

News on Right to Information

Compiled by

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1st Feb 2009

24X7 call centre, new RTI, assets list each yr: Omar's 'open govt' roadmap

Indian express

Posted: Feb 01, 2009 at 0128 hrs IST

Srinagar: A call centre, an Omar Abdullah blog, a legislation to strengthen the Right to Information Act in the state and a directive to his Cabinet to disclose their assets. These are among J&K Chief Minister Omar Abdullah's plans to make his [Government](#) "open and transparent" and he plans to do them before his fledgling government completes 100 days in power.

"I want every member of my government to disclose their assets every year. I will start with myself," he told The Sunday Express in an exclusive interview.

At the planned call-centre—the first CM's office to set up one—20 executives will handle calls and complaints from the public. "This call centre will report directly under me. We will have dedicated phone lines and complaints will be received through phone, text messages and in person," he said.

Abdullah says he wants a stringent Right to Information Act on the lines of the Central RTI Act. "We need to repeal our existing Act and bring in a fresh legislation," he said.

2nd Feb 2009

Bureaucrats thrive in opaque world –

The Hindustan times

Transparency is a bureaucrat's worst nightmare. That is what Pune-based financial consultant Vihar Durve (49), and many thousands of other across the country, has discovered to his disgust.

Durve has filed more than 15 right to information (RTI) requests and appeals over the last year, but he still hasn't received information on the annual property

return statements filed by Maharashtra government officials and the state's information commissioners.

Under service and conduct rules, "all officials are supposed to submit these declarations detailing their property ownership as well as financial investments to the General Administrative Department of their government".

In March 2008, the Central Information Commission (CIC) ruled that central and state governments could not keep such documents confidential, and that making them public could help "contain corruption".

But government departments in Mumbai have consistently stonewalled Durve's requests. Their reasons range from "the information is in sealed envelopes which the information officer cannot open" to "the information has been destroyed", to "the information is personal, and disclosing it has no relation to public interest".

Durve is now waiting for the state's information commission to decide his appeal. "This is like saying a drawer cannot be opened since it was closed until now. Why do officials hide the fact that RTI supercedes all prior laws?"

Former Indian Institute of Management, Ahmedabad professor Jagdeep Chokkar, co-founder of the Association for Democratic Reforms, which moved the Supreme Court in 2003 to mandate that all electoral candidates should declare their assets and criminal records, explains why you should be interested in these returns.

"All corruption in India flows from the government. If citizens can get politicians, judges and officials to be transparent, it will have a snowballing (clean-up) effect on all areas of our life," he said.

In UP, information commissioner Gyanendra Sharma took the CIC's March 2008 order a step further last November and ruled that bureaucrats should make public these statements under the law's suo moto disclosure clause. Two months later, he concedes: "There has not been any compliance from the government yet."

In Ahmedabad, community organiser Harinmesh Pandya battled two levels of bureaucrats through all of 2008 after finally getting the Gujarat information commission to order a disclosure of an IAS officer's annual returns last month.

"Officials argued that the information was exempted from the RTI law. But we think making such documents public will act as a check on officers owning disproportionate assets, or at least raise questions about the issue. The commission agreed with us," Pandya said.

2nd Feb 2009

Mission '09: Cong toils to beat slowdown, anti-incumbency,

The Economic Times

NEW DELHI: Faced with anti-incumbency and economic slowdown, the Congress managers have an arduous task at hands as far as party's manifesto for general elections is concerned.

Party's manifesto, currently in the making, is set to go in for some subtle reframing — economic and political. The thrust of the document will be an appeal to the people to give the party another five years to “complete the development agenda.” Even as the concerns of the aam aadmi — unemployment and job security — will be the highlights, once top-of-the-charts buzzwords such as disinvestment and market reforms are set to be toned down. What is being fashioned for the electorate this summer is the Congress' people-friendly face.

In positioning the Congress as the best option to lead the country in times of economic slowdown, the party is expected to highlight its cautious approach to deregulation, privatisation and banking reforms. A senior party leader said: “In developing nations such as India, state intervention and support is a must, especially in favour of huge poor population.” With the economy slowing down — growth projections have been revised downwards to 7.1% — and a recovery projected only in 2010, the Congress is pinning its big poll hopes on “re-shaping” disinvestment.

On the political front, the Congress manifesto hopes to give the BJP a run for its money on the latter's pet issue, national security. The tone used to stress the urgent need for a national strategy in the post-Mumbai terror attack period, though, would be less jingoistic, more rational. Both party and prime minister would be packaged as handling the issue with aplomb. “The impact of the economic meltdown and issues of national security will be important concerns for the urban electorate. People want to know who's handling issues of economy. Here, we have an edge in Prime Minister Manmohan Singh. Even on national security, the Congress is in a favourable position. After the Mumbai attack, the steps taken give us an edge and blunt the BJP's soft-on-terror charge,” a senior party leader said.

“The aam aadmi will continue to be the cornerstone of the Congress manifesto as in 2004. At best, this can be called a re-calibration on the angle from which development as an agenda is perceived. There is no structural adjustment in priorities. At the hustings, we will ask for another five years at the helm to complete the development agenda,” another senior party leader said. What will be adopted is the same strategy that yielded dividends for the party in Delhi while checkmating what appeared to be a surefire bet for the BJP.

Even within the “development” agenda, the manifesto is expected to tailor its focus to different regions. While the aam-aadmi theme is likely to strike a chord in urban, semi-urban and the aspiring-urban electoral regions, employment security through market connectivity and assured basic amenities in tandem with modernisation would hit the highs in rural, tribal, backward and disadvantaged and primarily agricultural regions.

“When it comes to the rural segment, the Congress will seek to highlight the positive impact of programmes like the National Rural Health Mission, the National Rural Employment Guarantee Scheme, Sarva Shiksha Abhiyan, increased scholarships to Scheduled Castes and Tribes, efforts directed at minorities, and even the right to information. All these are seen to be part of the Congress-led government’s development agenda to improve the lives of the aam aadmi,” a party working committee member said. The manifesto would focus on the fact that Centre funded these programmes.

13 Feb 2009

BDO, CDPO fined for denying info –
The Times of India

PATNA: State information commission (SIC) on Thursday slapped fine on two government officials for violation of Right to Information (RTI) Act. Those fined are BDO of Sonapur in Saran district and Child Development Project Officer (CDPO) of Samastipur district.

The Sonapur BDO would have to cough up a fine of Rs 250 per day effective from January 22 this year with an upper limit of Rs 25,000. He failed to provide relevant information to one Muktinath Singh who had sought certain information under RTI. SIC directed the erring BDO to provide relevant information to Singh latest by April 22 and fixed April 24 as the next date of hearing of the case.

The CDPO was found guilty of not providing information to one Upendra Prasad Yadav for which the official would have to cough up fine at the rate of Rs 250 per day effective from September 30 last year with the upper limit being Rs 25,000. The commission directed the CDPO to provide relevant information to the applicant latest by April 22 and fixed April 29 as the next date of hearing of the case.

13th Feb 2009

Govt did a lot for 'aam aadmi': President

BS Reporter / New Delhi February 13, 2009, 0:14 IST

In the last session of the 14th Lok Sabha, President Pratibha Patil today harped on the 'aam aadmi' (common man) and youth plank while speaking about the achievements of the United Progressive Alliance government.

"People measure government on the basis of what it does. In a democracy, government is measured on a simple maxim— 'aam aadmi ko kya mila? (What did the common man get?)' Today, after close to five years in office, my government believes that it has acted on nearly all the commitments made to the people through the National Common Minimum Programme," she said in her speech at the joint session of Parliament.

Pitching the "rapid growth" in industry and investments in skill development programmes as the avenues of employment generation for the youth, Patil concluded her speech saying, "My government has steadfastly sought to accelerate the pace of growth to enable our youth to access global opportunities. Young India has the power to dream big. Our economic progress has enabled such global aspirations. Our young people have never been more confident about the future."

Even as she gave elaborate details about achievements in almost all departments of the UPA government, social sector received the maximum emphasis. She spoke at length about various programmes in the Rural Development, Agriculture, Human Resource Development and Health ministries. The President also hoped that India's domestic demand would inject fresh momentum into the economy, reeling under the ongoing economic slowdown. Highlighting the achievements towards "inclusive development", she said, "Right to Work was guaranteed through the National Rural Employment Guarantee Act. The Unorganised Workers' Act will facilitate social security to the 43 crore unorganised (sector) workers. Through the Right to Information Act, the government has been held accountable to citizens.

Through the Recognition of Forest Rights Act, historical injustice to tribes and traditional forest dwellers was corrected. A Central Educational Institutions Act ensured reservation to OBC students. A Bill on Right to Education, the Land Acquisition Act along with Rehabilitation and Resettlement, and a Constitution Amendment Bill providing for Reservation for Women in the Lok Sabha and state legislatures stand introduced in Parliament."

Describing the year that "challenged our open economy", Patil said stimulus measures would drive the demand for goods and services, reviving production activities in the manufacturing and services sectors. The President also assured that India's banks were well capitalised and "face no threat that many banks face in other parts of the world".

Patil also underlined that the unprecedented growth of 9 per cent during last three years had enabled the government to provide adequate resources to undertake development at an unprecedented scale, increase assistance to state governments from Rs 186,000 crore in 2003-04 to Rs 240,000 crore in 2007-08. "It also helped to implement the much-awaited Sixth Pay Commission

recommendations for government employees, including defence personnel," she added.

"(The) series of measures to stimulate our economy have been expeditiously announced after discussions with stakeholders to address the problem of slowdown in industrial growth, exports and the services sector. The calibrated and prudent economic reform pursued by our government is helping us to weather the extreme adversities of the global economic meltdown," said Patil. The President's speech in the last session of the 14th Lok Sabha also emphasised steps taken by the UPA to help the minorities. Talking about the prime minister's new 15-point programme for the welfare of minorities, Patil's speech mentioned that almost 800,000 minority students would be provided scholarships this year itself and the coverage would go up to nearly 4 million students over the next four years.

"More than 10,000 new primary and upper primary schools have been constructed in areas of minority concentration. Entrepreneurs from minority communities have been provided assistance under the Swarna Jayanti Grameen Swarozgar Yojana. Under Indira Awas Yojana, 239,000 houses have been allotted to minorities during 2008-09. The flow of credit to minorities has increased sharply and is expected to go up to 15 per cent. Public sector banks have opened more than 500 branches in the minority concentration districts."

13 th Feb, 2009

The Bill is short on transparency and accountability

The Indian Express

Madhav Chavan Posted: at 0144 hrs IST

Related Stories:

Should the Right of Children to Free and Compulsory Education Bill, 2008 be passed in its current form without discussion? The HRD Ministry seems to be quite keen to get the Bill passed in this session. This almost certainly means that it will have to be rushed and passed without amendments. Normally, public reaction is invited on such bills by the parliamentary committees. But, in case of this Bill, which has been in the public domain for just under two months, no responses from the public have been invited. It is this author's observation that state administrators, political leaders, and the public at large are unaware of the contents and implications of the Bill, which is going to impact practically every child in the country not only now but for years to come.

So, there is justifiable suspicion that the Government will not follow the due democratic process in a matter so important.

While the Bill has many details about setting up of and admission to schools, it does not adequately address the issue of attendance. Both, government commissioned and independent surveys indicate that while over 95% children are enrolled, the attendance against the school roster is only about 68 per cent in primary and 75 per cent in upper primary schools. The percentage of children

who do not show up at all is not known. Street children, beggars, and runaways are in critical need of the “compulsory” education but there is no mention of compulsory attendance or a mechanism to ensure such attendance in schools. The Bill essentially assumes that if a school that does not charge fees is set up near a child’s home, and if trained teachers are appointed, education will happen. Just take a look at municipal schools in cities like Mumbai, and Delhi. The schools and trained teachers exist, but are all children getting education? A clause in the Bill categorically forbids holding back or failing a child in school. In most states it is already a practice not to fail children at least until Std III or V. The government would like it extended till Std VIII. Not failing a child is the right thing to do but what if the child does not learn what he/she is expected to? The government’s own as also independent surveys show that at least 50% children in Std V do not know the basic skills expected to be acquired by the end of Std II. In spite of this deplorable quality of education, the Bill is completely silent on any monitoring or accountability towards the quality of learning achievement. It says nothing about what should be done to help children who do not achieve even the basic skills and knowledge expected of them. There is a schedule for norms and standards for a school, there are clauses about prescribing curriculum and about teachers “completing syllabus”, but nothing that says what is at least the minimum learning that constitutes elementary education. That the government cannot provide education up to Std X or XII is bad enough but the child of the poor who completes 8 years of education is not even guaranteed a State Board Certificate after examination. The right to education is critically important to the disempowered. So, one would have expected an accessible grievance redressal mechanism. The government has done well in this matter in NREGA and the Right to Information. However, grievance redressal in the Bill on education is more suited for the unions and the managements rather than for the poor. There are several other issues related to the Bill that deserve closer inspection. For example, how transparent will the process of recognition process be? What is the basis of calculation of the “per-child expenditure” that the government will pay to unaided private institutions for admitting the 25% children from weaker sections? The idea of paying such schools for teaching the weaker sections is interesting, but it is one that deserves closer inspection. Under the circumstances, not only should various amendments be considered, the Bill should not be rushed. The writer is President of Pratham, and was a member of the now dissolved National Advisory Council

14th Feb 2009

Area sabha concept to show we are democratic'

The Times of India

KANPUR: "The evolving concept of area sabha which is at par with the Panchayati Raj, is the best and the most effective way for the proper usage of Right to Information Act (RTI)," claimed Ramon Magsaysay ward winner Arvind Kejriwal.

Speaking at a programme organised by The Indus Entrepreneurs (TiE) on Saturday, he explained: "Area sabha is a general assembly of voters in which all the voters of a respective area of the city have the power to take all decisions regarding the civic amenities in their area. It is a yardstick to ensure we are democratic in the real sense." Though, at present, around six states have already passed this system, it is still awaiting the final nod for its implementation in Uttar Pradesh (UP). He claimed the even the RTI Act had limitations, "as till the time we do not have any say in the day-to-day governance, there is little use of RTI."

Arvind further said RTI was like a magic wand that also helped in overcoming corruption in various government departments. But, in our country, people are not even aware of its proper and effective use. It was the reason why recently only 2.5 lakh applications under RTI were received by all the government departments across the country. Which is only a negligible amount as compared to 30 lakh applications from only one department in US.

Meanwhile, managing director, Inventus Capital Partners, and one of the 16 TiE global charter members, Kanwal Rekhi too addressed the gathering during the programme. Discouraging the bail out packages declared by the American and Indian government, to bring out various companies from recession by providing monetary support, Rekhi said: "It is like spoon-feeding the companies with monetary aid and therefore it should not be practised." Instead, the government should use the money in more useful fields.

Rekhi even said recession period was the best period for a young entrepreneur to start a new business, because during recession resources were very cheap, market slow and the young entrepreneur would not have to face much competition.

15th Feb 2009

Taking lessons in honesty to fight corruption

The Times of India

Just weeks ago, Indonesia took its fight against corruption to a new level altogether. It introduced anti-corruption classes in the school curriculum. It was a significant step for a country that ranks 126 on Transparency International's Global Corruption Index 2008, far behind India, which is at number 85. If Indonesia appears to be addressing the canker of corruption at a nascent stage, what of India's complete lack of interest in the matter?

Right to Information (RTI) activist Manish Sisodia, who recently filed an RTI query on 'corruption as a topic in school education' laments: "In reply, the NCERT sent me photocopies of the chapters in which the word 'corruption' had

been highlighted! There was one reference to Chilean dictator General Pinochet's corrupt regime in a Class IX book. But no chapters that discuss the issue."

In fact, India could do worse than adopt a 'look East' policy when it comes to educating the young about corruption. Schools across south-east Asian countries are 'catching them young' by introducing anti-graft and 'honest education' theory and practice in the school curriculum. China, Cambodia, Vietnam, the Philippines, South Korea, Poland, Ukraine and Nigeria are some of the countries which have introduced anti-corruption classes.

The recent Indonesian example offers strict but sensible guidelines for India, not least Jakarta's new Pangeran Diponegoro anti-corruption school, which aims to discourage graft by offering extra-curricular classes on nationalism, humanity, democracy and social justice.

It's a fact that there's a high level of tolerance towards corruption in India. Scandals per se, don't shock us any more, only their scale does. A 2005 study conducted by the universities of Auckland and Melbourne on attitudes towards corruption in Australia, India and Indonesia, revealed that Indians exhibit a higher tolerance towards corruption than Australians; Indonesians were found to have the same attitude to corruption as Australians. Perhaps that explains Indians' reluctance towards tackling the all-pervasive corruption issue. An exasperated Sisodia says, "We have laws and commissions to tackle corruption but that's not enough. We spend 20 years of our lives in education. It is the duty of the education system to teach ethics in public life."

But the education authorities' lack of interest in coaching against corruption has not prevented some schools from taking the initiative. St Joseph's School in Darjeeling has been awarding a certificate of merit — of honesty — to students who desist from cheating. "One of the biggest problems in schools is cheating in exams. I tell children to tackle this, so that it inspires them to tackle issues of justice later in life," says the school's principal, Father Kinley Tshering.

He adds, "I made it a condition that the entire class should decide that they would not cheat. Each student is responsible to do an honest test. Many classes between grades 8 and 12 now sit for unsupervised tests. And I am really happy that in the 2008 final exam, not a single child was caught cheating in any class between grades 1 and 12."

Raising the 'honesty bar' has been given another dimension in some other government and private schools across the country. They have set up 'honesty shops or imandari ki dukans'. Stocked with stationery, books and sometimes food, the shops don't have cashiers. The students take what they want and put the right money into the cash boxes. The aim — to inculcate honesty in children. Similar 'honesty bars' are being opened in Indonesian schools.

Perhaps it is time for a well thought-out Indian syllabus to teach Gen Next about the evils of corruption. At present, the textbooks published by Indian government institutions lack chapters on corruption.

"I am not inspired by our education board, the ISCE. There should be syllabus on such issues, be it corruption, sex education or religion, especially for children who are not so motivated," says Father Kinley. For added measure, he paraphrases Edmund Burke's quote, "Evil results when good men do nothing."

15th Feb 2009

City uses RTI to set record straight

The Times of India,

LUDHIANA: For those dwelling in the MIG flats of Urban Estate, Phase-2, seeking exemption from water and sewerage charges according to area specifications has now become easy, courtesy Right to Information (RTI) Act. The residents, who were allotted flats by Punjab Urban Development Authority (PUDA) a few years back, have claimed freedom from paying the water and sewerage bills, as per a notification from the state government to exempt all houses constructed below the area of 125 sq yards.

They claim that the development authority constructed two units of each flat on a single plot area of 162 sq yards and all dwellings had separate power, water and sewerage connections. However, despite this, the municipal corporation had been issuing them bills pertaining to water and sewerage supply every year. When residents brought the matter to MC's notice, they were told that they could be exempted only if PUDA gave in writing about the total area covered by the dwellings.

Acting upon it, residents have sought information regarding their flats from PUDA under the RTI Act. Kuldeep Singh Kreer, general secretary, MIG Welfare Society, claimed they had urged the authorities concerned for extending the facility to them.

However, he added the authorities allegedly kept issuing bills, considering the area of flats was 162 sq yards. Kuldeep claimed under RTI Act, PUDA had wide its letter number PIO-GLADA-Ldh/676 dated January 30, 2009, clarified that each flat was 81.6 sq yards in area, which was also mentioned in its approved map.

He said a representation of residents would submit the letter of information

provided by PUDA to MC officials. Kuldeep further said a writ petition regarding the matter was pending in the Punjab and Haryana High Court and they would furnish requisite details about it.

15th Feb 2009

lifeline hit by shortage of staff, braces for more –

The Indian Express

As new swanky rakes are being introduced by the railways as part of the first phase of Mumbai Urban Transport Project (MUTP), the Central Railway (CR) and Western Railway (WR) are grappling with the shortage of key staff. The CR and WR are short of some 245 motormen and 185 guards.

Newsline had sought information under the Right to Information (RTI) Act on the sanctioned strength of motormen and guards in these railways from October 1, 2007, to December 20, 2008.

Information was also sought about the recruitment process, promotion and payscales of these employees. And according to the information obtained, the CR has 571 motormen as against a sanctioned strength of 716 while the WR has 330 motormen as against the required 440. Similarly, the CR requires 659 guards while it has only 572 in service.

The WR, meanwhile, has 319 guards as against a sanctioned strength of 417. The CR had promoted 93 guards during the period while the

WR got 61 new guards for the suburban section.

With the new rakes in place, the CR and WR will have 500 more services daily. "With the introduction of new services, the pressure on motormen and guards has increased, and it will continue to happen," said a motorman. "We do not get our weekly offs and the pressure is intense."

"Plus, the overtime (OT) is quite beneficial for the railway as it has to pay less for OT than new employees," said Ramkrishna Badgajar, divisional secretary (Mumbai) of All-India Loco Running Staff Association.

It may be recalled that the motormen and guards had paralysed the suburban rail system from October 2008 to January 2009 by resorting to a strike. The motormen of the CR, too, had gone on a hunger strike later.

"The assessment and filling of running staff posts is a continuous process depending on the increase in train services. Recently, we have filled 50 vacancies in motormen cadre. The process is on to recruit 1,200 loco running

staff through the Railway Recruitment Board (RRB),” said Shrinivas Mudgerikar, chief spokesperson of CR. The WR chief spokesperson, S.S.Gupta, also had a similar reaction: “Some 30 motormen have been added to the cadre recently. We have also increased the sanctioned strength in view of the new rakes coming in.”

Motormen and guards are either promoted departmentally, or directly recruited by the RRB. According to the rule book, the motormen works for 6.55 hours a day, including the time taken as a commuter, while the guard — on an average — works on four trains daily.

15th Feb 2009

Eminent citizens urge judges to voluntarily disclose assets

Legal Correspondent

To advance the cause of transparency and probity in public life

In line with the requirement for all civil servants

It will be applauded as an act of statesmanship

The Hindu

New Delhi: Eminent citizens from various walks of life have appealed to Chief Justice of India K.G. Balakrishnan and judges of the Supreme Court and High Courts to voluntarily disclose their assets to advance the cause of transparency and probity in public life.

Code of conduct

In an appeal sent to the CJI and other judges the signatories pointed out that in 1997, while adopting the “Restatement of Judicial Values” (also called the code of conduct), the judges of the Supreme Court decided that each judge would declare his/her assets in confidence to the CJI. This was reiterated in 1999 in a conference of the Chief Justices. These resolutions were adopted in the light of a growing public perception that there was lack of accountability of the higher judiciary. This was also in line with the requirement of declaration of assets by all civil servants to the government.

Court’s rationaleThe statement said: “The rationale given by the Supreme Court for the need for disclosure of assets of candidates contesting elections would equally apply to all public servants occupying crucial positions of authority. In any case, with the Right to Information Act, 2005, now in place, it is clear that the disclosure of assets by public servants to the government or to any other authority would be accessible to the citizens under the RTI Act. The exemption from disclosure under the RTI Act would not apply to disclosure of assets of public servants. “Several eminent former judges and Chief Justices of the Supreme Court, including Justice Krishna Iyer and Justice J.S. Verma, have publicly expressed the view that it would be desirable for judges of the Supreme Court and the High Courts to publicly declare their assets. By doing so, they

would be setting an example of transparency in the country which would then be emulated by other public servants. Such voluntary disclosure of assets by judges [without resort to the RTI Act] would be applauded as an act of statesmanship by the people of this country, at a time when people have become cynical about the integrity of public servants. It would greatly advance the cause of transparency and probity in public life.

"We therefore call upon you to set an example for public servants by voluntarily making public your asset declaration."

The signatories are: Admiral R.H. Tahiliani, former Chief of the Naval Staff and Director, Transparency International, India; Aruna Roy, founder, MKSS and RTI and NREGA activist; Ramaswamy R. Iyer, former Secretary, Water Resources; Vikram Lal, Chairman, Common Cause; Madhu Bhaduri, former ambassador; Amit Bhaduri, Professor Emeritus, JNU; Anil Sadgopal, education activist and former Professor of Education, Delhi University; Jean Dreze, former Member, National Advisory Council; Vandana Shiva, education and agriculture activist; Trilochan Sastry, Professor and Dean, Academic, IIM-Bangalore; Yogendra Yadav, Professor, CSDS; Prashant Bhushan, convener, Campaign for Judicial Accountability and Reform; Arvind Kejriwal, Magsaysay awardee and RTI activist; N. Bhasker Rao, Chairman, Centre for Media Studies; Harsh Mandar, Director, Centre for Equity Studies; Ravi Chopra of the People's Science Institute; Kamini Jaiswal, advocate, Supreme Court; Shabnam Hashmi of ANHAD; Mira Shiva, health activist; Kavita Srivastava, secretary, PUCL Rajasthan; Gautam Navlakha, human rights activist; Nikhil Dey of the National Campaign for People's Right to Information; Arun Kumar, Professor of the JNU; and Dunu Roy, Director, Hazard Centre.

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16th Feb 2009

RTI has brought more accountability in public servants:
Pranab press trust of india

New Delhi, Feb 16 (PTI) The Right to Information Act has brought about greater accountability among public servants, Finance Minister Pranab Mukherjee said today.

Presenting the Interim Budget in Lok Sabha, he said the enactment of the Act by the Centre and many states has "bridged a critical gap in the public decision-making process and ushered in greater accountability of public servants."

He said the Second Administrative Reforms Commission had brought out a number of reports with "practical recommendations, providing a starting point for improving efficiency in the delivery of public services." The Commission was set up in August 2005 with a mandate to suggest measures to achieve "a pro-active,

responsive, accountable, sustainable and efficient administration for the country at all levels of the government," Mukherjee said. PTI

16th Feb 2009

Scientific price for farm produce in two years: Yeddyurappa -

The Hindu

DAVANGERE: Chief Minister B.S. Yeddyurappa on Sunday assured farmers of scientific price for farm produce in two years.

Speaking after inaugurating several projects, including Garbagudi barrage and Mini Vidhana Soudha, at Harpanahalli near here, he said that the Government would soon take up a study on fixing scientific price for farm produce considering the expenditure incurred by farmers and other factors.

Mr. Yeddyurappa said that most of the farmers were in distress in the absence of scientific price for their produce though they had been given electricity, fertilizers and seeds at subsidised rates.

He said that the previous Congress Government had "failed" in helping farmers and poor people.

He claimed that the Bharatiya Janata Party Government was committed to improving the living conditions of farmers and poor people. His Government would chalk-out programmes to provide jobs to the unemployed youth.

The Chief Minister, who expressed concern over substandard project work, warned the officials concerned of disciplinary action. The Government would not tolerate indiscipline and corruption in public works, he said.

He urged the officials to implement the projects properly without giving room for substandard work.

He had issued a circular to all departments to provide information related to projects, roads and other works and the agencies executing them so that people could keep track of the projects and there would be accountability, the Chief Minister said.

He appealed to the people to keep track of the projects taken up in their villages and obtain information under the Right to Information Act if needed.

He said that the Government was planning to form committees at the hobli-level to ensure quality work on roads, bridges and other projects.

Revenue Minister Karunakara Reddy, Agriculture Minister S.A. Ravindranath and Davangere MP Siddeshwar were present.

16th Feb 2009

Information through website not enough under RTI –

The Indian express

New Delhi : Posting information on government websites may not be enough under the Right to Information (RTI) Act. The Central Information Commission has directed public authorities to make available printed or CD copies of information to RTI applicants even if the same data is available online.

“All applicants may not have access to websites. Whereas it is helpful to give information on the website, the Public Information Officer (PIO) must always offer to give the same on a CD or hard copies,” Information Commissioner Shailesh Gandhi said.

The Bench was deciding an appeal filed by Chandigarh resident Harish Kochhar against the Central Board of Secondary Education (CBSE), which repeatedly referred him to its official website in answer to his RTI queries.

To his first question on whether the CBSE maintained a list of records “essentially submitted to CBSE by affiliated schools on a yearly basis”, the PIO merely stated that schools concerned follow the rules of the Board and directed Kochhar to the education body's websites www.cbseaff.nic.in and www.cbse.nic.in.

The Board gave the same pattern of answers to the next eight questions, mostly confining itself to a one-liner “as above Question no. 1”.

“The PIO has given an inadequate reply and that too very late. It is also apparent that there was no reason for the delay. The PIO will give the CD to the appellant free of cost before February 25,” the Bench directed CBSE PIO Rama Sharma. Issuing notice to Sharma to explain why a penalty should not be levied on her, the Information Commissioner directed the former to produce proof that she had parted with the information to Kochhar.

18th Feb 2009

PMPML fined Rs 25,000 for not providing info under RTI Act

The Times of India

PUNE: In a major setback to the Pune Mahanagar Parivahan Mahamandal Limited, state information commissioner (Pune bench) Vijay Kuvalekar on Monday ordered the company administration to pay a fine of Rs 25,000 to the

government treasury for failing to provide information under the Right to Information Act to an activist.

As per the order, the fine is to be recovered from the officers responsible for failing to provide the information about a bill issued for 60 propeller shafts on a work order, issued by the PMPML in May 2006, for getting 30 propeller shafts.

The order states that responsibility for not providing a photocopy of the bill is to be fixed on all the concerned officers, including traffic manager (vigilance department chief) S G Gavli, chief accounts and finance officer D V Unavane, chief internal accounts examiner Z A Sayyed and the then manager (traffic and administration) Shivraj Rane. The order adds that the fine should be recovered from the salaries to be paid in February and March, and this should be noted in the confidential report and service book of the concerned persons.

The order asked the PMPML's executive director to get a copy of the bill from the concerned company and give it to activist Maj Gen S C N Jathar (retd) before February 25.

The information commissioner has also asked the PMPML administration to initiate action against the concerned people for their failure to preserve the necessary documents as per the rules, and has ordered the executive director to submit a report to the information commissionerate.

When contacted, PMPML joint managing director A Y Karche, said that he had not yet seen the order.

In his application submitted to the PMPML on May 3, 2007, Jathar had asked for information on 11 issues, including that of the work order for getting 30 propeller shafts, and about the report by the Central Institute of Road Transport that remoulding of tyres has not been done as per quality standards.

When the administration failed to provide the information, Jathar filed an appeal on June 5, 2007. Although the appeal came up for hearing, the PMPML could not provide the copy of the bill (issued for 60 shafts).

Subsequently, show-cause notices were issued to chief engineer A G Shelar, Sayyad, Unavane and Gavli and also departmental enquiries were initiated, the administration informed the state information commissioner.

After going through the explanations given by the administration, the information commissioner observed that the vigilance and the accounts departments were trying to pass on the blame to each other. The information commissioner also observed that there were no visible efforts from the PMPML to settle the issue. Similarly, the PMPML also did not make efforts to get a copy of the bill from the concerned company.

18th Feb 2009

Panchayat secretary fined under RTI Act

The Times of India

PATNA: State Information Commissioner (SIC) P N Narayanan slapped a penalty of Rs 25,000 on panchayat secretary Raj Hakam (Gopalganj) under Right to Information Act (RTI). The SIC found the panchayat secretary guilty of refusing to supply the information sought by one Bharat Ram and of not replying to an explanation sought by the SIC in this regard.

The panchayat secretary has been directed to deposit the penalty amount in five equal instalments in the government treasury. The SIC has also directed panchayat secretary to supply required information to Ram and to apprise the SIC of the compliance of the order by April 22.

In yet another complaint under the RTI Act, Narayanan has slapped a fine of Rs 25,000 on PIO-cum-assistant registrar, co-operatives, Hajipur (Vaishali). The SIC has found him guilty of denying information sought by one Kamaldeo Prasad Singh under RTI Act and

his not replying to an explanation sought by the SIC in this regard.

As per SIC directive, the fine is to be deposited in the state treasury in five equal instalments. The PIO has been directed to supply information sought by the applicant by April 20.

22nd Feb 2009

Has the CBI changed its stance on the Mulayam Singh case after he decided to support the UPA?

Business Standard

Given the rapid change in the Central Bureau of Investigation's (CBI) stance on whether the Samajwadi Party chief, Mulayam Singh Yadav, has assets which are disproportionate to his known sources of income, it is not difficult to come to the conclusion that CBI inquiries too often are politics by other means. The same CBI had argued for the last two years that there was a strong case against Mr Yadav. The question virtually asks itself: Has the CBI changed its stance on the matter

after the Samajwadi chief decided to support the United Progressive Alliance government? It is worth observing that one of the judges hearing the case in the Supreme Court was so upset at the CBI's about-turn, he said God alone could help the country if this was how its premier intelligence agency behaved.

If the thesis were to be put forward that the CBI has a tendency to come into play when an opponent of the government has to be turned into a friend, or when a friend is about to turn into an enemy, there would be no shortage of ammunition to buttress the argument. It cannot be a coincidence that the case against the CPI(M)'s Kerala Secretary, Pinarayi Vijayan, in connection with the SNC Lavalin deal comes up repeatedly when elections are to be announced for Parliament, the state legislature or local bodies. Or that the Taj Corridor case against Uttar Pradesh Chief Minister Mayawati gets put on the backburner or moved forward depending on the state of the country's politics. The same can be said about the corruption cases against politicians such as Parkash Singh Badal of the Akali Dal in Punjab.

Two or three comments are worth making. First, about a hundred members of Parliament and an even greater number of state legislators have some kind of criminal record. Many of these could be frivolous cases, but many are more serious affairs — witness the conviction the other day of the former communications minister, Sukh Ram, in a corruption case. Given such a field in which to fight, it is easy to see that the threat of prosecutorial action is a weapon that the government can use at will, if it is so inclined. Second, the CBI has a poor track record of getting convictions, especially in high-profile cases with political overtones (starting with Bofors). In a perverse sort of way, this frees the Bureau to move in any and all directions, since it does not have the burden of maintaining a good success rate on the cases it handles.

23rd Feb 2009

Awards presented to intellectuals at RTI meet –
The Indian Express

A conference on 'Effective use of the Right to Information Act for a better India; was inaugurated by All India Conference of Intellectuals national president and former governor Bhishma Narain Singh here on Sunday. National Commission for Backward Classes chairperson S Ratnavel Pandian said corruption, bribery, nepotism, maladministration and lethargy in administration could be wiped out with the use of RTI. He said several illiterates and oppressed classes did not know the right to live, and called for translation of the Act into all vernacular languages. Haryana Governor AR Kidwai and AP Legislative Council chairman A Chakrapani also spoke. Several intellectuals were presented with the National Intellectual Honour-2008 awards. Vocalist M Balamuralikrishna, National Textiles Corporation chairman

Ramachandran Pillai, AP State Planning Board chairman D Swaminathan, former IG G Ramachandra Reddy, veteran journalist and Official Language Commission chairman ABK Prasad, MLC K Ganeswar and agriculturist Trinath Reddy received the awards.

23rd Feb 2009

RTI violator to head State Information Commission –

The Indian Express

Lucknow The Mayawati government has finalised the appointment of a retired bureaucrat, Ram Kumar, as the State Information Commissioner and sent his name to the Governor for the final stamp. Kumar was issued notice for violating Section 20 of the Right To Information (RTI) Act.

The government finalised the name of 1976 batch UP cadre IAS officer on Friday to take over. The post was lying vacant since last November after the Governor, on the recommendation of the state government, had suspended former Commissioner M A Khan.

Kumar retired as the Principal Secretary, Social Welfare and Social Welfare Commissioner last year. In 2006, in an application filed under RTI, a complainant had wished to know the details of an employee's appointment. The case (no. 761/3/07) carried on for a year and eventually on July 26, 2007, the State Information Commission issued a notice to the Social Welfare Department — headed by Kumar — for not taking the desired action and imposed a daily penalty of Rs 250 which could have gone upto Rs 25,000.

Confirming this, a secretary-level official, who was posted in the department at that time, added: "Such notices are common to all officials when some information desired by complainant is not given in time or the information given is incomplete."

The case, which dates back before Ram Kumar joined the department, goes thus: on the post of a lecturer mechanical engineer, the department had posted a daily wage employee instead of a candidate who was selected through the Public Service Commission. Later, the selected candidate was given the post but was not given any benefits of which the daily wage employee was getting.

Social worker and RTI activist Urvashi Sharma, the complainant, is ready to raise the issue at the central level. "Ram Kumar violated Section 20 of the Act. Now he is going to rule the Information Commission of Uttar Pradesh. The Commissioner who imposed penalty on him will have to work under him now. I strongly oppose

this appointment and will convey my opposition to the President, the Prime Minister, the Chief Justice of Supreme Court, the Governor and the chief minister of Uttar Pradesh,” said Sharma.

According to Sharma, due to pressure of the RTI, the department got the selected employee, Sanjay Sharma, framed in fake cases and got him suspended. “Eventually, he was asked to strike a deal — take all RTI cases back and get reinstated with all benefits of the post, which I did in November last,” Sharma said.

Despite repeated efforts of Express, Kumar was not available for comment. As per the RTI Act, for the appointment of Information Commissioner, a panel of names is put before a three-member committee, which, after its consensus, recommends one name to the Governor. The committee comprises the chief minister, a cabinet-rank minister nominated by the Chief Minister and the Leader of the Opposition. But in the meeting held in this regard on Friday, the Leader of the Opposition, Mulayam Singh Yadav, was not present.

23rd Feb 2009

Officials fail to act on encroachment –

Indian Express

Express News Service

CHENNAI: Even after four strong reminders sent by the District Collector to reclaim encroached land worth Rs 20 crore in Raja Annamalai Puram, neither the corporation officials nor the revenue department have initiated any action.

The encroachment came to light after R Natarajan, a research scholar and a resident of the locality, filed an application under the Right to Information Act seeking more data about a dead-end road at the Boat Club Road-Chamiers Road. This is a public road and was handed over to the corporation several years ago, according to revenue and land records. It was encroached upon three decades ago by a private party, which has since been using it.

The New Indian Express carried a news item on the issue a month ago and an official said that the necessary documents had not reached him, justifying the delay.

23rd Feb 2009

One hepatitis-B case found in Dahod

The Times of India

VADODARA: Dahod district health officials have started surveying areas after a case of hepatitis-B was reported. The 55-year-old patient diagnosed with hepatitis-B was suffering from fever for last one month and was not reacting positively to treatment. Post-medical tests, she was diagnosed with jaundice which was confirmed as hepatitis-B.

Health department officials called a meeting on Monday to discuss the plan of action. The officials said no new cases have come to light and claim that the patient Sukradevi Sisoli's case is the only one. Sisoli a resident of Sukar village is presently kept under observation and is in stable condition said sources in health department.

Sources in Dahod said many small villages adjoining the district are in a bad state due to neglect. There is scarcity of water, with quality of drinking water available to residents being poor. Even the basic hygiene facilities are not present in these villages.

On the other hand, an advocate from Vadodara has filed a Right to Information (RTI) application, seeking information on preventive measures taken by district administration with regards to restricting outbreak of hepatitis-B in the city.

It further draws attention to the need to have a district disaster management cell to deal with such eventualities.