

News on Right to Information

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Chemical hub: Citizens' panel slams govt –

The Times of India

KOLKATA: A citizens' committee, comprising geologists, chemists, chemical engineers, physicist, river scientists, doctors, economists and fish experts, has alleged that the government has withheld information on the proposed chemical hub at Nayachar.

The forum has been opposing the petroleum, chemical and petrochemical investment region (PCPIR), citing arguments, including damage to the Hooghly estuary, one of the most ecologically rich zones. A year of battling odds to extract details about PCPIR elicited little. After encountering numerous hurdles, the forum members assembled on Tuesday and vent their anger and frustration over the surreptitious way in which the West Bengal government was going forward with the chemical hub project.

"With utter disregard for public option and democratic principles, the government has withheld information regarding the PCPIR and transparency has been conspicuous by its absence. Some information was made available to us by the Centre six months after applying for it under the Right to Information Act. The three-page document had the barest information possible," said Teachers And Scientists Against Maldevelopment secretary Bhaskar Gupta.

Reacting to statements by government functionaries that there are no major complications, including environmental ones, in going ahead with plans for setting up a mega petrochem complex at the very heart of the Ganga delta, Society for Direct Initiative for Social & Health Action (Disha) secretary Santanu Chacraverti said there was no scientific proof for such claims forthcoming from the government.

"From the document we have received, the PCPIR proposal itself describes petrochem industries as hazardous. It says the water around Nayachar will act as a buffer in case of any accident', protecting the population of the mainland'. The description of life sustaining the Hooghly as buffer a kind of toxic shock absorber ranks as one of the most notorious instances of environment insensitivity," said

Subrata Sinha, former deputy director general of Geological Survey of India.

With the government even refusing to enter into an open debate on the issue, the committee is evaluating other options including legal action to get the truth on the matter out before the public at large.

12 Apr 2009

One year later, NMMC admits garden is illegal

The Times of India

NAVI MUMBAI: When this city was being designed 35 years ago, planners created holding ponds along its shoreline to prevent flooding. These large ponds hold the run-off rain water, which subsequently drains into the sea during low tide. Similarly, water pushed into the creek during high tide is also contained by these ponds. Last year, the Navi Mumbai Municipal Corporation (NMMC) filled up part of the holding pond in Sector 10-A to create a garden.

Now, because of the efforts of a Vashi resident, the NMMC has admitted that the construction of this garden is illegal. Sandeep Thakur said the NMMC, in its reply to his query under the Right to Information (RTI) Act, stated that it was a mistake to make the garden at the spot.

"The NMMC officials stated that the 28,000 square feet area of the Jogger's Park would be excavated so that the holding pond can be fully restored," said Thakur.

When Cidco handed over the city to the NMMC 10 years ago, it had said that all the holding ponds should be retained and must not be converted into anything else.

"The holding pond was to function as an anti-flooding measure for sectors 5, 6, 7, and 8 during high tides and heavy rains in Vashi. However, nearly 80,000 sq ft of the holding pond was filled up and a garden developed on a 28,000 sq ft area. This is an illegal encroachment using public funds," Thakur said.

While the office of NMMC city engineer, Mohan Dagaonkar, has written to Thakur that the garden would be removed to restore the holding pond, local Congress corporator Avinash Lad said he would strongly oppose this move.

"The garden was built with a budget of Rs 5 lakh only because Vashi residents wanted the NMMC to beautify the area," said Lad.

Thakur said he did not object to beautification as long as the holding pond was

restored to its original size as given in the development plan of Navi Mumbai. In fact, the area had already been beautified by Cidco which had built gardens, parks and a promenade along the waterfront, he added. Citizens suspect that the newly-created garden is only a ploy by some politicians to commercially exploit the area by setting up shops and restaurants.

"I may even notify Cidco to take possession of the holding pond if the NMMC does not remove the illegal encroachment on the holding pond," said Thakur.

12 Apr 2009

Simple RTI question gets outrageous answers –
The Times of India

AHMEDABAD: Think again if you believed that the Right to Information (RTI) Act could be a quick-fix solution to the traffic woes in your area. As enforcement of a 'no-entry' rule can get you limited success of at least getting signboards put up, that too after a two year wait.

That's the time it took this issue to reach the Gujarat Information Commission (GIC). Which in turn noted "the boards were fitted displaying the notification after the appeal, and to that extent RTI can claim a measure of success".

In September 2007, Chhagan Dhaduk of Jetpur filed an RTI application with the local police station, demanding accountability on enforcement of a notification issued for regulation of traffic. The issue being that despite an area having been declared as prohibited during certain time of the day, vehicles were violating the rule with impunity.

Can vehicles such as buses of travel operators, trucks and other vehicles be allowed to park on a no entry road? Can these trucks be allowed to load and unload goods there, Dhaduk wanted to know.

He must have thought that simple questions would get simple answers, along with the norms beginning to get enforced. But instead he had to face outrageous replies.

After the notification was issued for regulating traffic, within how many days were the signboards required to be put up. And how many such signboards were required to be put up, Dhaduk wanted to know.

The public information officer replied that there was no mention in the notification of a time limit stipulating within how many days signboards were required to be put up. Also it was not specified who was required to put them up.

On Dhaduk's query of how many vehicles were found to be violating the no entry' zone and what action was taken against the offenders, the PIO replied that as no vehicles were seen' in the prohibited area, no action was taken against the violators!

Two years later, before the GIC in March, the superintendent of police submitted that instructions had been issued for displaying a readable copy of the notification in public spaces. Also for putting up the required signboards, an action taken report was also submitted.

19th April 2009

The wait continues for a station at Nemilichery _

The Times of India

CHENNAI: A decade-long dream of the residents of Nemilichery near Pattabiram for a railway station is yet to be fulfilled. This despite the fact that the project has already been approved. The proposed station, between Pattabiram and Thiruninravur in the Chennai-Tiruvallur sector, is expected to benefit more than one lakh people living in about 40 villages.

Southern Railway agreed in principle to build the station in 2002 and the then minister of state for railways, A K Moorthy, inspected the site in 2003. While the station is yet to come up despite Railway Minister Lalu Prasad Yadav's assurance at a public meeting in Tiruvallur in 2005, several local residents complain that they were being kept in the dark about the status of the project.

"I filed an application under the Right To Information Act with the railways a couple of months ago seeking the details and status of the formation of the railway station, but I have not received any reply so far. I am going to file another appeal next week," said T Sadagopan, a consumer activist in Pattabiram.

Presently, residents in the villages in and around Nemilichery depend on Metropolitan Transport Corporation buses to come to the city. "In case we want to travel by train we have to catch a bus to reach Pattabiram or Thiruninravur. The major difficulty is that we cannot easily board the MTC buses during peak hours as they are overcrowded," said Jayarani, an office-goer.

"We have been appealing to the authorities to set up the station soon as it would enable us to save time and money besides having a comfortable journey. It would also lead to the overall development of all our villages here," said Gunasekaran, a resident of a village near Nemilichery.

Divisional railway manager (DRM) S K Kulshrestha told The Times of India that work on the platform at a the station in Nemilichery had just commenced and that

the contractor had been asked to expedite the process. "After sanctioning the project, we called for tenders thrice for the platform work but didn't get any response. Now, work has started and people can see the station by this year-end," he said.

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18 Apr 2009

All set to take on a new challenge –

The Times of India

MUMBAI: Yusuf Khan stands out in the crowd of candidates from Kalyan; he is the only physically challenged candidate from the constituency. Most of his strategists and supporters are also physically challenged - some of them cannot see properly and others need crutches - but Khan believes that he is the only candidate with total clarity of vision and has it in him to do something for his constituents.

Khan, who owns an ISD/STD booth in Mumbra, has been fighting for the rights of the handicapped in Thane for the last six years. He claims his are not empty boasts; he used the Right To Information Act (RTI) to stir Thane Municipal Corporation babus in providing 200 phone booths to the physically challenged last year after the proposal was pending for over five years. "This RTI success made me realise that even I could do many things for society if I was sincere," he told TOI.

The 32-year -old is standing as an Independent candidate from Kalyan and is supported by the Brihanmaharashtra Apang Vikas Sangathana (BAVS)

The state has around 14 lakh handicapped people and they say their problems never get the spotlight. "Our rights have been ignored by every government that has come to power till date," BAVS founder president Sriram Patankar said.

Every municipal corporation has to keep aside four per cent of its budgetary allowance for rehabilitation projects for the handicapped. "But municipalities have never bothered to comply with this act and we have been fighting for this right for the last decade," he said.

India signed a United Nations resolution 18 years ago, saying the government would provide free food, accommodation and education to poor citizens. "But the state has not complied with this resolution. I will try to put pressure on the centre to implemnet this resolution if I win," Khan said. And he believes he can win. He has campaigned in areas likes Mumbra and Kalwa and the response has been "pretty good".

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29 Apr 2009

Law college admissions: Age bar PIL hearing on June 17 – TOI

MUMBAI: The Bombay high court on Tuesday adjourned hearing on a PIL challenging the newly framed age bar for law college admissions to June 17.

The Bar Council of India (BCI) has introduced a new rule, starting this academic year, that will prevent students over 30 years of age from seeking admissions to the three-year LLB degree course and those over 20 will be prohibited from applying for the five-year integrated law course.

Yasmin Tavadia, a city-based advocate, filed the PIL on grounds that the age bar was discriminatory and violated a citizen's constitutional rights to education and to practising a profession of choice. On technical grounds, too, the rule made by the BCI did not comply with the mandatory requirement of consulting all universities. Tavadia had confirmed this through a Right To Information inquiry.

BCI advocate Madhav Jamdar, however, said that the idea was to bring in reforms in legal education and that is why it wanted "fresh minds". He also said that people over 30 years of age had good contacts in society and would be able to get cases through them. "That is why we want to gradually phase out evening colleges also," he said. Tavadia said litigants who argued themselves had a right to study law as would anyone who wanted to improve his knowledge of law.

30th April 2009

Reveal names of moles in 1971 spy case: CIC

The Hindusthan Times

The Central Information Commission (CIC) has asked the External Affairs ministry to reveal the identity of the alleged mole of US spy agency CIA in former Prime Minister Indira Gandhi's cabinet during the 1971 war with Pakistan.

The CIC ruling came in response to an application filed under the Right to Information Act by Anuj Dhar, author of CIA's *Eye in South Asia*. Dhar sought details of the alleged moles in the cabinet.

The spy case created a furor in 1983, when Semour Hersh, a US journalist, revealed in a book that a senior minister allegedly leaked out crucial information on the discussions at cabinet meetings to the CIA.

The ministry earlier rejected Dhar's RTI application, arguing that the government was not obliged to provide information older than 20 years.

But Information Commissioner Annapurna Dixit countered the ministry's logic and directed the Principal Information Officer to answer every question asked by Dhar.

Dhar sought photocopies of records relating to Hersh's revelations in *The Price of Power: Kissinger in the Nixon White House*. He also wanted some documents related to former Prime Minister Morarji Desai.

Arguing before the commission that the information was of great historical importance, Dhar claimed there was public interest involved in the disclosure, as it would help clear the air over the allegation.

Dixit also said in the order that the chief public information officer of the External Affairs Ministry would have to procure and provide information that are available with other ministries.