even though she had begun to work towards it. Ironically, both her parents died by the time she was honoured with the Magsaysay award for landmark legislations such as the Right to Information and National Rural Employment Guarantee Act. Over the years, Roy's activism has seen her carve out a space for civil society in the corridors of government, whether as a member of the National Advisory Council under the last government or as a member of the Employment Guarantee Council. She also supported Medha Patkar and together they carried out a nationwide social audit drive so as to expose the gains and losses made by the Special Economic Zones in the country.

We're on a journey with Roy in her car en route to Mayo College, Ajmer, where the activist is to deliver a talk to students. Our conversation is continuously interrupted by the mobile as colleagues from the

Mazdoor Kisan Sangharsh Samiti call her to discuss the developments of the day. Along with Nikhil Dey and Bhanwar Singh, Roy is in the middle of organising the concluding session of a fortnight-long social audit campaign on the National Rural Employment Guarantee Act in Bhilwara. "List out problems along with solutions in your speeches," she tells them. "... We are not there just to criticise but to resolve issues," she adds.

I'm observing her and listening intently while the car winds its way into the main gates of Mayo College. "It's a mad life that I lead," she says. The next sentence, in fact, is a glimpse into how fatigued Roy really is. "I'm torn into pieces. I want to wean myself away from MKSS," she adds wearily. You can't want to quit, I tell her. "Look at me," she challenges, "I am already weaned out. MKSS can go on without me. Ten years ago they would not have let me go away on the final day of such an important campaign. Today, they just want to ensure that I come back by the time the Union minister arrives," she confesses. She pauses, takes a deep breath and adds softly, "One day, they won't even realise that I am not there."

But if she's weary on one hand, she's already indicating the dreams that she has for Mazdoor Kisan Sangharsh Samiti 20 years from now. "I have been trying to break free to do what I really want to do," she says of her dream venture. And what is that? "A School for Democracy," Roy says excitedly. It'll be set up at Bhim in Ajmer district, close to the rural abode of the Mazdoor Kisan Sangharsh Samiti at Devdungri, also in Ajmer district. "The school will symbolise what I stand for," she says proudly. In fact, the school stems from Roy's own hunger to learn more. "There is a need for formalised learning on many things that no one teaches. Today, I want to know about Maoism, about human rights in India," she says. It's a departure from formalised education in India, so what will the curriculum be? That's a reason why, she adds with a smile, "a lot of people will come together on it". The school, for the record, will be funded

by the entire prize money that Roy received with the Magsaysay award and will be supplemented by donations too.

If there's one thing that has remained unchanged since the inception of Roy's activism, it is the organisation's preoccupation with morality. The RTI campaign, the National Rural Employment Guarantee Act, she adds, were about social justice but "... also about ethics". "Having a law is great, but what's an even greater achievement is to have systems in place which ensure that the law is complied with," she says. "We need transparency, for the devil is in the details," she laughs.

A little later, Prince Andrew, who is also present at Mayo College, chides Roy that the "Right to Information will return to bite you, it will make governance impossible". Roy, I observe, argues gently and ensures that he finally accepts an invitation to spend time with her, to understand what makes RTI so relevant, so good. "If you are in a room with no light in it, the first thing you do is ask where the switch is or when the electricity supply will be restored or whether there is a candle. That is what RTI is all about," she will later tell the assembled students.

She refers to herself as a "street fighter" and describes to the students how she and her supporters carried out months of agitation in Beawar even as they sought the RTI law to be implemented. "Beawar," she tells them lightheartedly, "was derived from two words written on its gates by a former British officer: Be Aware."

The applause in Mayo hasn't died out by the time we're on our way back to Bhilwara. "It seems like forever when we started our journey," she tells me, adding, "We achieved so much more than I had ever hoped to dream of. Many others felt it was not achievable in a lifetime," she says. She sighs while I continue to observe her. "I feel vindicated," she smiles.

**8<sup>th</sup> November 2009**

### **HC comes to the rescue of wronged' SI aspirants**

*The Times of India*

CHENNAI: Coming to the rescue of a large number of sub-inspector aspirants, who were not selected in 2007 due to mistakes in evaluation of their papers in the recruitment test, the Madras High Court has directed the authorities to consider the case of those candidates who had given correct answers to three questions.

Justice MM Sundresh, disposing of a batch of writ petitions, said the Tamil Nadu Uniformed Services Recruitment Board and other authorities must prepare a list of unselected candidates who had given correct answers, and conduct interview for them. If they come within the cut-off marks after the award of additional marks, then they should be accommodated in the available vacancies.

The exercise, which should be completed in three months, is expected to benefit about 40 candidates.

The whole case revolves around three objective type questions which had multiple-choice answers in the written test conducted on December 20, 2007, for the selection of 682 sub-inspectors of police. The board had given wrong answer key to the questions, resulting in wrong answers getting marks and correct answers being rejected during evaluation.

The present petitions were filed after a query under the Right To Information Act revealed the details. On representation, the board conceded that the mistakes had indeed been committed, but said the candidates could not be considered for selection.

Counsel for the petitioners said the wronged students should be accommodated in the force, and the board could not take advantage of its own mistake. The advocate-general, however, said the move would affect aspirants in future, and added that there was an inordinate delay in these candidates approaching the court.

Justice Sundresh, rejecting the submissions, pointed out that the candidates were alert enough to file and lose one round of litigation, before coming across the mistakes committed by the authorities. Noting that the authorities should have noticed the mistakes at the earliest and replaced unqualified candidates with the suitable ones.

Observing that fairplay, integrity and transparency would enhance public confidence in the system, the judge said they would also reduce litigation.

He also noted that in future the board must verify the key answers immediately after the written examination and publish them in the website and newspapers.

**8th November 2009**

**SIC gives itself 'above-average' grade in RTI**

*The Times of India*

*Neha Shukla, TNN, 03:25am IST*

LUCKNOW: Uttar Pradesh may be lagging behind in national average on most of the socio-economic parameters, but when it comes to the implementation of RTI Act, the state seems to be doing reasonably well. As per the three-year report card of the RTI, prepared by the UP State Information Commission, while on an average only 27% applicants get information under the Act across India, in UP, this figure is as high as 74%.

"The recent study which assessed the performance of Information Commissioners (ICs) across the country did not include the case study of UPSIC," said sources. Had it been so, the national percentage might have risen. It is the much awaited performance assessment of the Right to Information (RTI) Act which has been prepared by the State Information Commission (SIC). In 2009, about 72.5% RTI cases have been disposed of in the state and combining it with the records of the past three years the figure stands at 74%.

The combined figures of three years, from April 2006 to September 2009, made available by the SIC show that 74% cases out of the total number received between the said period have already been disposed off by the SIC. "The hue and cry over delayed information could be over cases that are still lingering on at the Commission," said sources.

Since April 2006, the SIC has received about 74,000 applications. The applications included complaints by applicants who did not get any information from the government departments and second appeals by applicants who got wrong or incomplete information in response to their applications.

All these applications were heard over the past three years and about 55,000 were disposed off after hearings. The first-time compilation of figures by the SIC suggests that Commission hears 250 to 300 cases every working day.

The assessment report, however, falls short of some "facts" as well. It talks about penalties imposed on the erring public information officers (PIOs) in as many as 125 cases. But, it is silent on the "recoveries" made by the Commission from the erring PIOs.

Second, though it states that 55,000 cases were disposed of, it does not

mention the follow-up, like how many of these 55,000 applicants finally got the desired information from government departments. Nevertheless, coming out of these figures in public domain adds hope that RTI might get its due in the long run, with the Commission willing to share details about its functioning.

**9<sup>th</sup> November 2009**

### **400 files missing in fisheries dept**

*The Times of India*

*Jeeva, TNN, 02:02am IST*

CHENNAI: An inspection of the records of the fisheries department by a right to information (RTI) activist appears to have landed the authorities in trouble.

It has revealed that as many as 405 files, pertaining to the fishermen welfare fund, are missing in the office of the assistant director (marine) in Ponneri. It also found a mismatch of signatures of about 500 beneficiaries of the fund.

M Thuyamurthy of Tondiarpet, a retired superintendent of the department, in July and October this year perused records of the national fishermen relief and welfare fund in which a fisherman can get Rs 600 as assistance in the offseason every year. It was also revealed that 405 files pertaining to the 2000-2006 period had gone missing.

Thooyamurthy's checking of disbursement of funds from 2005 to 2007 to members of three fishermen societies in Nallathanneer Odaikuppam, Palagaithotti Kuppam and, Thazhankuppam villages out of 180 such societies in Tiruvallur district has brought to the fore a mismatch of signatures of around 500 beneficiaries.

"There is no chance of so many files going missing. And the variation of almost 40% of the signatures of beneficiaries noticed while comparing the admission register and the disbursement register in a random check is fishy. The government should order a detailed inquiry into the issue," Thuyamurthy said.

He filed about 25 RTI applications and moved the Tamil Nadu State Information Commission saying the authorities had refused to furnish information to many applications and even gave "false information" to several queries.

Now, the Commission has directed the department to give him a proper reply by November 13 and cautioned of penal action if no proper reply was given.

A senior official in the department told The Times of India that there was no possibility of files going missing. "A woman employee has complained that about 160 files were not handed over to her by her predecessor. We are trying to trace the files. Most of them contain only one or two papers and could have got mixed with other files."

On the mismatch of signatures, the official said: "Many fishermen are not educated and their signatures differ in many cases. But we have not received any complaint that they have not received assistance."

Meanwhile, the department has rejected Thooyamurthy's application to inspect records at its head office in Teynampet.

### **Naveen Seeks People's Help to Fight Corruption**

*Bhubaneswar*

In the back drop of the multi core rupees mining scam in Orissa, Chief Minister Naveen Patnaik today asked the common man to come forward in exposing the corrupt persons.

"People should come forward in exposing the corrupt. Today, the state is marching ahead in all spheres of development. Hence, it is all the more important for each one of us to ensure that corrupt practices do not derail the process of economic growth and development," Patnaik said while addressing the concluding session of the Vigilance Awareness Week-2009.

Stating that honesty and transparency were two pillars of democracy, Patnaik said the Right to Information Act had come as a great stride forward in achieving the twin goals.

Claiming that anti-corruption wing of the state was one of the best in the country, the director of vigilance wing Anup K Patnaik said even senior government officials were not pored.

"The state vigilance has registered 78 cases against 32

IAS officers, 7 IPS officers and 21 IFS officers during the last five years", the director said adding that while 11 class-I officers had been convicted in corruption cases, 37 class-II and 109 class-III officers were found guilty.

Besides probing into the mining scam, the vigilance wing had also exposed the corrupt people in Orissa Health System Development Project, Orissa Rural Housing Development Corporation and other tax evasion cases.

On the mining issue, the vigilance director said, "We have already registered four criminal cases and arrested nine persons out of which eight were officials of forest and mining departments."

"Prior to this year's mines enquiry and investigation, vigilance department had registered 13 cases against various mining authorities. Hence, altogether 17 criminal cases have been instituted by the vigilance in mining sector", he said.

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

**'Respect panel's choice of CIC'**

*The Times of India*  
*TNN, 02:51am IST*

NEW DELHI: The Delhi high court on Monday wondered how much truth lay in the perception that a non-bureaucrat would make a better chief information commissioner.

It's a wrong impression that if a civil servant is appointed for the post then he will not work. Take the example of Wajahat Habibullah (the present commissioner). You are under the wrong impression that if someone from outside (not a civil servant) is appointed, then it would be more effective, a bench comprising Chief Justice A P Shah and Justice S Muralidhar remarked while hearing a petition filed by Right to Information activists, seeking its direction to the government to have a transparent procedure for appointment of the next head of central information commission.

It is undesirable that bureaucrats are first choice for appointment to the chief information commissioner. In fact, non-bureaucrats should be the first choice for the CIC commissioner. This is necessary for providing an essential safeguard, the petitioners had earlier argued.

The high court however, was not convinced and said the appointment of the commissioner is decided by a high-powered committee comprising the prime minister, the leader of opposition and a Union minister nominated by the Prime Minister, and that the decision should be respected.

**11<sup>th</sup> Nov 2009**

**From judges to babus, a fight from within for transparency**

*The Times of India*

*A Subramani, TNN 11 November 2009, 07:03am IST*

CHENNAI: By going public with details of his assets, civil servant U Sahayam has joined an elite clique of individuals who have waged a relentless battle from within, and made the system more accountable and transparent.

Advocate and Right To Information (RTI) activist Subhash C Aggarwal set off a judicial snowball by submitting an innocuous query seeking to know whether judges of the Supreme Court were adhering to the May 7, 1997 Restatement of Values and declaring their assets regularly.

When the apex court was still in the denial mode, with the Chief Justice of India KG Balakrishnan himself countering the pro-declaration arguments, Justice Shylendra Kumar of the Karnataka High Court stepped out of the ranks and declared his assets on August 24. Justice K Kannan of the Punjab and Haryana High Court did not take long thereafter to blog his asset details. The war from within had well and truly begun.

That the Supreme Court refused to part with any asset-related information, that the Central Information Commission ruled that the office of CJI too was under the ambit of the RTI Act, that in an unprecedented act the apex court filed a writ petition before the Delhi High Court against the information panel's ruling and that the Delhi HC concluded that the CJI's office did come under the RTI umbrella, is history.

The logical conclusion was reached when, on September 28, the Supreme Court officially announced that its judges would voluntarily' declare their assets. The disclosure was actually made on November 2.

With the last word yet to be said in the appeal proceedings before the Delhi High Court, the journey has already proved to be long and eventful for Aggarwal. Sagayam's battle with babus seems to have just begun, given the fact that most of his colleagues in service are distinctly dismissive and reluctant to disclose. While the judiciary is done with its share of denials and protestations, the state bureaucrats have embarked on the journey only now.

Just compare the situations in Tamil Nadu and Uttar Pradesh. The Tamil Nadu bureaucracy is not ready to join the transparency bandwagon, but the Madras High Court is all set to declare the assets and liability details

of its judges on November 15. (In fact, Justice K Chandru submitted his details to Chief Justice HL Gokhale on Monday).

In Uttar Pradesh, a section of IAS officers serving in the state have already made public their asset details, whereas the 100-odd judges of the Allahabad High Court have adopted a resolution not to make public their asset details !

**11<sup>th</sup> Nov 2009**

**CIC rules to publicise details of JEE candidates**

*The Indian Express*

BANGALORE: In a decision that would make the IIT Joint Entrance Examination (JEE) process more transparent, the Central Information Commission (CIC) has ruled that details of candidates such as registration number, name, parents' name, category, and marks secured should be open to public scrutiny. Overriding the objections of IIT Guwahati (IIT-G) - the organising institute for JEE 2009 - Information Commissioner Shailesh Gandhi ruled that providing these details under the Right to Information Act does not constitute invasion of privacy.

During the hearing, IIT-G Public Information Officer D Boro had stated that the data required by the appellant Rajeev Kumar, such as registration number, name, parents' name "are personal information of the candidates and should not be revealed to the third party". Gandhi ruled that while personal details like mobile phone numbers and e-mail addresses would fall in the category of information, merely giving the name of the person and the pin code with the marks obtained could not be considered an invasion of privacy.

The decision is being viewed as an important step in making the process transparent as disclosure of 2006 data had shown that formulas for calculating subject cut-offs did not tally. Irregularities were alleged in marks scored by wards of faculty members.

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

**Nagpur University submitted false info to HC**

*The Times of India*

*Vaibhav Ganjapure, TNN, 06:33am IST*

NAGPUR: In a shocking revelation that came to the fore, the Nagpur University officials reportedly submitted false information before the Nagpur bench of Bombay high court. This information came to the fore following a Right to Information (RTI) query lodged by Prakash Bansod of Civil Human Rights Association (CHRA).

Following the revelation, the chancellor SC Jamir issued orders to vice chancellor SN Pathan to initiate appropriate action. It may be recalled that Bansod had filed a public interest litigation for alleged mismanagement in the university administration. Bansod had raised a slew of contentious issues that included misappropriation of students money worth Rs 7.34 lakh from the Nelson Mandela hostel for foreign students, in the plea. Accordingly, the division bench had directed the university officials to recover Rs 7.34 lakh from three employees of the Nelson Mandela hostel.

Bansod, in his letter to Jamir, has pointed out that though the university, in it's affidavit, had admitted before the court to have recovered the money from the 'tainted' staffers. However, in fact a RTI query revealed that the case of misappropriation was pending with the sessions court in the city and efforts to recover the money would be made only after its verdict. Bansod has urged the chancellor to take sever action against the university officials for submitting false information to the court thus misleading the judiciary. The chancellor's office immediately issued directives to the Pathan to initiate action in the case.

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

**Tahsildar fined Rs 25,000 for giving wrong answers of RTI query**

Jayaraj Sivan, TNN, 06:07am IST

CHENNAI: The state information commission has imposed a fine of Rs 25,000 on a tahsildar in Vandavasi, Tiruvannamalai district, for providing incorrect information about the disbursement of old-age pension in his taluk.

As T Retna Pandian, an activist, had not got the information he sought under the Right to Information (RTI) Act, he filed an appeal before the state commission. State chief information commissioner S Ramakrishnan and information commissioner G Ramakrishnan, in their order, said, "The collector of Tiruvannamalai will levy the maximum penalty of Rs 25,000, which has become leviable on the Public Information Officer (special tahsildar), remit it in the government account and report the fact to the commission within four weeks of this order." The commission also ordered the collector to depute a senior officer to provide correct information to Pandian, general secretary of 5th Pillar India, a Chennai-based NGO.

Pandian had filed an RTI application in June 2008, seeking details about the beneficiaries of the old-age pension scheme following complaints of political interference in disbursement. "More than 20 people from Vandavasi said their old-age pensions had been stopped as they had not supported a particular candidate in the last local body election. I filed an application seeking details of disbursement of Central and state government sponsored old-age pension schemes. The tahsildar, in his reply on June 27, 2008, said 6,887 people had applied and, except in 1,000 cases where the postal department could not deliver the pension, the others were given pension regularly," Pandian said. The PIO asked Pandian to pay a fee of Rs 300 for a copy of the file. Pandian paid the money and filed an appeal seeking replies to more queries, but did not receive a reply.

Pandian approached the state commission on September 20, 2008. The commission, which held its first inquiry on February 25, 2009, ordered tahsildar M Murugesan to provide the replies. Murugesan said 7,827 people were getting pension and 1,401 applications were rejected. Since the figures contradicted those given by the PIO earlier, the petitioner once again moved the commission.

Tiruvannamalai district collector M Rajendran said, "We have decided to impose a fine on two special tahsildars and two section assistants, who provided wrong information to the commission. If there are complaints about discrepancies in disbursement of pension, we will investigate."

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

**Is postal dept following RTI norms?**

*The times of India*

*Simran Virk , TNN, 09:03pm IST*

LUDHIANA: The Right to Information Act (RTI) was enacted for the convenience of the general public wherein they could access records of the Central and state government.

However, a city resident has alleged that some departments were not supplying relevant information to them under the Act.

According to information, RTI activist Rohit Sabharwal in his complaint has stated that the postal department was not displaying information mandatory for every government office to do so. Besides, it is necessary to install display boards in three languages for the general public, but the department had failed to do the same.

Sabharwal has sought an answer under Section 4 of the RTI Act why the department had not displayed information regarding public information officers and their designations, which otherwise has to be done within 120 days of the enactment of the law.

Discussing the issue, Sabharwal said, "RTI is for the convenience of the general public but it is sad that public departments are not following norms which is causing inconvenience to the general public."

Speaking on the condition of anonymity, a staff member, said, "A few days ago, a government officer was fined Rs 7,500 for violating norms. However, such violations are still going unchecked."

Sabharwal's complaint further mentions that the department had not displayed information in English, Hindi and a vernacular language of the area.

More so, instructions regarding bribe are also not being mentioned. Sabharwal says, "If an official asks for bribe or if one has knowledge about any corrupt activity, one can complain to the head of the department, chief vigilance officer or to the SP. But, the department has not initiated efforts to display the advisory."

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

**Padma award notings to be made public**

*The Hindusthan Times*

Country's transparency watchdog has asked the president's secretariat to provide file notings of the Padma awards given in 2004, but without the names of the awardees.

Padma awards are national civilian awards given for distinguished service in various fields. The President is one of the authorities to approve the name of awardees.

In an order issued on September 11, disclosed on Wednesday, Chief Information Commissioner (CIC) Wahajat Habibullah said as per a high court judgment, the president's secretariat cannot refuse information under the privacy clause of the Right to Information (RTI) Act.

Applicant Subhash C. Aggarwal had sought copy of a letter former president A.P.J. Abdul Kalam wrote to former prime minister Atal Bihari Vajpayee, expressing displeasure over some persons listed for the prestigious awards. Kalam wanted to know the reason the people were chosen.

Aggarwal will now know the reasons, but not their names.

On another of Aggarwal's pleas, the president's secretariat asked to seek the opinion of Chief Election Commissioner Naveen Chawla before disclosing the letter written by his predecessor R. Gopaldaswami to the President.

Gopaldaswami had reportedly asked President Pratibha Patil not elevate Chawla as the poll panel chief because of his alleged partisan functioning. Aggarwal had sought a copy of Gopaldaswami's letter.

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

### **State launches helpline to file RTI complaint**

*The Times of India*

*Sanjeev Kumar Verma, TNN*

PATNA: Yet another first in India from Bihar has come to make the Right to Information (RTI), Act, people friendly. This pertains to launching of a new helpline, by using which people can file complaints against the government officials who harass them for seeking information using the RTI tool.

CM Nitish Kumar dedicated the helpline (0612-2219435) for public use here on Thursday during a programme organised by state information commission (SIC), Bihar, to felicitate the performing public information officers (PIOs).

The CM himself made the first complaint using the helpline against Rajnagar block supply officer in Madhubani district.

"The CM secretariat has received complaint from one Dharendra Mahto of Karaiya Panchayat in which the complainant claimed that an FIR was lodged against him with the Rajnagar police station in August this year after he tried to seek some information about public distribution system from the the block supply officer," Nitish informed the person attending the call on the newly launched helpline and asked the call attendant to inform his secretary about the action taken. He immediately got a complaint number (0001).

Incidentally, all such complaints received would be monitored directly by the state home secretary and DGP and emphasis would be to expedite the complaint redressal.

"Officials found guilty of harassing applicants would be dealt with sternly and, if needed, the government would not hesitate to dismiss such officials from the service," Nitish told the gathering which responded with thunderous applause.

Nitish also launched the Phase-II of Jaankari which would allow applicants to file RTI applications using e-mail. For this, one needs to open the website [biharonline.gov.in/rti](http://biharonline.gov.in/rti) in which one would get an icon for filing RTI application through e-mail.

Incidentally, Bihar has the distinction of being the first state in India which set up a call centre, christened `Jaankari' using which applicants

file RTI applications by making phone call to the number 155311. It became functional on January 29, 2007.

As many as nine PIOs were felicitated at Thursday's function where Bihar legislative Assembly Speaker Uday Narayan Choudhary, deputy CM Sushil Kumar Modi and chief information commissioner Ashok Kumar Choudhary among others were also present. Chanchal Kumar, secretary to the CM, too was given a special award for his active role in setting up Jaanakari helpline and the helpline launched for registering complaints against officials.

Appreciating the move, Nitish said it would introduce an element of balance as people know the SIC mainly for its pronouncements against the PIOs.

"Now it is upto the PIOs whether they want to be rewarded or punished. There is no third way for them," NitiSh said.

Winners of essay and painting competitions, organised by the SIC to spread awareness about RTI among school and college students, were also felicitated at the function.

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

### **Gohil alleges scam in NREGS**

*TNN, 06:11am IST  
The Times of India*

*\* Amrutlal Hargovindas Thakkar, is a dealer of empty sand bags and has shown a business worth Rs 65,010 on a bill, showing an address in Harij, Banaskantha. This dealer actually does not even exist.*

*\* Labhubhai Thakore is a labourer working at a sandbag dam construction site. He has taken his daily wages by impressing his thumb on an attendance register. In reality, Labhubhai is a college student and knew how to sign his name.*

AHMEDABAD: These are not just two isolated incidents. Leader of opposition Shaktisinh Gohil told a press conference on Friday that these were stories of a rampant corruption in the National Rural Employment Guarantee Scheme (NREGS). He alleged officials right up to the chief ministers' office were involved in this corruption that could go upto Rs 265 crore claimed as funds under NREGS.

Gohil said that using Right to Information Act, they got the attendance register and the copy of the bills. A close scrutiny of the bills and spot investigation revealed that Hargovindas' shop never existed. He said that the bill bore a sales tax entry no and when an RTI application was filed with Sales Tax department it was revealed that that there was no such shop registered under them.

In the other instance, an amount of Rs 1,747 was paid as wages to a labourer named Thakore against a thumb impression. However, inquiry revealed that Thakore was a college student. The affidavit filed by Thakore states that he never worked at construction sites of sand-bag dams.

Gohil said that even the attendance register does not mention the date and name of the persons who gave technical sanctions and issued the register. He said if the CM is concerned with such misuse of funds, he should let CBI inquire into the scam. He also demanded a white paper on the construction of dams in each district and the expense incurred so that people can inquire.

Since these dams were to be constructed under NREGS, the Congress would ask the Centre to take steps as the funds were sanctioned by the central government. He also said that a complaint would also be filed with the Comptroller and Auditor General of India.

**15<sup>th</sup> November 2009**

### **MC website being upgraded**

*The Times of India*  
*TNN, 09:25pm IST*

LUDHIANA: Owing to pressure exerted by state information commission (SIC) and Right to Information (RTI) activists, municipal corporation (MC) is on its toes to upgrade its website. Following the upgradation, exhaustive information pertaining to the civic body would be a click away.

The decision relating to the website's upgradation had been on the cards ever since state information commissioner Lt Gen (retd) PK Grover had asked MC officers to comply with norms regarding proper dissemination of information under section 4(1)-B of RTI Act and include information in preview of the act on the website. For that, MC had even constituted a sub-committee comprising joint commissioner Mahinder Pal Gupta, senior deputy mayor Praveen Bansal and superintendent engineer (SE) designs DPS Wadhwa to look into the matter.

At a meeting of the committee held on Friday, it was decided that the website would be upgraded, with the main focus being on proper dissemination of information under clause 4(1)-B of the Act. At the meeting that continued for more than four hours, it was stated that the website would be divided into three parts- services, download and general information sections, which would be further divided into more than 20 sub-sections at the initial stage.

By accessing these sections, residents would be able to get information regarding services being given by the civic body, its income and expenditure, details of officers of each area and MC voter list. It was maintained that vital information regarding the budget and details of developmental work on in the city would be provided on the website.

Highly-placed sources revealed that it would take more than three months for the civic body authorities to complete the work on the website.

When contacted, Bansal said upgradation of the website would usher in a new era of information for city residents, adding that they were trying their best to complete the work soon as it would ensure transparency and accountability in working of the civic body.

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

**'Off the Shelf Scheme' in Punjab under spotlight**

*The Times of India*

*Shruti Setia Chhabra, TNN, 03:23am IST*

CHANDIGARH: The Punjab government's much coveted "Off-the-Shelf Scheme" under which discretionary allotments of land in industrial focal points, growth centres, industrial areas and estates among others are made, is apparently dubious. It neither reveals the selection criteria nor explains why allotments are made at prices lower than the prevailing market rate.

According to information from Punjab Smallscale Industries and Export Corporation Limited (PSIEC), obtained by NGO "Resurgence India" under the Right to Information Act, 84 discretionary allotments aggregating to a whopping 2,98,670.5 sq. yards have been made since April 2002 by PSIEC alone. The scheme has been operational since November 24, 1992.

Although officials justify the allotments, saying there are various checks and balances, like interviews and study of project reports before giving land, these are normal technicalities and no different from norms adopted in granting industrial land through auction. The information also reveals that allottees under this scheme are not doing anything extraordinary, which could justify grant of "cheaper" land by way of incentive.

All allotments under "Off-the-Shelf Scheme" are made at a reserve price which is invariably much lower than the market price. In bigger focal points like Ludhiana, Jalandhar and Mohali, the price variation usually ranges between 50% and 100%, "thereby leading to corruption and nepotism in the allotments," the NGO has stated in a letter written to the CM while urging him to scrap the scheme.

"The allotment of land at reserve price is justifiable only when open offer is also made to other interested buyers through advertisement.

In the absence of open offer... the allotment of land at reserve price is bound to breed corruption at all levels," Hitender Jain, general secretary, Resurgence India, pointed out.

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

**Mayor has 3 cars, civic chief reveals more abuse of power**

*The Times of India*

*Sachin Dravekar, TNN, 06:35am IST*

NAGPUR: Nagpur Municipal Corporation, that pleads lack of funds for virtually everything, does not mind splurging citizens' money on official vehicles of mayor, municipal commissioner, civic officials and office bearers, often against the rules. The shocking facts was revealed in answer to a Right to Information (RTI) query filed by N L Sawarkar, general secretary of Jansamasya Nivaran Sangharsh Samiti, recently.

Citing funds crunch, the NMC has also effected steep hike in water and property taxes and tried to fleece citizens by making licences mandatory for shop owners, hawkers and hospitals. It often blames its poor financial condition for absence of such basic works like repairing pot-holes and providing toilet for citizens.

As per the information provided by general administration department (GAD) of civic body, the NMC spent Rs 39.47 lakh on fuel for 32 official vehicles this year. Last year, NMC had spent Rs 36.80 lakh for the same. Mayor Maya Iwnate has three vehicles for herself-- a Hyundai Elantra (MH-31 CE1), an Ambassador (MH-31 Z 128) and a Maruti Gypsy (MH-31 AG 9469) and incurred an expenditure of Rs 5.90 lakh this year (2008-09). This is Rs 1.58 lakh more than last year. Municipal commissioner Aseem Gupta spent Rs 1.94 lakh on his two official vehicles-- a Hyundai Accent (MH-31 BG-1) and an Ambassador (MH-31 G 9909)-- this year which is Rs 60,913 more than last year.

Sawarkar told TOI that there was a state government's directive to allot only one official vehicle to one person. TOI had recently exposed that the civic bosses and office bearers in the municipal corporation were also employing multiple peons in their offices. The civic chief has an astounding 11 peons deployed at his residence and three at office, mayor has five peons, deputy mayor Kishor Kumeria has four peons while leader of opposition and NMC standing committee chairman have three peons each. Most of the time they do not have any official work and are often used for carrying out personal or political work of their boss.

The vehicle of deputy mayor Kumeria-- an Ambassador (MH-31 BG-2)-- incurred an expenditure of Rs 2.75 lakh while that of standing panel head Pravin Bhisikar's vehicle Rs 1.70 lakh. Additional municipal commissioner Vishnupad Bute's Maruti Esteem consumed Rs 1.23 lakh worth of fuel and ruling party leader Anil Sole's official Ambassador Rs 1.11 lakh. Total expenditure came to Rs 39.47 lakh.

Sawarkar further said when the divisional commissioner, who looked after the entire administration of five districts, and Nagpur Zilla Parishad president and chief executive officer were had only one vehicle each, how could the mayor and municipal commissioner get multiple vehicles.

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

**Comply with RTI provisions'**

*The Times of India*  
*TNN, 08:51pm IST*

LUDHIANA: Detailed discussion took place at a seminar organized by municipal corporation (MC) to make its officers aware of the ambit of Right To Information (RTI) Act on Monday. In the seminar that was organized following orders of state information commission (SIC), MC officers said people had been harassing them on pretext of RTI.

According to information, in a case filed by RTI activist Rohit Sabharwal, state information commissioner Surinder Singh had asserted that the pendency of cases brought out was alarmingly high. It seemed no efforts were being made by the PIO/APIOs and first appellate authority of MC to deal with pending RTI applications. He had directed MC commissioner AK Sinha to take necessary action to organize a seminar for training PIOs, APIOs and first appellant authority of MC with the help of NGOs, adding that compliance of orders be intimated to the commission within a month.

Acting on the orders, MC held a seminar at zone-D, in which Dr Supinder Kaur, senior lecturer, law PU regional centre, addressed MC officers to apprise them of the main provisions of the Act. The lecturer told them how to deal with applications and come out with a reply within the stipulated time period. In the seminar in which additional commissioner Kanwalpreet Kaur Brar, joint commissioner Mahinder Pal Gupta, RTI activists Rohit Sabharwal, Saurabh Gupta and Sham Lal Saini also took part, the lecturer talked about the needs and ambit of RTI Act.

Taking part in the seminar, MC officers, especially the PIO and APIOs, rued that people harassed them to get information for their vested interest. However, RTI activists present on the spot said the Act had empowered residents with the power to check working of government departments. They also said that rather than finding faults in the Act, MC officers should try to comply with its provisions in a proper manner so that people could benefit from it.

**17<sup>th</sup> November 2009**

**Display course info prominently: UoP to colleges**

*The Times of India*

PUNE: Colleges and recognised institutions affiliated to the University of Pune (UoP) have been asked to prominently display updated information about all the post-graduate (PG), degree, diploma, certificate, part-time and full-time courses, indicating status of their approval by the university.

Arun Adsool, officiating vice-chancellor of the university, has sent a letter to this effect to principals and directors of all affiliated colleges and institutions with a view to ensure that the UoP's name is not misused by unscrupulous institutions in making misleading claims for admitting students.

Speaking to TOI on Monday, Adsool said, "We are aiming at meeting a two-fold objective through this letter, ie that students, particularly those from outside Maharashtra, do not get cheated and second, there should be no opportunity for the institutions to make misleading claims."

The varsity's directive comes in the wake of recent instances of private unaided institutions, especially those which impart management studies, making misleading claims about their affiliation with the UoP and admitting gullible students from outside Maharashtra.

Recently, the management director and two directors of the Narhe-based Phoenix Institute of Management and Research were arrested by the Pune police for admitting students against false claims of affiliation with the UoP.

Adsool said, "The odd college or institution playing such tricks brings a bad name and needless embarrassment to the university. We want to check this."

The university has 587 affiliated colleges and 321 recognised institutions spread across Pune, Nashik and Ahmednagar districts.

Adsool said, "We have asked all colleges and institutions to follow the Right to Information (RTI) model for displaying course information on notice boards at vantage points on their respective premises."

He said the board should carry not only information like when the course was started, when it was approved by the UoP, what the approved intake is as well as carry photocopies of the clearances given by the university and the concerned state government agencies.

Asked whether any deadline has been set for the colleges or institutions to meet the directive, Adsool said, "We are now midway through the academic year 2009-10. The idea is to ensure that all colleges and institutions adhere to the directive by the time admission to the next academic year 2010-11 begins."

He said the forthcoming meeting of the university's academic council, scheduled for November 30, will also discuss the issue.

UoP stats

\* No of faculties: 13

\* Affiliated colleges: 587

\* Recognised institutions: 321

**18<sup>th</sup> November 2009**

**Diet allowance of indoor patients to be increased**

*The Times of India*  
*TNN, 07:33am IST*

PATNA: The state Cabinet on Tuesday okayed a proposal to increase the amount of diet allowance to every indoor patient of every category of government hospitals from Rs 25 per patient to Rs 50 per patient.

A proposal to set up separate State Scheduled Caste/Schedule Tribe Commissions on the pattern of the National Commissions for Scheduled Castes and Scheduled Tribes was also approved by the cabinet.

It also okayed the draft of Bihar Right to Information (Amendment) Rules 2009. An applicant will now have to file separate application to get information on different matters. He will get only one information on one application.

The Cabinet also sanctioned a compensation of Rs 1 lakh each to all the 16 farmers killed at Amausi village in Khagaria district on October 1 this year in a massacre.

The eight-day winter session of the state legislature would commence from December 17 and conclude on December 24 during which there would be six sittings of both the Houses of the state legislature. Supplementary budget too would be presented in the state assembly on December 23 and a day after in Bihar legislative council.

The Cabinet also okayed a proposal to set up the Bihar Public Works Contract Disputes Arbitration Authority. The new authority would handle contract-related disputes.

It also sanctioned Rs 26.7 crore for reconstruction and widening of the Kankerbagh main road from Old Bye Pass Chiraiyatand ROB to Sheetla Mandir. For subsidy to the fish farmers, Rs 5.55 crore was sanctioned.

Rs 1.32 crore was sanctioned for the year 2009-10 for setting up Arya Bhatt Gyan Vishwavidyalaya. It also okayed a proposal to set up Gautam Residential High School at Simultala in Jamui district. This school would become functional from April 2010.

The Cabinet okayed a proposal for notification of polls for vacant seats of Panchayati Raj Institutions. The State Election Commission has been

asked to notify the date for by-elections to these seats within the next two days.

**18<sup>th</sup> November 2009**

**HC dismisses plea against extension to court employees**

*The Times of India*  
*TNN, 03:46am IST*

PANAJI: The high court of Bombay at Goa on Tuesday dismissed a petition challenging appointment of retired persons on contract basis by the court's administration and directed the petitioners to pay Rs 5000 towards costs within one week.

A division bench comprising Justice V K Tahilramani and Justice N A Britto held that the petitioners had no locus standi to file the petition.

The petition was filed by one Kashinath Shetye and nine others on the basis of information received by them under the Right to Information Act about the contractual appointment by the high court of four retired persons for a period of six months.

The petitioners stated that such an extension in service on contract basis granted to retired persons was violative of Articles 14 and 16 of the Constitution of India.

Such appointments deprive the persons in the subordinate positions from being promoted to the higher posts, the petitioners had argued.

The petitioners had also stated that appointments made without issuing an advertisement deprive eligible candidates from applying for the post.

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

**Manmohan Singh, Advani to choose new CIC chief**

*The Indian Express*

NEW DELHI: Prime Minister Manmohan Singh, Leader of Opposition L.K. Advani and Law Minister M. Veerappa Moily are expected to meet Friday evening to finalise who India's new chief information commissioner will be. Present information commissioner M.M. Ansari and Right to Information (RTI) activist Shekhar Singh are the frontrunners for the post. "The meeting is expected to take place today (Friday) evening as the prime minister has to leave for his trip to the US Saturday," a government official said.

The post of CIC fell vacant nearly a month ago when Wajahat Habibullah resigned to head the Information Commission of Jammu and Kashmir on Chief Minister Omar Abdullah's request.

The meeting is under a strict watch of Right to Information (RTI) activists from across the country who have been demanding that the next CIC be appointed through a transparent, inclusive and participatory process. The activists have also asked the government to make public the shortlisted candidates and how they were shortlisted. According to a senior official of the DoPT (Department of Personnel and Training), the nodal government department to handle RTI: "Present information commissioner M.M. Ansari and RTI activist Shekhar Singh are the frontrunners."

Till a couple of days ago, Shekhar Singh was the favourite, but officials stated that at present the scale is heavily tilted in favour of Ansari. "Ansari's name is almost finalised," an official added.

Shekhar Singh, an environmentalist, has been campaigning for several years for the RTI act and played a very important role in drafting of the RTI bill in 2004-05.

Ansari has been severely criticised by activists for being soft on bureaucrats and not levying penalty on erring officials. The meeting was to take place last month but was deferred for unexplained reasons.

The activists had written to Advani, Manmohan Singh and Congress President Sonia Gandhi to finalise the procedure and rules for the selection of new CIC chief.

The RTI Act 2005 specifies the composition of the selection committee but does not talk of process like advertising and shortlisting for finalising the name.

**21 st November, 2009**

**Hesitancy to give info big threat to RTI'**

*DNA*

Mumbai: Continued reluctance and resistance on the part of public authorities to declare suo moto information to citizens remains the biggest threat faced by the Right to Information (RTI) Act, 2005, a sub-committee constituted to undertake an in-depth analysis of problems during its Annual Convention 2008 has found.

The report states: "RTI serves best when the citizens feel the least need to use it. Many applications will be rendered redundant when public authorities suo moto embrace transparency."

"While there is some improvement in the macro level of information-disbursal by the government, a lot still needs to be done to disburse information at the micro level. Public authorities should develop a system to disburse information on hospitals, schools, and wards," said state chief information commissioner Suresh Joshi.

**21st November 2009**

**Personal info can be sought under RTI, says HC**

*The Times of India*

CHENNAI: Can personal information such as an address of an employee or a pensioner be demanded under the provisions of the Right To Information (RTI) Act? Yes, says the Madras high court.

Justice K Chandru, pointing out that the writ petitioner M Kaliaperumal of Chennai wanted the personal details only to execute a court decree, said: "A pensioner does not cease to become totally out of control from the government. On the contrary, his conduct and character are continuously monitored by the central government. In that context, the whereabouts of such pensioner is also very much relevant and it cannot be a private information. The authorities are bound to help in the execution of court orders."

Kaliaperumal approached the postal department authorities at Gudur in Andhra Pradesh, seeking information about a man named K Ramachandra Rao, against whom a court order had been passed in a forgery case. Unable to find him at his residence, Kaliaperumal filed an RTI application demanding to know the postal address of Rao as the latter had been receiving his pension from the Gudur post office. However, the RTI plea was rejected on the ground that this was a personal information and had no public interest. His appeal too met with the similar fate.

Pointing out that the address was sought only to execute a court order, Justice Chandru said Kaliaperumal was not able to take further civil and criminal action against Rao as the latter's address was not known. Directing the authorities to furnish the correct address of Rao within 30 days, the judge said the plea did have a public interest as the pensioner's exact whereabouts would clear doubts as to whether such a pensioner really existed on the date of receipt of his pension or whether a fraudulent claim had been made on his behalf. "Such information cannot be denied," he said.

**21st November 2009**

**KSRTC staff transfer: notice to minister, MLA**

Odeal D'Souza / DNA  
Saturday, , 2009 8:49 IST

Bangalore: The High Court of Karnataka on Friday issued notices to transport minister R Ashok and Chikmagalur BJP MLA CT Ravi. Justice Ram Mohan Reddy ordered the issuance of notices to Ashok and Ravi as also the Karnataka State Road Transport Corporation (KSRTC), in connection with a petition filed by Flossy Philomena D'Souza, an accounts supervisor with KSRTC, challenging her transfer from Chikmagalur to Kolar on August 19

The petitioner has claimed that though her transfer order mentioned that it was being issued in public interest, it later turned out she was being transferred as the local MLA had sent a letter to the minister seeking the same. She said this was evident in the documents that she accessed after filing a right to information application.

Ordering notices to the minister, the MLA and KSRTC, Justice Ram Mohan Reddy said: "It is very strange that ministers and MLAs are interfering in cases where there are unblemished records of service. It is nothing but a serious lapse. If transfers were to be made at the behest of ministers and MLAs, the morale of the employees will go down.

Let them come and explain."

**22<sup>nd</sup> November 2009**

### **Demand to suspend CIC gains ground**

*The Times of India*

LUCKNOW: The opposition against chief information commissioner of Uttar Pradesh Ranjit Singh Pankaj is gaining ground. The RTI activists demanding his suspension are growing.

Initially, it was the All India Right to Information Awareness Forum which had sent a memorandum to governor BL Joshi, demanding suspension of Pankaj. Now, there are several others raising the same demand.

The reason for resentment against CIC is the Allahabad High Court order which slapped a fine of Rs 50,000 on him for "misleading the court and extending favours to a person involved in illegal mining" during his tenure as the mining secretary in the state.

"Considering the CIC guilty under Section 17 of the RTI Act, he should be suspended with immediate effect," read the memorandum. The forum has also demanded that all the orders passed by the CIC should be reviewed by a committee comprising retired or serving judges of Allahabad/Lucknow bench of high court.

The court took a strict view of the role of Pankaj as the mining secretary and directed him to submit Rs 50,000 as fine to the registrar general of the high court from his salary through bank draft within four weeks for "concealing facts and telling lies" and favouring the wrong man instead of taking action against him. His subordinates also got the same punishment.

"We request the governor to take action in the matter," said Neeraj Kumar of Rashtriya Jagran Jansoochna Abhiyan Manch. "It is not acceptable that even after being fined by the court, the CIC is hearing the cases at state information commission," said activist Dev Dutt Sharma.

Uttar Pradesh State Information Commission (UPSIC) has been in the news in the past too. First UPCIC MA Khan was probably also the first CIC in the country to have been placed under suspension. The state government then tried to appoint a bureaucrat, whose name was vehemently opposed, as the CIC.

It was in June that Pankaj was appointed as the CIC. His appointment was also opposed and a PIL was filed in the court stating that his selection and appointment was illegal and therefore be set aside. The selection

committee, which appointed Pankaj as the CIC, did not have its quorum complete as leader of opposition was not present in the meeting.

"We request the governor to take action against the CIC," said an activist Urvashi Sharma from Project Vijay.

**23<sup>rd</sup> November 2009**

**RTI played major role in forming Cong govts in Delhi'**

*The Indian Express*

Lucknow : Effective implementation of the Right to Information (RTI) Act has played an important role in helping the Congress, led by Sheila Dikshit, to form government for three consecutive terms in New Delhi, feels Wajahat Habibullah, Chief Central Information Commissioner.

In fact, it had also helped late Y S R Reddy to regain power in Andhra Pradesh, Habibullah claimed, stressing that RTI doesn't only empower common people but governments too. He was addressing around 200 RTI activists from Uttar Pradesh during a two-day workshop-cum-seminar on People's Right to Information on Sunday.

"While through RTI, as aam admi gets to know what elected representatives are doing for their welfare during their five-year term, MPs and MLAs can also come clean and win over voters by ensuring transparency," said Habibullah, who is waiting to be relieved of his responsibilities in New Delhi and head the J&K information panel.

Urging governments to ensure implementation of Section 4(1)B of the RTI Act (make transparent the functioning of government organisations), Habibullah said the House will itself get into order once the process of putting data on the website of every department begins.

Prominent RTI activist Shekhar Singh, whose name is also in consideration for the post of CIC, spoke about safeguarding RTI and described how the law was drafted to catch corrupt officials in government departments.

Founder member of the National Campaign for People's Right to Information (NCPRI), Singh also presented the findings of a recent nationwide survey conducted by his group.

The survey tested the knowledge over 35,000 citizens across 10 states regarding RTI. Unfortunately, Uttar Pradesh did not figure in the survey as the State Information Commission could not supply them with the required records.

**23rd November 2009**

**Not approached yet, but ready to be CIC: Kiran Bedi**

*The Times of India*

PATIALA (Punjab): Former top cop and Ramon Magsaysay award winner Kiran Bedi, whose name has been proposed by civil society members for the job of Chief Information Commissioner (CIC), said she is ready to accept any position where she can work for upliftment of society.

"I have no problem in accepting any post of a governor or of CIC but I want to make one thing very clear that I am not a political person. I do not know how to do politics; I just want to serve my country and its people," Bedi told reporters here Monday, in answer to a question.

"So far, nobody has approached me (for CIC) and I have only read about these in newspapers. However, if I get an offer of CIC, then I would work for only one rupee. I do not need position or money, and all my salary would go to NGOs," said Bedi, India's first Indian Police Service officer.

Bollywood actor Aamir Khan and social activist Anna Hazare are among several people who have urged Prime Minister Manmohan Singh to appoint Bedi as the head of the country's top transparency body, the Central Information Commission.

The post has been vacant since senior bureaucrat Wajahat Habibullah resigned last month to take up his new assignment as Right to Information watchdog in Jammu and Kashmir.

She added, "The condition of health and education sectors is 'erratic' in our country. Our government needs to make more investments in these two very important areas. We should also question the government on why they are not using public money to raise the standards."

Bedi was the chief guest Monday at the annual convocation of Thapar University here, around 65 km from state capital Chandigarh.

"I retired in 2007 and since then I have been very busy in various things that have connected me with the common person. I am doing TV shows, writing columns, working for my NGOs Navjyoti and India Vision Foundation, travelling to places for the screening of my documentary film 'Yes Madam Sir'," said Bedi.

Award-winning film "Yes Madam Sir", based on Kiran Bedi's life, has been produced by Australian filmmaker Megan Doneman.

Bedi was the first woman to join the Indian Police Service (IPS) in 1972.

"I am running two NGOs for the last 21 years which reach out to over 10,000 beneficiaries daily, in the areas of schooling and proper upbringing of children of prisoners and in drug abuse treatment," she pointed out.

Minister of state for external affairs Preneet Kaur was honoured with a degree of Doctor of Science (honoris causa) at the convocation. Kaur is the MP from here and the wife of former Punjab chief minister Amarinder Singh.

**24<sup>th</sup> November 2009**

**RJD extends support to ML bandh**

*The Times of India*

PATNA: On Tuesday, the Nitish Kumar government would complete four years of its rule, when CM Nitish would also release his government's `report card', but the CPI(ML) has announced statewide one-day bandh on the day. Curiously, the RJD has also extended support to it.

On Monday, state RJD chief Abdul Bari Siddiqui announced his party's support to the bandh, adding that the district units of the party have been directed to be active and do the needful in this regard.

"The Nitish Kumar government has failed on every front. We are supporting the one-day statewide bandh call given by the ML on Tuesday," he said, adding: "We have also asked our district units to extend support to the bandh. The government has thoroughly exposed itself in the last four years. The CM built his image with public money, but that image has got maligned due to non-performance of the government."

According to him, efforts were being made to blunt the edge of the Right to Information (RTI) Act by various ways. "We ask the chief minister to also make public the number of information sought by the people under the RTI Act. The government should also reveal the action it has taken against the officials found guilty of refusing to give the information," Siddiqui said, adding: "Now the teeth of the rights of the people that the RTI Act has bestowed on them are being blunted."

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

**Wife's tribute to Kamte: A book on his life, his death**

*The Indian Express*

Mumbai : Two days before the death anniversary of her husband Ashok Kamte, who was killed in the 26/11 attacks, Vinita Kamte has launched a book, 'To the Last Bullet'.

The book, co-authored by former journalist Vinita Deshmukh, was launched on Tuesday at the Taj Mahal Hotel, one of the sites of the attacks.

The research and writing of the book took four months. It details the IPS officer's early days and his various postings and has made use of the Right to Information Act to investigate what actually transpired during the last few hours of his life.

"It's shocking that even her status of an IPS officer's wife did not allow her to get a copy of the post-mortem report of her husband. It is only when a person shifts the coverage from personal to public that it benefits the larger public. She has moved much beyond her role as a wife and without anger tried to probe with RTI as a weapon on what is wrong with the system," said chief guest and RTI activist Aruna Roy.

Vinita Kamte, talking on the book, said that it was finally RTI that gave her the right answers on the events and incidents that led to her husband's death

"I was in conflict if I should write about a system that my husband loved or write about a system that has so many shortcomings. Here were officers whom he respected all his life and who sat stonewalled to the information to the circumstances of his death. I needed the world to know about it, that these men did not act in haste," said Vinita speaking on the idea behind the book.

Guest of Honor Julio Ribeiro, former Director General of Police, said the "investigative form, and all the qualities that this officer possessed is written vividly in this book. This book should be prescribed to all who enter the Indian Police Service." Going through sections of the book, he added, "She went beyond the grief of a wife and personally went and questioned all the witnesses. She went through all the log entries at the control and all evidences there is to piece together how he died. So while there is great sorrow, one must also look at it as a piece of pride," he added.

Police Commissioner D Sivanandan, who was present at the launch, said, "As a police commissioner, I assure everyone that person like him should not be lost again and that is my responsibility. Whatever it takes and whatever it costs, we will do our best."

Recalling Kamte, Sivanandan said, "Policing was in his DNA and he was fond of carrying an AK 47 and would not hesitate to use it at any given opportunity." Referring to the famous incident in Solapur where Kamte had hauled up an MLA, Sivanandan added, "Even I would have hesitated to act the way he rounded up an MLA but Kamte always called a spade a spade."

Former Commissioner of Police M N Singh, under whom Kamte worked, spoke fondly of his "favourite Deputy Commissioner of Police who always had guts" "The Solapur MLA incident was big and I called him personally and told him to do the paperwork properly. He was dynamic and full of energy. I told myself then, and many occasions to follow, that here is the future police chief."

**26<sup>th</sup> November 2009**

**PIO need not appear**

*The Times of India*  
*TNN, 06:04am IST*

PANAJI: The Goa State Information Commission (GSIC) has ruled that the public information officer (PIO) need not appear personally for every hearing, especially at the stage of appearance and filing the reply.

In a recent order, state information commissioner Afonso Araujo noted that the PIO, besides performing his function under the Right to Information (RTI) Act and being a public authority, has also to discharge other functions in the concerned department. Therefore he has "pressure of work cast upon him".

However, the commissioner has however noted that "but for the hearing where main issues are required to be discussed upon which the final decision will be based, the public information officer will have to appear personally to defend his interest and cannot authorize any person or officer to represent him".

The order deals with the objection of an appellant that the PIO should not be represented in the proceedings before the commission by any person through an authority letter given by the PIO. The contention of the appellant was that under the RTI, only the appellant can be represented by any person through an authority letter and not the PIO, but he can be represented by an advocate.

**26<sup>th</sup> November 2009**

**NDTV and PCRFB join hands to announce the first ever RTI Awards**

*The Business Standard*

NDTV has announced the RTI Awards in association with Public Cause

Research Foundation (PCRFB), an organisation set up by Magsaysay awardee Arvind Kejriwal to acknowledge those who have displayed exemplary commitment to RTI Act. The first ever RTI Awards will honour respected Public Information Officers (PIOs), Citizens & Information Commissioners who have strived through the RTI to make India better. Ceremony to be held on 1st, Dec, 09 in New Delhi will be graced by Honourable Vice President of India; Hamid Ansari.

Speaking on the initiative, Dr. Prannoy Roy, Chairman, NDTV Ltd, said, "NDTV is privileged to present the RTI Awards to the citizens and officials of India who have made the Right-To-Information Act a success. RTI has helped Indians in getting justice that they are entitled to and brought in transparency in our democratic system. I am also very proud of our nation's effort to fight for a change and believe the movement will only gain more strength in future".

Magsaysay awardee and the force behind Public Cause Research Foundation (PCRFB), Mr. Arvind Kejriwal added, "The purpose of these awards is to enthuse commissioners, officers and citizens alike to make RTI a reality in letter and spirit, which it is far from right now".

The awards will be given in three categories - Best Information Commissioner in the Country, Best Public Information Officer in the Country and Best RTI Citizen - This Award will be given to the national who has used RTI Act in the best possible manner and has created substantial public impact.

The jury for these awards comprises of eminent personalities and citizens of India like Actor & Film Maker Aamir Khan; N R Narayana Murthy, Chief Mentor, Infosys; Mallika Sarabhai, Kuchipudi & Bharatnatyam Dancer & Social Activist; Fali S Nariman, Noted Jurist; Santosh, RTI Activist; Justice J S Verma, Former Chief Justice of India; Madhu Trehan, Author & Media Personality; J M Lyngdoh, Former Chief Election Commissioner; Pullela Gopichand, Ace Badminton player and National Badminton coach; Sanjay Gupta, Editor & CEO, Dainik Jagran Group and Dr. Prannoy Roy, Chairman, NDTV;

The eminent jury will choose the winners through voting. Each winner will receive a citation, a plaque and prize money of Rs. 2, 00,000.

**The nominees in The Best Public Information Officer category include:**

Atul Fulzale, Superintendent of Police in Kangra district of Himachal Pradesh. He has been devotedly serving the cause of bringing transparency in the various echelons of the Indian Police Service.

Raja Sekhar, District Revenue Officer (DRO) and PIO at Mahbubnagar fought general hostility towards RTI to inject a large dose of transparency in Mahbubnagar district administration.

Dr. Lalit Narayan Mishra of Chamoli, Uttarakhand who has worked towards bringing transparency to his small office in Auriya and later Etawah districts of Uttar Pradesh.

**The nominees in the Best RTI Citizen category include:**

Association for Democratic Reforms (ADR) (Delhi) - Has been short listed for using RTI Act to demand disclosure of income tax (I-T) returns of political parties, resulting in a landmark decision of the Central Information Commission (CIC), which held that such a disclosure was in public interest and so must be allowed.

Sunil Kumar Mahto (Ranchi) for conducting several RTI investigations that have uncovered corruption in public works and services and helped in holding public authorities accountable for their misdeeds.

Subhash Chandra Agrawal (Delhi) for starting a legal process that set off the ongoing debate on whether or not judges of Supreme Court and High Courts should publicly disclose information about their assets and liabilities.

Amit Kumar (East Champaran) for using RTI to expose corruption and irregularities in government.

Rajinder Nagar Welfare Association (Delhi) for setting an example in active citizenship and collective action by using RTI to detect corruption in a local road project, pushing the case through government inertness over 4 years, and getting the guilty engineers and contractor proceeded against.

Ajay Dubey (Bhopal) for using RTI Act to reveal the fact that hundreds of mines for both major and minor minerals in Madhya Pradesh had been operating without obtaining clearance from state pollution control board (MPPCB).

Ajay Singh Rawat, (Nainital, Uttarakhand) for using RTI in his effort to prevent or stop construction, quarrying and other activities that were potentially damaging to the fragile ecology of Nainital.

Prashant Kumar Dubey (Bhopal) for using RTI and the media together to make child malnutrition one of the most important social, political and electoral issues in Madhya Pradesh.

Dev Ashish Bhattacharya (Delhi) - An RTI activist, Dev has filed over 100 RTIs so far on various issues. One of his noteworthy applications that had a large scale impact was the one filed with the Ministry of Home Affairs seeking information on food grain damage in FCI godowns.

Rajesh Bissa (Raipur, Chhattisgarh) for using RTI Act, to reveal large-scale irregularities and corruption in selection of a private partner for Rs 2500 crore road project and awarding of other large contracts by Chhattisgarh government.

Vinod Pandya (Gujarat) for using RTI Act to show how private primary schools in Gujarat, helped by an ineffective administration, are violating rules and regulations with impunity and cheating both pupils and teachers in the process.

Ravindra Singh (Rajnandgaon, Chattisgarh) for his effort to use and encourage others to use RTI Act to expose illegalities committed by Chhattisgarh Public Service Commission (CGPSC) in selecting candidates for state civil services.

Shyam Lal Yadav (Delhi) - Principal correspondent with India Today (Hindi), who has used the RTI Act to bring forth the truth behind several contentious issues. One such successful revelation was the expenditure incurred by the current UPA government on foreign trips made by its various union ministers.

Bharatsinh R. Jhala, (Ahmedabad) for conducting an RTI investigation to show that more farmers in Gujarat had been committing suicides than what the state government was prepared to admit, thus bringing to light economic distress of small farmers.

Raaj Mangal Prasad (Delhi) for his efforts to use RTI Act to expose how Delhi government officials siphoned off crores of rupees meant for homes for children, squalor and neglect in those homes, and government's pathetic performance in complying with Juvenile Justice (Care and Protection of Children) Act 2000.

Ramesh Kumar Verma (Delhi) for using RTI to expose doctors with fake degrees and also the scandal that facilitated their existence.

Rajeev Kumar (Kharagpur, West Bengal) for using RTI to compel IIT to make the selection procedure transparent.

Akhil Gogoi, (Golaghat, Assam) - Best-known social activist of Assam - For starting an RTI investigation in March 2006, followed by a social audit, that led to the expose of a Rs 1.25 core scam in Sampoornai Gram Rozgar Yojana (SGRY) and Rs 60 lakh scam in Indira Awas Yojana in Gamariguri block of Golaghat district.

Narmada Bachao Andolan (Badwani Madhya Pradesh), this team exposed through government's own information a unique scam in the resettlement programme of Sardar Sarovar project on Narmada river.

ONGC is the presenting sponsor for the RTI awards.

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

**Mumbai Crime Branch chief threatens to resign**

*The Hindustan Times*

The Mumbai police's crime branch chief Rakesh Maria has threatened to resign over allegations made against him in Vinita Kamte's book *To The Last Bullet*. Maria has sought permission to meet Maharashtra Home Minister RR Patil and Union Home Minister P Chidambaram to offer his resignation.

Maria had reportedly written to Home Minister RR Patil offering to resign if the state government does not clarify, or allow him to clarify, allegations made against him in Vinita Kamte's book *To The Last Bullet*.

Vinita, wife of Ashok Kamte — additional commissioner of police who was killed by Ajmal Kasab and Abu Ismail in the Rang Bhavan lane — has alleged that the police control room manned by Maria did not react to repeated calls for help during and after the shootout. Kamte, Anti-Terrorism Squad chief Hemant Karkare and senior inspector Vijay Salaskar were killed in the attack.

She has also accused Maria of "feigning ignorance" about Kamte's location.

Her claims are based on call log details of the control room obtained using the Right to Information Act.

Sources close to Maria said he dashed off a letter to Patil on Thursday saying the government should clarify the issues raised in the book or allow him to speak for himself.

In case nothing is done, he has offered to quit.

"He seemed very upset about the developments," an officer close to Maria said, preferring anonymity. The officer said Maria had been told by the government not to comment on the matter. This is why he had been silent

**28th November 2009**

**HC asks cops to explain 'friend of police' I-card**

*The Times of India*

MUMBAI: A police officer has allegedly issued an identity card to a Santa Cruz trader, designating him as a "friend of the police" and an "undercover agent". The act, obviously, has not gone down well with the Bombay high court.

A division bench of Justice J N Patel and Justice Amjad Sayed on Friday directed Mumbai police commissioner D Sivanandan to file a personal affidavit and explain the legal validity of such a I-card.

The court was hearing a petition filed by a resident of Lokhandwala in Andheri, Vikas Ganeriwal, who had a dispute with the Santa Cruz trader Sudhir Jhunjhunwala, over a business deal. According to Ganeriwal, Jhunjhunwala has been brandishing the identity card issued and signed by Saki Naka assistant police inspector Majardekar and stamped with an official seal and using it to his advantage. In his petition, Ganeriwal said that claiming himself to be a "friend of the police" and an "undercover agent", Jhunjhunwala has been threatening him and also putting pressure on his family to settle the dispute and withdraw all court proceedings or he would get him arrested. In fact, Jhunjhunwala did get Ganeriwal arrested by lodging a complaint with the Oshiwara police, a source said. The petition said in the police lock up, Jhunjhunwala assaulted him and "pressured and terrorised" him to sign blank documents. "He was behaving as if he was the seniormost police officer," said the petition.

Following his release on bail, Ganeriwal filed a Right To Information query, which revealed some startling facts. In his reply to the RTI plea, assistant commissioner of police Kaiser Ahmed said while the police force and police stations did not officially issue such identity cards, API Majardekar might have given one to Jhunjhunwala as he personally knew the businessman. According to Majardekar, an "undercover agent" meant a police informer and in case, Jhunjhunwala misused the card he could be prosecuted for the relevant criminal offences.

Ganeriwal has urged the court to direct the police to clarify the powers and rights granted on the basis of such I-cards. Contending that issuing of such an identity card was unconstitutional, he has sought a ban on the practise. The court has asked the police commissioner to file his affidavit in two weeks.

API Majardekar reportedly issued the identity card to Santacruz based trader Sudhir Jhunjhunwala. The I-card proclaims that Jhunjhunwala is a

"friend of the police" and "undercover agent". The card further mentions that the fact can be verified from the police station.

Jhunhunwala, the petition claims, used this card to "terrorise" a Lokhandwala resident with whom he had some disputes pending in court, and have the latter arrested.

Police claim there is no official practise of issuing such cards and the API might have issued the card as he personally knew the trader.

Police say if the card is misused, the offender can be charged with criminal provisions based on the crime he commits.

The last two days.

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

**PU fails to give info under RTI**

*The Times of India*

CHANDIGARH: Panjab University (PU) scrapped the list of 48 items, which had been exempted from the purview of Right To Information (RTI) Act, from its handbook on the direction of chief information commission (CIC).

However, it failed to provide complete information sought by an applicant under RTI, following which, the complainant again approached the CIC on Thursday. A few months ago, complainant Nitin Goyal had filed an RTI seeking some details, which were, however, not acceded to by the university. It claimed that the information sought was among the list of 48 items included in the university hand book that was not included under RTI. The complainant had then approached the CIC demanding relief. The CIC on November 6 directed the university to withdraw the list of 48 exempted items, titled list of items of information that cannot be disclosed under the RTI Act, from the handbook. It further directed the PIO to give complete information sought by the complainant before November 26. However, the complainant claimed that the information provided by the PIO was insufficient. According to the complaint, the PIO was directed to give the complainant copy of complaints and actions taken by the disciplinary committee on these. If no action was taken, it should also be stated. But the PIO provided him with incomplete information on November 25.

Copies of complaints against Sukhmani Bal Riar, Rohit Sharma, Semha Rai and Jaspreet Kaur were denied on the pretext that these cases were pending, claimed Goyal. Moreover, in October, PU employee Gurcharan Singh Malhi was allegedly caught tampering with re-evaluation results of two students. Finance development officer Vikram Nayyar said "If the complainant was dissatisfied, he was free to check the documents with PU."

**30<sup>th</sup> November 2009**

**RTI activists demand removal of tainted SCIC**

*The Times of India*

LUCKNOW: The RTI activists have approached Governor B L Joshi individually and in small groups requesting him to take action against the state chief information commissioner (SCIC) Ranjit Singh Pankaj. A group of activists handed over a memorandum to the governor office on Friday.

The opposition against Pankaj started after All India Right to Information Awareness forum submitted a memorandum to governor a fortnight back. The RTI activists and activist organisations wrote to the governor to stop Pankaj from attending the office of the state chief information commissioner in compliance to the section 17 of the Right to Information Act, 2005.

"We are alarmed and distressed to learn that the present Uttar Pradesh chief information commissioner, Sri Ranjit Singh Pankaj has been penalised by the Allahabad high court," read the memorandum. The court had slapped a fine of Rs 50,000 on him for "favouring a lessee involved in illegal mining" during his previous stint as mining secretary.

The memorandum further stated that "even earlier to his appointment as SCIC, the charges of corruption were levelled against him while he was the district magistrate of Gorakhpur in 2008. The charges were corroborated by the divisional commissioner, P K Mohanty, who conducted an inquiry into the selection process of 3,448 safai karamcharis. The probe report, acting on which the government cancelled all the appointments, held Pankaj responsible for violating norms and handpicking men of his choice, who later committed irregularities, including accepting bribes."

"We are compelled to come together, endorse the concerns as stated above, recommend and demand immediate removal of SCIC from office," said the memorandum. "We have been assured of necessary action in the matter within 15 days' time by the governor's office," said activist, Urvashi Sharma. The RTI activists, including Neeraj Kumar, Dev Dutt Sharma and Akhilesh Saxena, signed the memorandum.

**30<sup>th</sup> November 2009**

**It'll be easier to contact civic officials online**

*The Times of India*

The Brihanmumbai Municipal Corporation (BMC) is trying to make it easier for citizens to make online complaints to officers. Following a TOI report on September 30, which revealed that Right to Information (RTI) replies showed that only 40% of BMC personnel used their official email IDs, the civic authority wrote to the state government asking for the details of rules and provisions on the usage of email IDs.

"We got a reply from the state government along with a copy of a circular from the chief minister last week. The government has also asked us to look into the government website, which mandates the usage of only official email IDs," a senior official with the BMC's IT cell said.

The chief minister, in the circular dated November 9, instructed personnel in all government departments, including the civic corporation, to use their official email IDs for departmental communication, especially in instances where files get stuck for months together.

However, civic officials said they realised that citizens might still not be able to reach BMC officers even if the latter were forced to use their official IDs. This is because the official email ID is according to the officer's name. Once the officer is transferred from a department, any complaint from the public to that ID would be irrelevant.

The BMC now plans to make all official IDs according to the officer's post (or office) and not his or her name. This way complaints from the public will reach the new officer even if the old one is transferred. "We realised that when the officer gets transferred, the emails went unnoticed or to the wrong person," a civic official said. BMC officials also admitted that the civic corporation has done little to promote the use of online facilities among employees or citizens. There are now plans to bring out pamphlets with the details of all official email IDs. "We will also provide the email IDs in the civic guide," an official said.

RTI replies on BMC employees' internet usage patterns had revealed that in a 20-day period only around 40% of personnel actually used their official e-mail IDs. Data provided by the BMC's IT cell to RTI activist Milind Mulay showed that while 2,897 official IDs were created by the department, an average of only 1,172 emails were sent daily.

The IDs had been created by the department to enable citizens to lodge

online complaints at ward offices and other civic departments. Data also revealed that an average of 312 e-mails bounced from these IDs and 479 emails were rejected a day.

RTI activists said the CM's circular should help citizens get redressal for their grievances without having to do the rounds of BMC  
Two years ago, the BMC became one of the first civic bodies in the country to provide internet connectivity to all its ward offices.

**30<sup>th</sup> Nov 2009**

### **Clean-up contractor dropped for poor show**

*The Times of India*

MUMBAI: The Brihanmumbai Municipal Corporation (BMC) has cancelled the contract of an agency allowed to employ clean-up marshals after Right to Information (RTI) replies revealed it had done poorly in the collection of fines. The BMC has now also decided to conduct monthly audits of the performances of the agencies hiring clean-up marshals for the city.

The BMC solid waste management department had come up with the idea of contracting independent agencies to deploy clean-up marshals across the city to monitor public cleanliness. The marshals were given the authority to fine people for various offences, including spitting, urinating or littering in public.

In January 2008, five private agencies were selected for clean-up contracts. TOI reported on September 22 that RTI replies showed that, as of July 31, 2009, they had collected fines totalling Rs 5.94 crore. Around 65% of the fines were for urinating in public. "The amount collected in 18 months must be a drop in the ocean as people still break laws with impunity," said RTI activist Milind Mulay.

The most fines collected (Rs 63 lakh) were from F North ward (Matunga to Dadar TT). This made up nearly 11% of the total fines. L Ward (Kurla) accounted for 7.34% of the total fines (Rs 44 lakh). R-Central (Borivli) and A wards (Colaba) ranked third and fourth respectively (Rs 42 lakh and Rs 38 lakh). "It was surprising that comparatively dirtier wards, like Kurla and Chembur (Rs 37 lakh), collected only Rs 44 lakh and Rs 42 lakh respectively, while cleaner wards like Matunga collected Rs 63 lakh," Mulay said.

Senior BMC officials said they decided to sack the agency that performed the worst. "We terminated the contract of Trig Security, which has failed in its duty," a senior official said. Trig had collected Rs 1.4 crore in fines for the period concerned, even though it was in charge of one-third (eight) of the city's wards. Senior solid waste management officials said they had received the maximum number of complaints from the public about Trig's performance and the agency didn't keep proper audits.

The BMC standing committee had earlier also recommended the cancellation of the contracts given to the agencies for Kurla and Chembur, but this was not approved.

Seema Redkar, officer on special duty, solid waste, said the department is now encouraging citizens to interact more with clean-up marshals and the BMC. BMC officials said that the ward-wise performances of agencies would be reviewed every month. An official also said that the number of marshals would be increased to make the campaign more effective. "We will increase the number of marshals. There will be at least 20 to 25 marshals in every ward," he said.

When contacted, a senior Trig official confirmed that their contract had been cancelled, but he said he was not in a position at the time to comment further.

### Sweeping Change

Wards covered by Trig Security, whose contract for clean-up marshals has been terminated:

D (Tardeo, Girgaum, Walkeshwar, Mahalaxmi)

H-East (Bandra-E, Khar-E,

Santa Cruz-E)

H-West (Bandra-W, Khar-W,

Santa Cruz-W)

K-East (Parle-E, Andheri-E, Jogeshwari-E)

K-West (Parle-W, Andheri-W, Juhu, Versova, Jogeshwari-W)

N (Ghatkopar, Panjrapol, Vikhroli)

S (Vikhroli, Bhandup)

T (Mulund, Nahur, Vihar)