

## News on Right to Information

*Compiled by*

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1st July 2009

Authorities can't ask for money to give info, says CIC

The Times of India

Jeeva, TNN, 03:21am IST

Text Size:

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CHENNAI: In a significant order, the Central Information Commission (CIC) has ruled that public authorities cannot demand cost of manpower and maintenance charges to reply to queries under the Right To Information (RTI) Act. The commission delivered the order last week on an appeal filed by a city-based activist, V Madhav of Porur, challenging Southern Railway's action, asking him to pay manpower and maintenance costs of computers used, to provide answers to his RTI queries.

Madhav had filed an RTI application at the Southern Railway headquarters here on February 25, 2008, seeking details about different quotas available on train tickets, including information on quotas for agents, tatkal and emergency, and the number of tickets booked under each quota on the Pandian Express from January 10 to 20, 2008.

In its reply, Southern Railway said the applicant would have to pay Rs 750 to obtain the information since the details sought were four months old. The railways further said that the existing reservation system was dynamic and that reservation records were available only for the last 5 days, which could be generated instantly. Hence, details pertaining to the earlier period had to be accessed from the main hard disc of the computer. Thus, the applicant needed to pay the amount, considering the use of different infrastructural devices such as hard disc, MIS application, CPU power, besides maintenance of equipment and eight man hours taken to compile the details, the railways told the applicant.

In his appeal before CIC, the applicant argued that the public authority was not

entitled to ask the amount as it was beyond the purview of the Act.

After hearing the case, CIC in its order said: "The Commission agrees with the contention of the applicant that the RTI Act has no provision for charging any fees towards manpower and maintenance and accordingly directs the Southern Railway to provide the information, which has already been compiled by the respondents, free of cost."

The Commission also "advised" the applicant not to seek voluminous information that causes disproportionate diversion of the resources of the public authority.

CIC's order has evoked a welcome response among RTI activists. "It is a very good order as this sort of demand by public authorities will ultimately dilute the RTI Act. The Central government should communicate this order to all its departments forthwith," said V Gopalakrishnan, a resident of K K Nagar who has filed several applications under the RTI Act.

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2<sup>nd</sup> July 2009

RTI to cover deemed universities, rules CIC

The Times of India

MUMBAI: In a significant judgment, the Central Information Commission has ruled that deemed universities will have to come under the ambit of the Right to Information Act. The CIC's ruling will thrust transparency on managements of the varsities. From their accounting books to the faculty they hire, from the manner in which they admit students to the fees they charge, everything will now have to be placed in the public domain.

Academics say that the judgment is likely to usher in a sense of relief and will bring much-needed transparency in the working of deemed universities. The CIC ruling came in the case of Shaily Bhashnajla, a faculty of Delhi's Western International University (WIU), who had sought information on recruitment and promotion rules. However, WIU being a deemed university refused to part with information, stating that it was not a public authority.

When the matter came up in the CIC, Shailesh Gandhi, information commissioner, observed, "Deemed universities are declared to be so by notification in the official gazette by the central government. If this is the case, then a deemed university may come within the definition of 'public authority'.

6th July 2009

He used RTI to prove varsity wrong

The Times of India

Ahmedabad : For 24-year-old Ankit Joshi, all hell broke loose when he found himself declared failed in all the five papers of Certificate in Computing (CIC) from Dr Babasaheb Ambedkar Open University (BAOU), Ahmedabad. He was failed on the ground that he remained absent for all the papers.

Ankit did not lose hope and resorted to Right To Information Act and showed the lacunae in the BAOU examination process. Ankit said, "It was shocking to find myself marked absent. I had appeared for all the five papers at my examination centre at SV College on Relief Road for the CIC examination held in October 2008. I reasoned with BAOU authorities about technical glitches in their examination process but nothing came out of it."

The CIC result was out in January 2009 online. Ankit said, "I ran from pillar to post for the correction in my results as my whole academic career was at stake. I was completely stressed out as my six-month of study would be in vain."

After unsatisfactory replies from BAOU authorities, Ankit filed an RTI application demanding the attendance register records of him appearing at the examination centre.

The reply that he got under RTI showed that he was present for all the five papers. Pankaj Joshi, Ankit's father said, "RTI is a boon for us. Otherwise my son's academic career would have been affected badly. RTI proved the anomalies rampant in BAOU."

However, even after Chief Information Commissioner RN Das asked BAOU authorities to provide the corrected the final mark sheet to Ankit, he is waiting for it.

Ankit said, "After the decision came in our favour, we got a call from BAOU authorities informing me that I have passed in all the papers. But I still haven't received the final mark sheet."

8<sup>th</sup> July 2009

Over 13300 cases disposed off by CIC

The Times of India

NEW DELHI: The Centre on Wednesday said a total of 13,322 cases were disposed off by the Central Information Commission during 2008-09, almost double the cases resolved by it in the previous year.

In a written reply to the Lok Sabha, union minister of state for personnel, public grievances and pensions Prithviraj Chavan said a total of 7,722 cases were disposed off by the CIC in 2007-08 as against 4,074 cases in 2006-07 and 682 such cases in 2005-06.

A total of 8,924 cases were pending as on April 1, this year, he said.

Chavan also said Government has advised the Commission that decision on complaints and appeals should be taken by the Central information Commission as defined in Section 2 (b) of the RTI Act, 2005 and not by Benches of the Commission.

"The Right to Information Act, 2005 does not contain any provision for the constitution of Benches," Chavan said.

8<sup>th</sup> July 2009

SAI employee seeks information, lands in hospital

The Times of India

NEW DELHI: A little over a month after he exercised his right to information to unearth 'wrongdoings' at his work place, a Sports Authority of India

(SAI) official is left fearing for his life after an attack on him in Patiala on Monday night.

On 26th May, SAI medical officer Sajib Nandi made 244 enquiries through an 18-page application to SAI's principal information officer, SS Chhabra, who's also the secretary of the organisation. Nandi's letter sought information on different administrative aspects of the SAI ranging from appointment of staff to existing vigilance cases against senior officials.

"I had gone to SAI office on Monday for some work. Later in the evening while I was coming back to my residence, somebody hit me on my head with a hard object. I could not see the attacker as the area was not well lighted, though street lights were there. I lost consciousness and some colleagues took me to hospital," he told TOI on Tuesday from a hospital in Patiala, the city where he's based.

"I have suffered cuts on my eye orbits and on the nose. I have informed the

police who are investigating the matter," said Nandi, who's on leave without pay after he decided not to comply with orders and go to Bangalore on transfer. He alleged that he was transferred about four years back for raising his voice against corruption in SAI.

Nandi said his application seeking information under the Right to Information Act could have upset some "vested interests" in the organisation. "People know little about what's going on in SAI. If the information is given, several corrupt officials could land in trouble. These people are trying to harass me."

Nandi said authorities are yet to respond to his RTI application even after more than a month. "I sent it to the Delhi office and they sent it to different SAI centres for necessary action. But I am yet to receive any information."

Senior SAI officials including the director general as well as Chhabra could not be reached for comments. Allegations of corruption are nothing new for SAI which gets crores of rupees from the government to spend on sports-related projects.

8th July 2009

RTI Manch activists protest functioning of SIC –

The Times of India

PATNA: With their mouths tied with black bands, [activists](#) of Bihar Right To Information Manch marched to the office of the State Information Commission (SIC) and staged a dharna their with charter of demands. Later, they submitted their memorandum to the Information commissioners.

Manch convener Parveen Amanullah alleged that the spirit of the RTI Act has been gagged by the officials and people were running out of patience after not getting justice. She alleged that the legal procedures and the provisions of the Act were being thrown to the wind by the SIC and the petitioners were being harassed and process delayed with various unnecessary notices.

The memorandum said that notices are served and reply sought from the petitioners on three points, but hearing is done on only one point. The cases are disposed of without satisfactory action and replies. It demanded that information officers providing wrong replies should be punished.

Amanullah hoped that the SIC would take care of their grievances

and not force the Manch to take the matter to the [governor](#) or hit the street in protest against the functioning of the SIC.

9th July 2009

SIC orders action against principal secy

The Times of India |

LUCKNOW: The State Information Commission (SIC) took a strict stand against the principal secretary of public enterprises department, Sunanda Prasad and ordered disciplinary action against her for not taking the provisions of the Right to Information (RTI) Act seriously.

The order passed by information commissioner, Gyanendra Sharma, in one of the recent judgments stated that the official invited disciplinary action against her for interfering in the work of the public information officer (PIO) of her department, for not taking her role of first appeals authority seriously and for violating the provisions of the Act. This is for the first time that commission has ordered disciplinary action against an IAS officer of the rank of principal secretary.

The case pertains to an RTI query made by an applicant, Rajeshwar Prasad, to the PIO of the department on January 21, 2007, about the appointment and pay scale of one of the employees of the department, Neerja Krishna. After applicant approached the commission, the department was asked to submit the entire details (files) on the action taken by the department on the query of the applicant.

“The findings are shocking, the Act is three-years old in the state but even most of the higher level officials are ignorant about its existence...moreover, senior officials want to fail the system by way of which the Act is to be implemented,” is the observation made by the commissioner in the order.

10th July 2009

Visually impaired person opens panchayat's eyes

The Times of India

Rangpar (Rajkot district): He cannot see but was determined to open the eyes of administration. More than his poverty, 26-year-old Ratna Al, it was authorities turning blind eye to development works in his village that pained him.

A native of Rangpar, a dusty hamlet of 750 people in Wankaner taluka, Ratna used Right to Information (RTI). Ratna has put the village on development track. A neat two-km road has replaced the stony path connecting it to highway. The thorny gando bawal shrubs that dotted the roadside are now being cleared regularly and Rangpar is getting the facelift.

But, getting all this done was not at all easy for Ratna, whose family lives below poverty line. Besides all the paper work, he even had to suffer humiliation by officials whenever he raised questions about development.

"The documents I got using RTI showed that many works registered as completed in the papers were actually never taken up. In 2008, I used RTI to know how many schemes had panchayat implemented and how much money was spent on each work," said Ratna.

Though I did not get accurate information, it helped them realize that their inefficiency would be exposed.

Now, everything is falling in place, thanks to RTI.

"If RTI Act, was not there, we would never have known the irregularities in local administration" said Ratna, a farmer studied till class X.

"I can't see but I can sense the relief among villagers," he said

"His work is truly praiseworthy. People support him but not openly as no one wants to confront local authorities. But, Ratna stands firm and results are there," says villager Bhurabhai Barot.

10th July 2009

SDO fined for denying info

The Times of India

PATNA: The State Information Commission (SIC) on Thursday imposed fine on two government officials for violation of Right to Information (RTI) Act. The officials are Sonapur sub-divisional officer (SDO) in Saran district and panchayat secretary of Raj Bangrah in Samastipur district.

The Sonapur SDO would have to cough up a fine of Rs 25,000 and Saran district magistrate has been directed by the SIC to realise the fine amount from his salary and inform the commission accordingly. The SIC also directed the SDO to provide relevant information to the applicant latest by August 11 this year.

In the case of the panchayat official, the fine would be Rs 250 per day effective from May 1 this year with its upper limit being Rs 25,000.

SIC has fixed August 19 as the next date of hearing this case and has directed the erring panchayat official to provide the relevant information to the applicant latest by August 12 this year.

13th July 2009

SIC not in favour of RTI to re-check answer copies

The Times of India

LUCKNOW: RTI will put the sanctity of examination results under doubt. To cut down the dissatisfaction among candidates appearing in examinations of Public Service Commission it is advisable to have a better and transparent examination system, something that can involve the use of computer in assessing the candidates. The suggestion has come forward from the SIC.

If the examinees are allowed to have a look at their answer copies using the Right to Information (RTI) Act it will be an endless process and practically difficult to implement. The State Information Commission (SIC) has asked for a better reason to keep the right away from the candidates, apprehensive that results of such examinations will be treated with doubt if such a right is allowed.

The SIC in one of its recent judgments had questioned the relevance of showing the corrected answer copies to candidates appearing in examinations like that of Public Service Commission and other organisations that hold examinations on a bigger scale. "Showing the answer copies holds no relevance," said information commissioner, Gyanendra Sharma, in a judgment passed in the case of an applicant, Ruchi Chaudhary.

The applicant had asked for a three-point information -- photocopy of the answer

sheet of a question paper of General Knowledge, Language, and of Law I and Law II of UP Judicial Services Judge (JD) mains examination, 2006, held on September 22 and 23, 2007.

The commission did suggest to the PSC to devise a pattern, for all the examinations held by it, which will be transparent and help solve the questions raised by candidates from time to time on the results declared. The commission observed that now a change is needed because fingers are pointed at the examinations and results almost every day by some or the other candidate.

The application of computer and technology in evaluating copies and preparing results will help check manipulation of results. At least objective type answers can be evaluated using computers, for descriptive answers the organisation holding the examination can involve experts.

The changed pattern might not suit all the candidates as there could also be few objections but if it is for the benefit of a larger section of candidates, it will serve the purpose.

The SIC, however, made it clear that these suggestions are only meant for examinations like the one mentioned above and not for departmental examinations held for promotion or appointment.

13th July 2009

Shastri's death will remain a mystery

DNA

New Delhi: Forty-three years since the death of India's second prime minister Lal Bahadur Shastri, the Centre still keeps the circumstances of his demise under wraps.

In response to a petition filed under the Right to Information (RTI) Act, the government has said it has one document relating to Shastri's death, but it cannot be declassified.

Shastri's family, however, now says it is high time the government came clean on what happened in Tashkent in Uzbekistan, then a part of the Soviet Union, on January 11, 1966, soon after the former prime minister had signed a historic pact with Pakistan's military dictator Ayub Khan.

In its reply to the RTI plea filed by Anuj Dhar, author of CIA's Eye On South Asia, the prime minister's office (PMO) said the disclosure could harm foreign relations, create disruption in the country, and cause a breach of parliamentary privilege.

But senior Congress politician and Shastri's son Anil wants the government to reveal the details "to put to rest lingering suspicions". "Being his son," Anil Shastri said, "I would like to say there have been doubts lingering in the minds of many people about the mysterious death of Shastriji in Tashkent. I feel the government can dispel suspicions about the cause of his death by declassifying the related information."

Officially, Shastri was declared to have died of myocardial infarction, or a heart attack, but his wife Lalita had alleged that he was poisoned. Shastri's second son Sunil, who was 16 at the time, too, wants the government to reveal facts about the death "to close the chapter for good".

"His death was a very big shock to us and the entire nation," Sunil Shastri said. "I remember his body had darkish blue spots on the chest, abdomen, and back. We had suspected he had died in mysterious circumstances."

On the PMO's line of reasoning for not declassifying the information on Shastri's death, Anil Shastri said: "There could be various reasons. However, if the government says that revealing the facts would harm foreign relations, I feel the truth may reveal some reprehensible facts."

It has been said that the room in which Shastri was staying in Tashkent had no phones or bells and if he did have a heart attack, being alone in his room, he may not have been able to call for help. "These details themselves point at improper arrangements for him," Anil Shastri said. "We are not even mentioning poisoning here and just drawing from the official cause of his death."

The government has said that no post-mortem examination was conducted on Shastri in the Soviet Union, though his personal doctor, RN Chugh, and some Russian doctors conducted a medical investigation.

The official version is that Shastri was awakened by a severe bout of coughing on January 11, when Chugh came to his aid. Shastri was unable to speak and pointed to a flask kept nearby. A staffer brought some water, which Shastri sipped. Soon he became unconscious and attempts to revive him failed.

The Soviet butler attending on Shastri was arrested for suspected poisoning but later released.

15<sup>th</sup> July 2009

PAU yet to enforce RTI in letter and spirit

The Indian Express

**Amrita Chaudhry** Posted online: Wednesday, Jul 15, 2009 at 2304 hrs

**Ludhiana** : *University has not installed any display board which gives contact details of Public Information Officer*

The seriousness with which the Punjab Agricultural University (PAU) is implementing the path-breaking Right to Information Act on the campus can be gauged from the fact that the university has not installed any display board which gives information about the contact person for the RTI. Not only this, the university has failed to notify about its Public Information Officer which is mandatory under the RTI Act. PAU's official website though carries the information.

Notable here is that under Section 4 of the RTI Act 2005, "Every public authority shall publish within 120 days from the enactment of this Act- the names, designations and other particulars of the Public Information Officers." The other information includes the telephone numbers of the officials dealing with the RTI.

But the university does not seem to be bothered at all. Registrar Dr R K Mahey is the Public Information Officer of the university and his office is located on the third floor of the Thapar Hall which is the main administrative building of the university. But it would be difficult to locate the PIO of the university as no nameplate has been put outside his office. As per the RTI, this information has to be publicised widely on the campus which means that a main board should be placed outside the Thapar Hall and even the four constituent colleges of the university should display the information.

Dr Jagtar Singh Dhiman, university's official spokesperson, said: "There was one board that was put up outside the office of one of the officials who was dealing with RTI. There were some changes and the board has gone for repainting."

The officials, however, have no answer to explain the absence of the main display board outside the Thapar Hall or at least in its main foyer. Notable here is that this information was on public display two years ago, when P P S Gill was the additional director of Department of Communications. Gill was appointed as the RTI Commissioner by the previous Congress Government. During his tenure, a board displaying the information was placed outside his department as well as office.

15th July 2009

Is RTI a good thing? No, say 75 pc of users

Vineeta Pandey / DNA

Wednesday, July 15, 2009 2:42 IST

DNA

**New Delhi:** Almost three years after the implementation of the Right to Information Act (RTI), over 75% of the information seekers have said that they were dissatisfied with the quality of information provided. According to an evaluation study carried out by PricewaterhouseCoopers (PwC), poor quality of information, delay in getting replies, and an untrained and uncooperative staff were among the reasons for the RTI not being seen as a success story.

The study, commissioned by Department of Personnel and Training (DoPT), found that a majority of the 5,000 people surveyed were not even aware of this law.. It also surveyed 2,000 people who had used the RTI at least once and 200 public information officers (PIO).

There were instances wherein citizens were discouraged from filing information requests. Approximately 89% of the PIOs had prevented citizens from inspecting the records despite a legal provision for the same.

There is huge backlog of RTI requests and the average waiting time varies from 4 months to 12 months. The survey said 47% of the citizens did not receive replies to their RTI application within the stipulated 30 days. The survey said there is a need to improve the convenience in filing requests. Since submission of an RTI request at the PIO's office was the most prevalent channel, over 26%

of the citizens had to make more than three visits to submit applications, while 47% said no signboards were present to help them out.

A survey of the PIOs showed that the government machinery is yet to gear up to handle the needs of the RTI Act. More than 38% of the PIOs surveyed blamed the ineffective record management system in use at present for the delay in processing information.

Also, 43% PIO said they were not aware of the record management guidelines while 45% admitted that they had not received any training.

Moreover, 89% said there was no additional allocation of staff to handle RTI queries, thus increasing their workload. Most of the current PIOs had taken up the job unwillingly, which in turn meant low motivation among them.

In the midst of all this is the good news: the survey found that there has been a significant shift in the mindset of government servants. While earlier they thought 'Official Secrets Act', now they think about the 'Right to Information Act' mindset, which is a major victory for the common man.

20 th July 2009

Info commission orders inquiry into missing files

The Times of India

PANAJI: The State Information Commission has ordered the director of municipal administration to hold an inquiry into the missing files that contained lists of owners/allottees of shops, stalls and gaddas in phase I, II and III of the Corporation of City of Panaji's new market complex.

The order passed on July 14 by the state information commissioner Afonso Araujo also directed the DMA to submit his report within three months of the inquiry following a complaint filed by Ronnie Rodrigues from Porvorim.

The commission also ordered that a compensation amount of Rs 5,000

be paid to the complainant for harm and injury' caused to him by the delay in providing information regarding shop number 26 in the market, allotted to him by the CCP. The complainant had also sought a copy of the list of all shops, stalls, gaddas, owners and allottees in phase I, II and III of the new market. The compensation amount is to be paid from CCP's funds.

In January 2008, Rodrigues had filed an application under the Right to Information Act seeking relevant information from the CCP commissioner.

As he was not provided with the information, Rodrigues filed his first appeal before the DMA. Despite the DMA ordering that the information be provided, Rodrigues was still not given the details after which he filed his second appeal before the State Information Commission. Accordingly, the commission, through an order dated December 30, 2008, directed the CPP to provide the information. The CCP was also directed to obtain the records from the vigilance department, if the records were not to be found with the CCP.

Since the order was not complied with, Rodrigues approached the commission again. In his reply, the CCP commissioner stated that the files could not be traced in the vigilance department. He also stated that he had not acted in a malafide manner nor given any misleading information or refused to furnish any information.

In his counter reply, Rodrigues said that the CCP commissioner had agreed to settle the matter by including Rodrigues in phase I or II of the new market complex, but failed to do so, as can be seen from the commissioner's statement that is misleading, incorrect and misconstrued.

After going through the records of the case, the state information commissioner observed that for all purposes, the files in question are missing for which an inquiry is needed to know the whereabouts of the files pertaining to allotment of the complainant's shop and other allottees in phase I, II and III of the market complex.

The information commission stated that the inquiry is necessary to identify and penalise the persons due to whom the files went missing.

**20 th July 2009**

## **State info panel not effective**

### **The Times of India**

TNN, 04:36am IST

Text Size:

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JAIPUR: The right to information campaign might have begun in Rajasthan, but the state information commission doesn't seem to be an effective tool in implementing the RTI Act.

A recent study conducted by Participatory Research In Asia (PRIA), an NGO, has claimed that the decisions taken by the SIC in the last one year has shown that the first appellate authority is not performing its role and did not take any action in most of the cases.

The study, titled "Evaluation of decisions of Rajasthan Information Commission," prepared by a legal expert team under the guidance of former chairman Law Commission Justice V S Dave, observed that if the first appellate authority does not perform its duty in an appropriate manner, it will result in a backlog of cases in the commission and also the objective of appointing the first appellate authority will be defeated. While the study was carried out under the supervision of Dave, others in the committee included Swati, Vishnoi, Manju Dave, Nishant Mandawra and Chandra Prakash.

According to the study, Section 7(9) of RTI Act has been used as a shield for not providing information both by the (Public Information officers) PIOs and appellate authorities. In certain cases, even if the PIO was ready to give the information, the Commission did not allow it, saying it was too wide. The point in Section 7(9) is not about the wide information, it is about the form in which information is sought. The report says that "Section 7(9) is treated as a section for exemption, but exemptions are also mentioned in Section 8 and 9, therefore it should not be dealt with under only that section. This point needs serious consideration," the study observed and added that the

notices to third party under Section 11 are not being heard.

It urged both the commission and legislature to consider that independent bodies have been given powers to impose penalties for delay or denial of information and therefore they should act with caution for effective implementation.

Earlier, in 2007-08 it was observed that functioning of the independent bodies, State Information Commission/Central Information Commission (SIC/CIC) are the appellate bodies at the state and central level for non compliance of the provisions of the Act, is "crucial" and civil society are closely monitoring their role in ensuring access of information to citizens for the effective implementation.

Rajasthan State PRIA's Coordinator, Krishan Tyagi, said this process/exercise for reviewing the decisions was a step in this direction. He said that PRIA believes that it would help citizens to observe critically the function of SIC.

18th July ,2009

DN Dutt to be new Chief Information Commissioner

The Assam Tribune

Staff Reporter

GUWAHATI,— Proper use of the Right to Information (RTI) Act can bring down the level of corruption by a great extent, said DN Dutt, who will take over as the Chief Information Commissioner, Assam, soon. Talking to The Assam Tribune, Dutt, a former Director General of Assam Police, said that proper use of the Act would also be beneficial for the Government to improve its performance. He said that the Act would bring transparency in the administration, which is vital for improving the performance of the Government.

Dutt, who is now a member of the Police Accountability Commission, would resign from his present job before taking over his new assignment. He said that after receiving a call from the Chief Minister Tarun Gogoi about his new assignment, he went through the RTI Act and "I am of the view that the main aim of the RTI is to bring about transparency in the administration and to make the administration accountable." He said that the RTI provides ample opportunities to the

common people to play their part in improving the standard of governance but the fact remains that steps should be taken to improve the level of awareness among the common people and also among the Government officers.

Dutt said that lack of awareness among the people affected the functioning of the Police Accountability Commission to some extent and the same might be the case with the RTI. He said that creating awareness among the people of their rights under the provisions of the RTI would be one of his main goals as the Chief Information Commissioner. He said that he would seek the help of the Directorate of Information and Public Relations of the Government as well as from the print and electronic media to create awareness among the people. The feasibility of holding interactive sessions in different districts of the state would also be examined, he added.

Dutt revealed that his immediate task as the Chief Information Commissioner would be to organize the office. The office is functioning without the Chief Information Commissioner for more than a year and at present, it is located in the old secretariat building. The office should be located at a place which is accessible for all sections of people of the State, he added. He said that immediately after assuming office, he would hold talks with the Information Commissioner to ascertain the present functioning of the office to plan out strategies and "I shall also try to talk with the Chief information Officers of other states of the country to know how they are performing since the RTI Act came into being."

17<sup>th</sup> July 2009

PMC opens its doors to common man

The Times of India

TNN, 04:13am IST

Text Size:

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PUNE: Taking a step towards transparency, the Pune Municipal Corporation (PMC) has decided to give the citizens access to its records every Monday. Also, the civic body has decided to start a separate cell for streamlining the process of dissemination of information under Right to Information Act (RTI).

The decision is a fallout of a meeting between state information commissioner Vijay Kuvalekar and municipal commissioner Mahesh Zagade last week. In a press statement issued on Thursday, the municipal corporation has stated that the PMC has decided to give common people access to the civic records from August 1. Any citizen can ask for civic records on any matter at the civic headquarters at Shivajinagar or any ward office between 3 pm and 5 pm. Xerox copies of the record will be made available for a nominal fees, said the press release.

The municipal corporation will also start a co-ordination cell in the PMC office to facilitate information dissemination.

The PMC has also decided to provide any information sought under the RTI within three weeks and non-availability of the information will be communicated to the applicant immediately. "All the pending applications under the RTI till date will be answered before August 15 by the nodal officer. The PMC will also organise training for its employees on RTI," Zagade said.

RTI activist Vijay Kumbhar, who was part of the meeting between the municipal commissioner and the state information commissioner, said the PMC's step is worth an applause.

The PMC receives about 400 RTI applications every month and majority of these are concerned with building permissions.

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

**Civic body to make its records public**

**The Indian Express**

**Express News Service** Posted online: Friday , Jul 17, 2009 at 0326 hrs

**Pune** : In a first-of-its-kind initiative by any civic body in the country, the Pune Municipal Corporation (PMC) has decided to make available its records to citizens every Monday under the Right to Information Act.

"Citizens can approach the Information Officer on Monday between 3 pm and 5 pm to seek information from the civic body under the RTI Act. The information will be given immediately," deputy city engineer Anirudha Pawaskar said.

The decision, that promises to make the working of the civic body much more transparent, was taken after a meeting with the Information Commissioner Vijay Kuwalekar and activist Vijay Kumbhar to discuss ways to streamline the process of imparting information under the RTI Act.

In addition, the PMC will keep the last Monday of each month as RTI Day wherein all the pending RTI applications will be dealt with. A coordination cell will handle the RTI applications.

The civic administration will also undertake work to maintain its old records at Nana Wada along with the additional record rooms at the civic headquarters, he said.

To ensure that the information sought under the RTI Act is delivered in the stipulated time of 30 days, Pawaskar said the civic administration has framed a procedure whereby the replies will be prepared within 10 days and sent to the seniors so that they are delivered to the applicants within three weeks.

The PMC receives an average of 400 RTI applications every month and there have been complaints about delays in furnishing the information. Kumbhar said this is a first-of-its-kind initiative by any civic body in the country and if successful it will set an example for other civic bodies.

With this there will not be any escape route for the civic administration for delaying information sought under the RTI Act, Kumbhar said.

19th July 2009

Bureaucrats send RTI petition for a jaunt

The Hindu

S. Anandan

Kochi: Should you seek information from the Centre through a Right to Information (RTI) petition, you better be conversant in all Indian languages.

Even so, chances are you may still not get what you have asked for. M.K. Haridas of The Proper Channel petitioned the Election Commission of India (ECI) for information on the sum accrued by the government by way of forfeited security deposits of candidates in the 2004 and 2009 general elections.

For want of nation-wide data on the same, the ECI promptly forwarded the request, as per Section 6(3) of the RTI Act, to election commissions in all States and Union Territories.

They, in turn, forwarded it to district administrations from where it was dutifully passed on to tehsil headquarters. Each office took religious care to acknowledge Mr. Haridas' application and he has received over 150 such missives from various States to date, many of them in unfamiliar lingo.

The money so far spent by these offices on postal stamp: Rs. 3,500.

A few of them contained local-level data, but he couldn't decipher them as even the figures were in vernacular. Postmen at the local post office here, too, had a horrid time sorting the communiqués for delivery as more often than not the address on the envelope, scrawled in Oriya, Gujarati and the like, wouldn't make any sense to them. Surprises just didn't stop there.

While a letter from Himachal Pradesh demanded that Mr. Haridas remit Rs. 2 at the Shimla Treasury for the required information (they spent Rs. 35 on postal stamp to intimate him), a message from the Cabinet (Election) Department of Jharkhand was even more perplexing.

It asked him to pay Rs. 1,680 per man hour together put in by the 14 Returning Officers in the State for compiling the requisite data.

"One man day includes one full working day for an office staff bearing Pay Band-II (Rs. 9,300-Rs. 34,800) + Grade Pay (Rs. 4200) + DA-22%. Mean one day pay of 26 working days would be Rs. 940 per day or Rs. 120 per man hour of 8 hours working day. You may deposit the above estimated amount by demand draft," read the letter in awful English.

This defeats the rationale of the RTI Act, argues Mr. Haridas.

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20<sup>th</sup> July 2009

'Judiciary, govt trying to kill Info Act'

The Hindustan Times

The government and judiciary pose a serious threat to the Right to Information. If the citizens do not take effective steps to protect this right, it could be destroyed, a Central Information Commissioner has warned, in a rare outburst.

The widely prevalent dangerous trend of resistance to transparency in their functioning by "those in power" will gradually kill the RTI Act, Central Information Commissioner (CIC), Shailesh Gandhi (62) told Hindustan Times.

"The governments of all the states, irrespective of which party they belong to, follow a pattern of misgovernance and therefore are opposed to transparency," Gandhi said.

Government departments were rushing to courts to get stay orders against the decisions of information commissions to provide information to the common man.

Questioning the central and state governments commitment to the act, Gandhi, a graduate from IIT Bombay said: "There is no transparency in the appointment of information commissioners. No norms are being followed, and information commissions have been turned into parking lots for favorites of the government."

No training was being provided to newly appointed information commissioners, either at the centre or in state commissions, nor is there any concern for their resources, he said.

Gandhi, the first RTI activist in the country to have been appointed an information commissioner last year, expressed surprise at the silence of information commissions across the country on the prevailing situation.

On the interference by courts in some decisions of the CIC, including the declaration of judges assets, Gandhi said: "Common man has already given up hope of getting justice from courts, now if they continue to deny information, I am sorry slow poison is being administered to the right to know."

In the RTI Act, there is no provision for an appeal against the order of the CIC.

But the courts are entertaining these appeals in the garbs of writ petitions saying nobody can be denied the right to file a writ, "some restraint should be exercised," he said.

21st July 2009

Missing files no ground to reject RTI plea

The Times of India |

NEW DELHI: Refusal to provide information under the Right to Information Act citing missing files can now evoke punishment. The Central Information Commission (CIC) has reprimanded the Delhi government's department of women and children for allowing a critical file linked to the purchase scam to go missing and ordered that the appellant seeking the file as part of a reply to an RTI be compensated with Rs 10,000.

The CIC also directed that appellant Raj Mangal Prasad be compensated before August 31, failing which a penal interest of 12% will be applicable.

The CIC noted that the appellant had asked for the status of action taken by the department in the matter of the purchase scam which involved essential items bought for inmates of state run homes. The government replied and indicated the action taken based on available records.

"In so far as the second query for allowing inspection of the file concerned, the government expressed its inability on the ground that the file in question was missing, which reflects mismanagement in maintenance of records. The alleged offenders and officials of the department thus attempted to escape the penal action against them. It is the department of women and child development which is held

responsible for suppression of facts and inefficient management of records," the CIC order stated.

In his observations, central information commissioner professor M M Ansari said: "A major objective of the RTI is to contain corruption through promotion of transparency in functioning of public authorities. In the instant case a major corruption of the purchases scam has been exposed and at least two officials of the respondent (department of women and child) have been arrested. It is probable that many more officials of the department could be associated with the matter."

22nd July 2009

New RTI Act rules by J&K govt not 'people friendly': Experts

The Hindu

New Delhi (PTI): The new rules under the Jammu and Kashmir Right to Information Act, 2009 notified by the State government is attracting strong criticism from RTI activists, who have alleged several discrepancies in it.

"There are lot of loopholes in these rules. It clearly reflects that it is not people friendly, the BPL category have been completely ignored," Venkatesh Nayak, programme coordinator, access to information program, Commonwealth Human Rights Initiative said.

The state government has listed the Jammu and Kashmir Right to Information Rules, 2009 on its website ([www.gadjk.nic.in](http://www.gadjk.nic.in)).

The fee for any RTI application has been kept at Rs 50 as against Rs 10 which is taken as fee in the rest of India.

"The BPL category will not be able to exercise their Right to Information. And the standing parliamentary committee is already considering to exempt the Centre's RTI Act 2005 of the Rs 10 charges too," he said.

"The information officer will charge Rs 10 per page as cost of providing photocopies of the actual document as against Rs two per page in rest of India. For inspection of records also, there is no fee for the first hour and a fee of Rs 15 for each subsequent hour (or a

fraction thereof)," Dr Raja Muzaffar Bhat, convener J-K RTI movement in Kashmir said.

"As per RTI Act 2005, no fees are charged for inspection of records," he said.

24th July 2009

RTI: Govt depts cite 'lost' files to refuse information

The Times of India

NEW DELHI: Right to Information applicants have a new obstacle in disclosure of information: missing files. Government departments have conveniently taken recourse to "losing" paperwork to avoid answering queries. Some recent cases that have come up before the Central Information Commission (CIC) demonstrate this.

For instance, the Municipal Corporation of Delhi (MCD) recently informed the CIC that of the 5,259 'tehbazaris' in three municipal zones, it had records of only 1,228. According to MCD officials, the files for 4,031 tehbazaris was "lost". Tehbazaris are street vendors who are given a legal right to hawk their wares through a registration process.

Information commissioner Shailesh Gandhi raised the issue with MCD commissioner K S Mehra expressing "shock" at the callousness of the corporation staff. Gandhi asked for an independent investigation to fix responsibility.

Urging that the missing files be reported to the police, Gandhi said, "These files have either been stolen or never existed in the first place. If it is the latter, the matter has very serious implications as it means that there are hundreds of hawkers operating in the city who do not have any legal authorisation."

The National Commission for Women (NCW) is no better. The CIC had in August 2008 found "lack of a functional system" in the NCW while hearing a case on the Nithari killings and the NCW members' details. The CIC had even fined the NCW and asked its administrative ministry -- women and child development -- to bring about some semblance of structure. But it took the ministry almost a year before it took up the issue with the NCW and that too after applicant Lokesh Batra filed another RTI asking for the action taken report.

In fact, the CIC has been forced to order that missing files can no longer be used as an excuse to deny information.

24th July 2009

Ombudsman to ensure implementation of welfare schemes: Minister

The Hindu

New Delhi (IANS): An ombudsman will be appointed to ensure that welfare schemes like the National Rural Employment Guarantee Scheme are implemented properly, Minister of State for Rural Development Agantha Sangma said here.

She said on the sidelines of a function late Thursday that an ombudsman kind of system was being developed to ensure accountability and transparency in government-run welfare schemes.

"We are in the process of developing an ombudsman kind of system in our ministry to ensure accountability and transparency.

"Under this system, we will have an independent person to whom people can come up and report about problems. It is for monitoring implementation of important schemes like NREGA (National Rural Employment Guarantee Act)," said Ms. Sangma.

Initially the system will start on pilot basis in one scheme of the ministry and will be replicated later in other projects.

The young minister stressed that proper implementation of projects is the main problem in the country and a mechanism has to be developed for fixing accountability.

"We need to gear up whatever mechanism we have. There are monitoring and vigilance committees in every constituency and acts like RTI (Right to Information) to fix accountability. If people don't take initiative it is not going to work," she added.

24th July, 2009

Diluting RTI Act: Court seeks reply from government

The Indian Express

Express News Service Posted online: Friday , at 0211 hrs

**Lucknow :** The Lucknow Bench of the Allahabad High Court issued notice to the Uttar Pradesh government on Thursday, asking it explain within two weeks why it had removed five subjects from the purview of the Right to Information Act.

The notice was issued following a writ petition filed on behalf of the National Alliance of People's Movements (NAPM) by RTI activists Sandeep Pandey and Naveen Tiwari.

On June 7, the state government had issued a notification stating that appointment of the Governor, High Court judges and ministers, the code of conduct for ministers and the letters written by the Governor to the President will not come under the purview of the RTI Act.

"It is against the letter and spirit of the RTI Act to exclude information on these subjects, as these are not related to intelligence or security organisations of the State," said Tiwari.

The RTI Act, passed by the Parliament in 2005, empowers citizens to obtain information on all matters, except those covered under Section 8 of the Act, which talks of matters related to intelligence and security, said Pandey, national convener NAPM.

The petition also challenges another government order, issued on March 25, 2008, through which two units of Civil Aviation Department were also removed from the purview of RTI Act, 2005.

Both these notifications are prima facie illegal because Section 24(4) of RTI Act does not apply to them. This section applies to organisations and in both these notifications, the exempted entities are not organisations, said SN Shukla, counsel for the petitioners.

24<sup>th</sup> July 2009

SSC, HSC answer papers can be obtained through RTI

The Times of India |

PUNE: In a significant development, state information commissioner Vijay Kuvalekar on Thursday ordered that the answer sheets of the secondary school certificate (SSC or std X) and higher secondary

certificate (HSC or std XII) examinations conducted by the state board for secondary and higher secondary education were not confidential and that it could be obtained through the Right To Information (RTI) Act.

The order was given in the case, Abhijit Shripad Joshi vs SSC board.

Joshi had applied for revaluation of his HSC answer sheets on June 5, 2009. As he had not got marks according to his expectations, on June 12, Joshi sought photocopies of his answer sheets as well as model answers for maths, physics and chemistry papers under the RTI Act.

The board rejected Joshi's plea saying that answer sheets were confidential under section 8(1) (g) of the RTI Act. The board also said that as per rule 104 (3) of the state board regulation 1977, it cannot give answer sheets as they are confidential.

Joshi then approached the state information commissioner to challenge the argument.

When contacted, Kulavekar confirmed issuing the order and said that he would not like to comment on his order. "Whatever I wanted to say in the matter has been adequately explained in the order given by me," he told TOI.

The board argued that its rules and regulations did not permit giving copies of answer sheets. However, a copy of the order, available with the TOI, states that the board should start giving answer sheets if asked under the RTI Act from the October 2009 exam.

"For taking a policy and administrative decision about giving the answer sheets, three months time would be sufficient. This means photocopies of answer sheets could be given from October 2009 exam," the order said.

The board has also pointed out that about 11 lakh to 15 lakh students appear for the SSC/HSC exams and thousands of applications are given for revaluation, which puts tremendous work pressure on the board. "If photocopies of answer sheets are to be given it would increase the workload," the board added.

25th July 2009

## Cabinet okays bill to keep judges' assets confidential

The Hindustan Times

The higher judiciary has succeeded in winning the cabinet's approval to keep the wealth details of Supreme Court and High Court judges secret.

At its meeting which continued till late on Thursday night, the cabinet okayed the law ministry's controversial draft bill, which while making it mandatory for judges, their wives and children to declare their assets annually, also lays down that all such details will be kept confidential.

It was precisely this confidentiality that the judiciary, keen to remain outside the ambit of the Right to Information Act, had been lobbying for. The decision clearly shows that the lobbying has been successful.

Law minister M. Veerappa Moily is likely to introduce the bill in Parliament next week. It remains to be seen whether the legislation will sail through in its present form, given that even Congress Rajya Sabha members led by Rajeev Shukla had harshly criticised the judiciary's opposition to greater transparency during earlier debates.

Top jurists slammed the move. Former CJI, Justice J.S. Verma, who had made assets declaration for judges mandatory in 1997, called the new bill "a joke." "You want to maintain confidentiality only if you are hiding something," he said.

"It was Supreme Court judges who made it mandatory for candidates contesting elections to declare their assets. Then why should they not do the same themselves?"

Former Supreme Court judge Justice V.R. K

26<sup>th</sup> July 2009

82% of absconders are killers

The Times of India

Paul John, TNN, 03:16am IST  
Text Size: |

AHMEDABAD: Two dreaded murder convicts, Dharmendra Rajput and Ramesh Jhala, lodged at Sabarmati and Bhavnagar jails regrouped after obtaining parole one-and-a-half years ago with a former Fazl-ur-Rehman gang protegee, Akhilesh Tiwari, roped in a police constable and executed a Rs 20 lakh extortion racket in Ahmedabad.

The state government disclosed to the Gujarat High Court on Thursday that nearly 400 prisoners were absconding. As many as 82 per cent of the 317 convicts who have absconded from Gujarat jails on parole or furlough are dreaded murderers. Fortunately Jhala and Rajput landed in the Anti Terrorist Squad (ATS) net a few days later and were not as lucky as others convicted murderers, rapists and drug peddlers who have managed jump their parole or furlough terms still stand a chance of indulging in revenge killings, conspiring extortion rackets, planning loot to running an organized bootlegging racket.

A fact sheet obtained by TOI under the Right to Information Act (RTI) in 2007 revealed that around 222 convicts across Gujarat have escaped their jail terms while on furlough and 95 have escaped while on parole. Almost 90 are without a trace and have escaped while being escorted to courts or hospitals over the last six years.

It also reveals that the maximum cases were recorded in Ahmedabad with 70 convicts escaping jail terms while on parole out of which 50 are murder convicts. This is followed by Vadodara has 20 convicts jumping their paroles out of which 10 are murder convicts.

Of the 222 convicts who jumped their furlough in Gujarat, Ahmedabad's Sabarmati jail has 128 convicts out of which 118 are murder convicts while Vadodara central jail which has recorded 76 convicts jumping their furlough, 68 are murder convicts.

Normally the area police station of the domicile address of the convict has to confirm to the jail authorities the reason for the convict's visit to the home state. This procedure was not followed strictly.

Two years ago after the list revealed a comprehensive number of convicts, in order to curb such incidences jail authorities then increased the deposit for convicts moving out on parole or furlough from Rs 500--1,000 to Rs 20,000--30,000.

26<sup>th</sup> July 2009

*Information denied by MC under RTI*

*Indian Express*

Universal Human Rights organisation has been denied information on Ludhiana roads sought from the Municipal Corporation, under the Right to information act in November 2008, the organisation's President Satnam Singh Dhaliwal said.

The details sought were the names of the contractors who constructed the roads and undertook further repair. Also, information was sought on the deadline MC provided for the completion of work. However, no information has been provided till date. Satnam has now raised the issue with the information officer asking him to take action against the MC authorities.

27<sup>th</sup> July 2009

These govt offices get it all wrong in helping commoners use RTI

The Times of India

RAJKOT: It would be a nightmarish experience for those who want to seek some information from some important government establishments in Rajkot, like regional transport office, civil hospital and railway station. Even four years after the Right to Information Act (RTI) was formed, several government offices are completely passive about helping people get information under the Act.

TOI visited many offices only to find that RTI seekers were facing difficulties, right from searching for the public information officer.

According to RTI Act, public authority should make all the facilities available to citizens for obtaining information that includes names, designations and other particulars of PIOs

Some of the offices visited by this correspondent included regional transport office, railway station, Rajkot Civil Hospital, Rasulkhanki Janana Hospital and taluka panchayat. There was information put in public display to guide RTI applicants about PIO and nowhere was the manual of RTI Act seen.

When contacted, regional transport officer M K Bhoj, was also unsure

of these facilities. "I think we have put all these things in place but still, I will need to check it out," said Bhoj.

Scene was exactly the same in other offices.

"Many public authorities in the city are not pro-active in this regard. Ideally, every government offices should guide common people to use RTI Act and put all information, which can help them use it easily. But, this is completely absent in many offices," said Altaf Chichodara, an RTI activist.

29<sup>th</sup> July 2009

NMC, NIT don't know how much land they possess

The Times of India

Vaibhav Ganjapure, TNN, 03:56am IST

|  
NAGPUR: How much land does the Nagpur Improvement Trust (NIT) in the city owes? Does it have an audit report of its landholding and how much of it has been encroached upon by the land mafia? Shockingly, despite 63 years of existence, the NIT has no clue about its actual landholding as it never conducted its audit. This was revealed by NIT officials to an enquiry made under Right to Information Act (RTI) by social worker Jitendra Ghosekar.

He filed a petition in public interest in the Bombay high court's Nagpur bench alleging that government land being unlawfully converted and used by private builders, land mafias and political leaders. In his petition, Ghosekar has claimed that not only the NIT, but Nagpur Municipal Corporation (NMC) and district collector as well have failed to conduct audit of their areas coming under their respective jurisdictions.

Taking serious cognizance of the issue, a division bench comprising justices AP Lavande and Pramod Kode issued notices to respondents including state secretary of revenue department, collector, NMC and NIT chairman on Tuesday. The respondents were asked to file a reply in four weeks.

31st July 2009

Employees have right to know details of promotional meetings

The Times of India

|  
LUCKNOW: The minutes of the meetings held by the departmental promotional committees (DPCs) are not barred under the Right to Information (RTI) Act. The information regarding promotional decisions cannot be denied to government employees by the departments on the ground that it is barred under section 8(1) of the Act.

Instead, the departments, in order to maintain transparency in the administrative system, should grant their employees the right to know about their promotions and the factors that governed them.

The order has been passed by information commissioner Gyanendra Sharma. The order stated that promotions would be a fair deal when departments are aware that information on them can be made public. Further, the move would also satisfy the employees who would know that the promotions were not biased.

The order has been passed in a matter pertaining to one Hare Narayan Shukla who had sought seven-point information regarding his promotion from the department of personnel. The applicant had also sought some documents from the department asking why he had not been given the promotion for the past four years when compared to his juniors. He had asked for the details of the meeting held by the selection committee in 2000. Shukla had filed his application in 2007.

But, the department refused to divulge any information saying that assessment done by the selection committee was a secret affair and cannot be disclosed. The applicant had then filed a complaint with the the State Information Commission in April 2008. The delay on the part of the public information officer (PIO) concerned and the appellate authority of the department dragged the case. Finally, on June 2 this year the Commission asked the department to submit to it the entire file of the case.

Still, the PIO concerned and first appeals authority kept evading the hearings and did not appear before the commission on June 26 and July 10 this year. Though the case has been disposed of, the PIO was instructed by the Commission on July 27 to implement its orders and make the information sought by the complainant available to him.

Besides, to ensure that some action is taken against the first appeal authority of the department, who did not exhibit responsible behaviour during the case, the details of the case-proceedings will be sent to the state chief secretary to decide on the necessary action to be taken against the former.

31<sup>st</sup> July 2009

Departmental promotions come under RTI scanner

The Indian Express

**Express News Service** Posted: Jul 31, 2009 at 0212 hrs

**Lucknow** To ensure transparency in departmental promotions, the State Information Commission has ruled that minutes of Departmental Promotion Committee's (DPC) meeting cannot be denied under the Right to Information (RTI) Act.

Information Commissioner Gyanendra Sharma, in an order on Thursday, said an employee deserves the right to know if he is getting a fair deal in regard to promotional matters. Hence, it is imperative for government departments to provide him with details of the process that clears or rejects the growth of the person as an employee, he added.

In this connection, Sharma directed the state Department of Personnel's information officer to provide details of the DPC related to the promotion of Hare Narayan Shukla, held in August 29, 2000.

Shukla, who was the finance controller with Meerut's Sardar Vallabh Bhai Agriculture Institute, had sought information through a RTI application on April 11, 2008.

He had alleged that while four of his junior colleagues were promoted, his case was not considered on grounds best known to his superiors.

His plea was rejected by P N Yadav, Special Secretary to the Personnel department on the ground that the information is confidential and comes under the Section 8 (1) of the RTI Act.

Later, Shukla had moved the Information Commission. He is currently posted as the finance controller in the Police department in Allahabad.

"The move to bring in transparency in the procedure of promotion and service book will ensure that personal bias and other factors do not play a role in such important decisions," said Sharma. When they come to know that their decisions would be open to scrutiny, higher officers would be forced to strictly follow guidelines, he added.

31<sup>st</sup> July 2009

Mistake in SSLC marks sheet corrected after 15-year battle

The Times of India

Jeeva, TNN, 02:45am IST

CHENNAI: It is a great relief now for S Parthiban, a postgraduate. After struggling since 1995 to get a mistake in the date of birth mentioned in his SSLC marks sheet corrected, he finally managed it with the intervention of the State Human Rights Commission.

Parthiban was made to run from pillar to post despite a court order in 2002 directing the educational department to correct the date of birth mentioned as May 25, 1977 instead of August 25, 1979.

In his order delivered a couple of days ago, SHRC chairperson Justice A S Venkatachalamoorthy ordered the state government to pay Rs 25,000 as compensation to Parthiban and his father C Shanmugasundaram of Kancheepuram. The latter filed the complaint before the commission.

Parthiban never thought it would be such a long battle when he first found the mistake in his marks sheet after completing his SSLC in 1995.

First, the district educational office rejected his representation saying it did not have the power to correct the date of birth in the marks sheet after a student completed his SSLC. Parthiban sent representations to various authorities, including the secretary of school education, the

directorate of school education and the chief minister's cell. All were in vain.

He then moved a Kancheepuram subordinate court which in 2002 ordered the school education department to correct the mistake without delay. Still, nothing happened. Parthiban also filed an application under the Right To Information Act and got an order in his favour from the State Information Commission.

Last month, Parthiban's father approached the SHRC narrating his son's 15-year battle to get the mistake corrected. His son had also been deprived of job opportunities, Parthiban's father said.

When the commission summoned the district educational officer and joint director of school education department to appear before it this month, the authorities hurriedly rectified the mistake.

In its order, the SHRC criticised the official callousness and pointed out: "The failure on the part of the authorities, particularly the school education directorate, in discharging their duty for 15 years even after a directive from the court, has certainly caused harassment, mental agony and loss and they are liable to be compensated."

The Commission also asked the government to direct the school education department to fix a time frame to dispose of applications and requests from the public.

[jeeva.pugazvendan@timesgroup.com](mailto:jeeva.pugazvendan@timesgroup.com)

According to petitioner's counsel Shrikant Khandalkar, the land mafias have illegally created layouts on government lands and shockingly, these unauthorised layouts were being regularised both by the NIT and NMC. He alleged that even the government records were being tampered with to favour land sharks, private builders and political leaders who are increasingly encroaching on government land by preparing forge records of 7/12 extracts and changing Mouza and Khasra numbers.

The petitioner charged the civic body officials for conniving with the land mafias in illegally grabbing the government land and openly selling to the private builders.

The petitioner has even cited examples as to how documents were forged and ownership of land changed from the original owners to unscrupulous elements.