

## News on Right to Information

Compiled by  
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**31st August ,2011**

### **Ajay Maken flays BCCI for resisting RTI law**

*The Times of India*

NEW DELHI: Sports Minister Ajay Maken on Wednesday criticised the Indian cricket board for refusing to come under the Right to Information (RTI) Act and said the Board of Control for Cricket in India (BCCI) enjoys several exemptions at the expense of tax payers' money.

"What do they mean by they don't get government funds so shouldn't come under RTI? They are indirectly getting government funds. How about the tax exemptions? How about the land they get? How much did they pay for the Ferozeshah Kotla?" said Maken, a day after the union cabinet rejected the National Sport Development Bill.

"BCCI does not have to pay entertainment tax; they don't pay for the security provided during the matches by the government. Even the lands for the stadiums they use are generally given to them free of cost. So people have the right to know what is happening in the BCCI. People should know certain things because, at the end of the day, their team represents the country," said the minister.

[http://articles.economictimes.indiatimes.com/2011-08-31/news/29949547\\_1\\_age-limit-sports-minister-ajay-maken-rti-act](http://articles.economictimes.indiatimes.com/2011-08-31/news/29949547_1_age-limit-sports-minister-ajay-maken-rti-act)

**26<sup>th</sup> August,2011**

## **RTI Act almost defunct in state**

*The Times of India*

JAIPUR: Even as the state tries to provide a corruption-free government with the [Lokseva Guarantee Bill](#), a similar venture by it earlier has fallen by the wayside. With no chief information commissioner (CIC) in the state for the past five months the much-trumpeted Right To Information (RTI) Act, which aims to bring in transparency, has almost become defunct. Incidentally, Rajasthan had taken the first steps in bringing this law in the country.

According to Kamal Tak, an activist of the [Suchna Evum Rozgar Ka Adhikar Abhiyan](#), "The implementation of the RTI Act is in a pathetic condition in the state. The commissions' office is absolutely defunct with nearly 5,000 second appeals awaiting a hearing. The information commissioner (IC) has refused to hear these appeals in the absence of the head of the commission who is the CIC."

Under the RTI Act the every state is required to have one [CIC](#) and nine ICs. Rajasthan had appointed a CIC in 2006, six months after the implementation of the Act, but had failed to appoint any IC. It was only recently that T Srinivasan, retired IAS, was appointed as the sole IC in the state.

Section 15 of the Act provides that whenever an application for any information is denied information or given inappropriate information or is given half-baked information, he or she can make a first appeal to the department itself. Thereafter, if he still remains unsatisfied he can go for a second appeal to the information commissioner and a final appeal to the CIC.

"But with no CIC present in the state, the IC has refused to hear appeals. Incidentally, Section 15 of the Act is also not clear of what action can be taken in such a situation," Tak said.

Tak had, in August, filed an RTI with the public information officer of the administrative reforms department, the nodal body in the state for the Act. The application had inquired on the steps taken by the state government for the appointment of a new CIC after the retirement of D Kaurani, the former CIC in April.

In its reply, the public information officer of the administrative reforms department had disclosed that prior to the retirement of the CIC the principal secretary of the administrative reforms department through the chief secretary had written to the CMO for the appointment of a new CIC. Later, the department also apprised the CMO that due to the non-appointment of a CIC, RTI appeals are not being heard. But the CMO is yet to arrive at a decision.

"The CIC of any state is to be appointed by a committee comprising the chief minister, the leader of the Opposition and a cabinet minister. Provisions in this regards are mentioned in Section 15(3) of the RTI Act but in our state it is the lack of political will that the committee is not able to meet," said Tak adding that persons such as a journalist, social activists or retired IAS etc can be appointed as the CIC.

"The fact is that the as chief minister Ashok Gehlot and leader of Opposition Vasunhara Raje do not see eye-to-eye they are not meeting and delaying the appointment. Earlier, reasons that were cited is that Raje had gone off to [London](#) on personal work and so she was not able to meet Gehlot. But now that she is back, immediate measures must be taken to appoint the CIC. Else, even after having taken the lead in the implementation of the RTI Act, its plight in the state will make it a laughing stock," sources said.

Tak added in such a situation all that the state needs to do is to reappoint the IC as the CIC but even such an initiative is absent in the state.

<http://timesofindia.indiatimes.com/city/jaipur/RTI-Act-almost-defunct-in-state/articleshow/9739853.cms?prtpage=1>

25<sup>th</sup> August,2011

### **Shehla Masood case: 9 days on, no headway**

The Times of India

BHOPAL: Nine days after Right to Information activist Shehla Masood was found dead in her car, the police are yet to make a breakthrough in the case.

The sleuths are tracking several angles to the alleged murder including Shehla's personal life, the people miffed by the RTI queries filed by her, her enmity with a police officer from Indore during the earlier event management days and her association with numerous political leaders in Congress and BJP. The CD that she submitted to the police department 19 months before her death is also part of the investigation now.

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[http://articles.timesofindia.indiatimes.com/2011-08-25/indore/29926239\\_1\\_suicide-angle-rti-queries-rti-application](http://articles.timesofindia.indiatimes.com/2011-08-25/indore/29926239_1_suicide-angle-rti-queries-rti-application)

24<sup>th</sup> August,2011

## **HC reserves orders on exempting CBI from RTI Act**

*D.N.A*

Madras High Court Wednesday reserved its orders on a PIL challenging a Centre's notification exempting CBI from the purview of the Right to Information (RTI) Act.

A Division Bench comprising Chief Justice MY Eqbal and Justice TS Sivagnanam reserved orders after hearing arguments on the petition filed by RTI activist and advocate S Vijayalakshmi seeking to declare the June 9 last notification as ultra vires the Constitution.

The union government in its counter affidavit asserted the right to information was not an absolute right and pointed out that there was a need to balance the right of a citizen against the need to ensure the security of the nation, which should not be jeopardized due to disclosure of information with security implications.

'The exemption granted to CBI under section 24 is not a blanket exemption inasmuch as the exemption is subject to the provisos of section 24 of the RTI Act,' KG Verma, Joint Secretary in the Union Department of Personnel and Training, attached to the Ministry of Personnel, Public Grievances and Pensions, submitted.

Hence, allegations pertaining to corruption and human rights violations were still within the purview of the RTI Act, subject to other provisions of the act, he said.

The officer submitted cases handled by the CBI were very sensitive and inputs based on intelligence collected which could relate to the security of the state.

'In many sensitive cases the collection of intelligence and the process of investigation and trial are intertwined and cannot be separated,' the affidavit said.

Claiming the petitioner's contentions were false and misleading, the centre prayed for dismissal of the petition.

CBI, in a separate counter affidavit, claimed the right to information with respect to other fundamental rights under Article 19(1) of the Constitution 'is not an unfettered right and is subject to reasonable restrictions.'URL of the article:

[http://www.dnaindia.com/india/report\\_hc-reserves-orders-on-exempting-cbi-from-rti-act\\_1579348-all](http://www.dnaindia.com/india/report_hc-reserves-orders-on-exempting-cbi-from-rti-act_1579348-all)

23rd August,2011

### **Bansal keeps off anti-graft brigade**

*The Times of India*

CHANDIGARH: Many residents of the city, who are supporting Anna Hazare's anti-corruption movement, reached the house of Union parliamentary affairs minister Pawan Kumar Bansal in Sector 28 on Monday. They took the step following Anna's call to his supporters to stage dharnas outside their respective MP's houses.

The group of 70 protesters was led by Rahul Bharatiya, who is a Right To Information activist and Chandigarh coordinator of India Against Corruption campaign. The rally started on Madhya Marg, passed through Sector 26 and then headed for Bansal's residence at 1pm.

Many of them stated they were disappointed to see high police presence around the house, which did not allow them to enter the MP's lane.

[http://articles.timesofindia.indiatimes.com/2011-08-23/chandigarh/29918283\\_1\\_lokpal-bill-protesters-anti-graft-movement](http://articles.timesofindia.indiatimes.com/2011-08-23/chandigarh/29918283_1_lokpal-bill-protesters-anti-graft-movement)

17th August,2011

### **India right to information activist killed**

BBC News

A right to information activist has been shot dead by an unidentified gunman in the northern Indian city of Bhopal, police said.

Shehla Masood was found with a gunshot wound in her car outside her home on Tuesday. She was on her way to an anti-corruption protest in the city.

Nearly a dozen right to information activists have been killed and scores other attacked in India since 2008.

The law allows Indians to access information held by the government.

Ms Masood, who also ran an event management company, had filed a number of right to information applications, a number of them related to wildlife conservation.

According to reports, last year she had informed the authorities that she "feared for her life" and had complained about it to the police chief.

The police said it was investigating the murder.

**16th August,2011**

### **Raj Bhavan's refusal to share information irks RTI activists**

*The Times of India*

CHENNAI: Three separate Right to Information petitions filed with the Raj Bhavan here have received responses stating that "the requested information is not available in this office," irking the activists concerned.

While one wanted to know if the governor had a special quota in state-owned universities and in job placements in government offices, another sought information pertaining to any business transactions between universities and companies owned by the son of Tamil Nadu governor Surjit Singh Barnala and the third demanded information about visitors to Raj Bhavan.

C Arul Ramalingam, who sought information on any special quota for the governor in universities and in placements at government offices, said, "The reply from Raj Bhavan simply said that information requested was not available." He had also asked, in the same petition, for copies of the oaths taken by the governor and chief minister but didn't get them, he said. "According to the State Records Act, copies of the oath must be sent to libraries and museums," Ramalingam added.

[http://articles.timesofindia.indiatimes.com/2011-08-16/chennai/29892074\\_1\\_rti-activists-rti-query-special-quota](http://articles.timesofindia.indiatimes.com/2011-08-16/chennai/29892074_1_rti-activists-rti-query-special-quota)

**13th August,2011**

### **RTI a formidable tool to fight corruption: Supreme Court**

*The Hindu*

But impractical demands under Act will be counter-productive

The right to information is a cherished right. Information and the right to information are intended to be formidable tools in the hands of responsible citizens to fight corruption and to bring about transparency and accountability, the Supreme Court has held.

A Bench of Justices R.V. Raveendran and A.K. Patnaik gave this ruling (briefly reported on August 10) while allowing disclosure of answer sheets of students in public examinations.

The Bench said the RTI Act provisions should be enforced strictly and all efforts made to bring to light the necessary information under Section 4 (4) (b) which “relates to securing transparency and accountability in the working of public authorities and in discouraging corruption.”

Disposing of appeals, the Bench affirmed the Calcutta High Court order directing examining bodies to permit examinees to inspect their answer books, subject to certain clarifications on the scope of the RTI Act.

Writing the judgment, Justice Raveendran, however, said: “Indiscriminate and impractical demands or directions under the RTI Act for disclosure of all and sundry information [unrelated to transparency and accountability in the functioning of the public authorities and eradication or corruption] would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down in the non-productive work of collecting and furnishing information.”

The Bench said: “The RTI Act should not be allowed to be misused or abused to become a tool to obstruct national development and integration or to destroy peace, tranquillity and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75 per cent of the staff of public authorities spends 75 per cent of its time in collecting and furnishing information to applicants instead of discharging regular duties.”

On disclosure of answer books, the Bench said the provisions of the RTI Act would prevail over the provisions of the bylaws/rules of the examining bodies. As a result, “unless the examining body demonstrates that the answer books fall under the exempted category of information under Section 8 (1) (a) of the RTI Act, it will be bound to provide access to an examinee to inspect and take copies of his evaluated answer books, even if such inspection or taking copies is barred under the rules.”

On the contention that the examining bodies held the answer books in their fiduciary capacity, the Bench said: “Once the examiner has evaluated the answer books, he ceases to have any interest in the evaluation done by him. He does not have any copyright or proprietary right or confidentiality right in regard to the evaluation. Therefore, it cannot be said that the examining body holds the evaluated answer books in a fiduciary relationship, qua the examiner. As no other exemption under Section 8 of the RTI Act is available in respect of evaluated answer books, the examining bodies will have to permit inspection.”

#### Protecting identity

However, to protect the safety and identity of the examiners, those portions which contain information on examiners/coordinators/scrutinisers/head examiners or which “may disclose their identity with reference to signature or initials shall have to be

removed, covered, or otherwise severed from the non-exempted part of the answer books.”

The Bench said: “The right to access information does not extend beyond the period during which the examining body is expected to retain the answer books. In the case of the CBSE, the answer books are required to be maintained for three months and thereafter they are liable to be disposed of/destroyed. Some other examining bodies are required to keep the answer books for six months.

<http://www.thehindu.com/news/national/article2354447.ece?css=print>

10<sup>th</sup> August,2011

### **Court: allow students to inspect evaluated scripts under RTI**

*The Hindu*

The Supreme Court on Tuesday allowed the disclosure, under the Right to Information Act, of answer sheets of students of any examination conducted by any agency in India. A Bench of Justices R.V. Raveendran and A.K. Patnaik gave this ruling, upholding a Calcutta High Court order permitting students to inspect and photocopy their answer sheets in any educational or professional examination.

The Bench held that evaluated scripts would come under the definition of ‘information’ and reiterated the duty of the public authority to allow maximum disclosure as envisaged by the RTI. Explaining the scope of the ‘fiduciary relationship’ of the agency holding the examination, the Bench held that bodies conducting examinations could not retain evaluated answer sheets in any fiduciary capacity and contend that they would not disclose the same.

The exemption under Section 8 (1) of the RTI Act would not apply to disclosure of answer sheets. The Bench was disposing of appeals filed by the Central Board of Secondary Education, the West Bengal Board of Secondary Education, the West Bengal Council for Higher Education, the University of Calcutta, the Institute of Chartered Accountants of India, the West Bengal Central School Service Commission and the Assam Public Service Commission. The Human Rights Law Network filed an intervention application, on behalf of the applicants, the Mazdoor Kisan Shakti Sangathan and Join Operation for Social Help. They argued that such disclosure would open the floodgates for information-seekers and the magnitude of the demand would be overwhelming. If answer scripts were made available to each examinee, it would lead to an unworkable situation. The Supreme Court, however, rejected these arguments.

Welcoming the judgment, the National Campaign for People's Right to Information, said: “The NCPRI believes this ruling would positively affect the transparency rights of lakhs of students of all kinds across the country including examinations conducted by school boards, universities and public service commissions.”

<http://www.thehindu.com/news/national/article2340762.ece>

**10<sup>th</sup> August,2011**

**Brijesh Kumar received an abusive reply to the RTI query filed by him.**

*India Today* - 10<sup>th</sup> Aug,2011

It cannot be denied that the [Right to Information](#) (RTI) Act has brought about a revolution of sorts in India. But the very act of seeking information is often met with stiff resistance, and sometimes expletives, from an intransigent bureaucracy that refuses to lay itself open to scrutiny.

For Brijesh Kumar, it came as a rude shock when, in response to a query made in an RTI request to the Municipal Corporation of Delhi (MCD), he received the reply: "Tu ch\*\* ia hai".

Kumar had sought details about the MCD's management of solid waste. He was stunned when he saw this reply when he logged in to check the status of his RTI request on August 2. He had filed the RTI query through the MCD's newly constituted online mechanism on July 14.

His first query had been answered by a superintendent engineer of the MCD with the cuss words: "Tu ch\*\* ia hai ." The rest of the nine questions, Kumar alleged, did not have a satisfactory reply either.

"Is this how the MCD runs its business? I cannot believe the civic body can reply in such a foul manner. I have been in constant mental agony and depression since I read the RTI reply," a shocked Kumar said.

When contacted, MCD officials said they had started an investigation into the possible hacking of the corporation's website after an abusive message was posted in reply to a query on its RTI portal.

"The regrettable and illegal act has been done by some mischievous and unknown person who appears to have access to the system through the use of a default login ID and password, and not by 'hacking' of the website," Deep Mathur, MCD director (press and information), said.

"Steps have been taken to avert recurrence of such incidents and investigations have been initiated to bring the culprit to book," Mathur added.

The MCD has also reportedly approached the Delhi Police's economic offences wing (EOW) and registered a case. A police inquiry into the matter is expected to start soon.

"Today (Tuesday) we went and met the additional commissioner (EOW) of the Delhi Police. We have given him the details of the entire case and requested them to take up the matter and identify the guilty," Mathur said. On his part, Kumar said he was not as much hurt by the MCD's reply as by its indifference.

"The question of who replied to the RTI is secondary; the primary response of the MCD should have been an apology. Despite having my address and number, they haven't even contacted me for a probe, let alone an apology," Kumar, a resident of Dwarka, said.

This is not the first time the MCD has reacted in such a manner. For an RTI request filed a few years ago seeking details of construction of a site in Shahdara, the applicant was threatened with dire consequences.

Mohit Sharma, the victim, alleged that on March 12 last year, MCD's executive engineer BMN Rao, assistant engineer Umesh Singh and one more person came to his home in Dilshad Garden around 1 pm and threatened him.

"Umesh Singh told me that I was playing with fire and it could harm me. He added that no one can survive after clashing with the MCD officials. They threatened to demolish my house and my brother's shop," Sharma said.

The Delhi Police had registered a case. Sharma had also complained to the chief information commissioner (CIC) about the threat. Information commissioner Shailesh Gandhi had written to the then police commissioner Y. S. Dadwal regarding the allegation of the RTI applicant.

In the latest case, Dwarka Forum, an NGO of which Brijesh is a member, has filed a complaint with the CIC about the matter.

"We have already lodged a complaint with the commission. Information commissioner Gandhi has taken cognisance of the same," Anoop Rohera, secretary of the Dwarka Forum, said.

### **Threat & abuse are MCD'S answer**

- Brijesh Kumar, a Dwarka resident, filed an online RTI application with the MCD on July 14, seeking details about the agency's solid waste management.
- On August 2, he logged in to check the status of his queries. He had received the reply. But in response to the very first query, an MCD superintendent engineer had posted an expletive.
- Dwarka Forum, an NGO Brijesh works with, has filed a complaint with the CIC.
- MCD claimed the abusive reply was posted on its website by some mischievous element using default login ID and password. It claimed to be investigating the matter.
- MCD spokesperson said the agency has registered a case with the Delhi Police.
- Last year, two MCD engineers had allegedly threatened an RTI applicant, Mohit Sharma, who had sought details of a construction site at Shahdara. Sharma, too, had complained to the CIC and the police.

<http://indiatoday.intoday.in/site/story/abusive-reply-to-rti-query-by-mcd/1/147604.html>

9<sup>th</sup> Aug , 2011

## **Magsaysay award winner lends weight to anti-Posco stir**

*The Times of India*

KENDRAPADA: Right to Information campaigner and [Magsaysay award winner Aruna Roy](#) has asked the state government to stop construction and tree felling works for the proposed [steel plant](#) of [Posco](#) in the seaside gram panchayats of Dhinkia, Nuagaon and Gadakujang in Jagatsinghpur district and have a public debate on the issue.

Roy visited the villages in the proposed steel plant site on Sunday in support of the anti-land acquisition movement in these areas. "The government has no right to forcefully acquire fertile lands in these areas. The way the ministry of environment and forest dithered on Posco, ignoring the Saxena and Meena Gupta reports submitted by its own expert groups, clearly shows that the decision was taken under pressure from the Prime Minister's office," Roy said. "In all fairness, I believe that the Prime Minister should order an independent inquiry.

Otherwise, the government's credibility will come under the scanner. Announcements on fighting corruption cannot stand on their own unless they are followed by tangible action," she said in Gobindapur while talking to media persons. "I am surprised that the UPA government, which frowned upon the forcible land acquisition proceedings launched by Uttar Pradesh government in Noida against the local farmers, is now an active partner in granting highly questionable clearances in favour of Posco in Orissa and even indirectly endorsing the state's attempts to deploy the same draconian Land Acquisition Act against the local community. The Union government cannot have double standards in questioning human rights violations," Roy added.

<http://timesofindia.indiatimes.com/city/bhubaneswar/Magsaysay-award-winner-lends-weight-to-anti-Posco-stir/articleshow/9539577.cms?prtpage=1>

**9<sup>th</sup> August,2011**

## **'CBI as security, intelligence body enjoys RTI exemption'**

*The Hindustan Times*

Defending exemption of the CBI from the purview of the Right to Information (RTI), the Centre on Tuesday told the Delhi High Court that the agency qualified as a security and intelligence organisation which enjoyed exemption under the Act.

“The CBI qualified as a security and intelligence organization like the National Investigative Agency (NIA) and National Intelligence Grid (Natgrid) under section 24 of the RTI to enjoy exemption and a legal opinion has been received in this regard,” the Centre said

In affidavits filed in the court set to hear a PIL challenging the exemption on Wednesday, the home ministry, law ministry, department of personnel and the CBI said the exemption was “not blanket” but only in cases involving national security.

“Cases handled by the CBI are very sensitive where inputs are based on intelligence collected which may relate to the security of the state. Disclosures under RTI may lead to targeting of officers which may ultimately affect the credibility of CBI. Difficulties were being faced by CBI in its working due to queries raised under the RTI act,” the affidavit said.

“The exemptions are primarily given to ensure that interests of the security of the state are not overlooked while protecting the right of citizens to seek information,” said the affidavit. In separate PILs, lawyers Sitab Chaudhary and Ajay Agrawal termed the exemption “illegal” contending that section 24 only gave exemption to organizations dealing with defence, security and national intelligence.

“Exemption of the CBI is against and in gross violation of principle of transparency and accountability and curb on corruption in functioning of public offices, organisations and institutions,” the PIL contended.

<http://www.hindustantimes.com/StoryPage/Print/731406.aspx>

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**9th August,2011**

### **6 slum rehab projects on hold in Pune**

DNA

The slum rehabilitation authority (SRA) has kept in abeyance the application of Pimpri Chinchwad Municipal Corporation (PCMC) asking for the authority's permission and occupation certificate for six schemes in the Pimpri-Chinchwad area.

The SRA's tough posture comes in the wake of the PCMC's alleged failure to comply with the conditions laid down by the former in implementing such schemes.

The authority's stand came to light after Shiv Sena corporator, Seema Savale, sought information from the SRA under the Right to Information (RTI) Act, 2005.

The former CEO of SRA (Pune), Mahesh Zagade, in his noting on March 18, 2011, decided to keep in abeyance the renewal application of PCMC.

Under the six projects, the civic body is supposed to construct 18,000 apartments to make the Pimpri-Chinchwad area slum-free. About 2,200 houses have already been constructed and work on 1,000 others is in progress.

SRA (Pune) had initially given permission to the PCMC for implementing the schemes in August 21, 2008. However, the PCMC had given the renewal proposal for constructing the houses with alterations in the plan in October 2008.

According to Zagade's notings, the SRA committee had sent the terms and conditions to the PCMC in October 27, 2008, while implementing the scheme. Zagade's note states: "The PCMC did not fulfil it and so both the permission and the occupancy certificate should be kept in abeyance."

According to Zagade, as per the provisions, persons residing in the slums before January 1, 1995, are eligible for rehabilitation. But in all the six PCMC SRA schemes, several beneficiaries were included who have started staying after that date.

Moreover, it was also mandatory for the civic body to take the consent of over 70% slum dwellers for SRA projects. However, in all the projects, the figure of consent comes to just 70%, which the then CEO has remarked as odd.

Zagade also noted that the Vitthalnagar slum rehabilitation project was also proved illegal as the civic authority had constructed the houses in 'Green Zone area' and did not secure environmental clearance for the project.

Savale told *DNA*, "The PCMC had violated the basic norms of slum rehabilitation project."

The civic body had handed over 28-acre 'green zone' area in Vitthalnagar to Kamgar Kalyan Mandal for 99 years lease, and the latter constructed 'Annasaheb Magar Stadium' on this land.

The PCMC had also violated the Works of Defence Act, 1903, in the case of SRA scheme in Sector 22, Nigdi, as it constructed houses in the Red Zone. The constructions for the Nigdi project came up within 2,000 metres of the Dehu Road ammunition depot, which is not allowed under the Act.

[http://www.dnaindia.com/mumbai/report\\_6-slum-rehab-projects-on-hold-in-pune\\_1574088](http://www.dnaindia.com/mumbai/report_6-slum-rehab-projects-on-hold-in-pune_1574088)

9th August,2011

### **Many take RTI route for quick I-T refunds**

*The Times of India*

Hyderabad: It's not the city's passport seekers alone who seem to be endorsing the Right to Information (RTI) service. Denizens aggrieved with the income tax department, for failing to meet refund deadlines, too are now taking this route to recover their money. In fact, RTI activists note that the number of I-T return-related cases is consistently on the rise these days with at least 20-25 such RTIs being filed every month.

Interestingly, much like in the case of passports, the success rate among those filing RTIs for I-T related issue too is very high. While refunds sought through the regular route, denizens rue, take over a year or more to get dispensed, in the case of an RTI application, the matter is resolved within a few months. "Not only have people received immediate responses to their RTI queries, they have even got their money that has been pending with the department for years," said Panasarama Krishna of It's Time to Make a Difference (ITMD), a social group working to promote RTI among Hyderabadis.

On average, Krishna said, his group receives 15 requests from people every month seeking help to file an RTI to claim their returns. "This trend is the result of both the inefficiency of the government departments and increasing awareness about the RTI among the 'aam' junta," the techie-cum-RTI activist said.

Not surprising then, professionals from across industries are going the RTI way to resolve their I-T concerns. Take for instance Nune Satyanarayana who, after running from pillar to post to get his returns for the years 2008-09 and 2009-10, finally filled out an RTI form to demand his due. "For all these years I have been doing everything I could to get my refund from the I-T department. Eventually, I filed an RTI about six months ago. Within 20 days the entire outstanding amount was credited to my account," said Satyanarayana with a sense of disbelief in his voice.

The young professional from Uppal added, "It is definitely unfortunate to see people file RTIs for every issue, but then the lax sarkari' offices have left us with no choice. Also, see the success rate of RTIs, it is unbelievable. So now, even for Provident Fund settlements and gas connection I have seen my friends filing a RTI."

It is perhaps success stories like these that drove techie Priyanka Tadikonda too, to use the RTI for her returns. In her case, the I-T office failed to dispense her refund for the year 2008-09. When repeated calls to the Central Processing Centre (CPC), Bangalore and the local tax office failed to yield any result, Tadikonda took the RTI route in June this year. Less than 60 days later, her backlog was cleared by the department who seemed to be sitting pretty on the amount for more than two years.

But not all have been as lucky as Tadikonda. In fact, activists say that in several cases even a RTI has failed to make the department sit up and take note of a pending case. A few denizens have followed it up with a second appeal, while others have simply

given it up after failing to get their refund, activists said. "I am preparing to file my first appeal now," said Kamalakar Venkatramana Kondury, who has received a reply to his RTI, but is still awaiting the money. His refund for the year 2006-07 is still pending with the I-T department. "I got my response within two weeks, but the refund hasn't come yet. I hope filing an appeal works," the resident of Masab Tank said.

[http://epaper.timesofindia.com/Default/Scripting/ArticleWin.asp?From=Search&Source=Find&Key=TOIH/2011/08/09/2/Ar00204.xml&CollName=TOI\\_HYDERABAD\\_DAILY\\_2009&DOCID=327386&Keyword=%28%3Cmany%3E%3Cstem%3Einformation%29&skin=TOI\\_NEW&AppName=1&PageLabel=2%20&ViewMode=HTML](http://epaper.timesofindia.com/Default/Scripting/ArticleWin.asp?From=Search&Source=Find&Key=TOIH/2011/08/09/2/Ar00204.xml&CollName=TOI_HYDERABAD_DAILY_2009&DOCID=327386&Keyword=%28%3Cmany%3E%3Cstem%3Einformation%29&skin=TOI_NEW&AppName=1&PageLabel=2%20&ViewMode=HTML)

The slum rehabilitation authority (SRA) has kept in abeyance the application of Pimpri Chinchwad Municipal Corporation (PCMC) asking for the authority's permission and occupation certificate for six schemes in the Pimpri-Chinchwad area.

The SRA's tough posture comes in the wake of the PCMC's alleged failure to comply with the conditions laid down by the former in implementing such schemes.

The authority's stand came to light after Shiv Sena corporator, Seema Savale, sought information from the SRA under the Right to Information (RTI) Act, 2005.

The former CEO of SRA (Pune), Mahesh Zagade, in his noting on March 18, 2011, decided to keep in abeyance the renewal application of PCMC.

Under the six projects, the civic body is supposed to construct 18,000 apartments to make the Pimpri-Chinchwad area slum-free. About 2,200 houses have already been constructed and work on 1,000 others is in progress.

SRA (Pune) had initially given permission to the PCMC for implementing the schemes in August 21, 2008. However, the PCMC had given the renewal proposal for constructing the houses with alterations in the plan in October 2008.

According to Zagade's notings, the SRA committee had sent the terms and conditions to the PCMC in October 27, 2008, while implementing the scheme. Zagade's note states: "The PCMC did not fulfil it and so both the permission and the occupancy certificate should be kept in abeyance."

According to Zagade, as per the provisions, persons residing in the slums before January 1, 1995, are eligible for rehabilitation. But in all the six PCMC SRA schemes, several beneficiaries were included who have started staying after that date.

Moreover, it was also mandatory for the civic body to take the consent of over 70% slum dwellers for SRA projects. However, in all the projects, the figure of consent comes to just 70%, which the then CEO has remarked as odd.

Zagade also noted that the Vitthalnagar slum rehabilitation project was also proved illegal as the civic authority had constructed the houses in 'Green Zone area' and did not secure environmental clearance for the project.

Savale told *DNA*, "The PCMC had violated the basic norms of slum rehabilitation project."

The civic body had handed over 28-acre 'green zone' area in Vitthalnagar to Kamgar Kalyan Mandal for 99 years lease, and the latter constructed 'Annasaheb Magar Stadium' on this land.

The PCMC had also violated the Works of Defence Act, 1903, in the case of SRA scheme in Sector 22, Nigdi, as it constructed houses in the Red Zone. The constructions for the Nigdi project came up within 2,000 metres of the Dehu Road ammunition depot, which is not allowed under the Act.

[http://www.dnaindia.com/mumbai/report\\_6-slum-rehab-projects-on-hold-in-pune\\_1574088](http://www.dnaindia.com/mumbai/report_6-slum-rehab-projects-on-hold-in-pune_1574088)

9th Aug,2011

### ***Many take RTI route for quick I-T refunds***

*The Times of India*

Hyderabad: It's not the city's passport seekers alone who seem to be endorsing the Right to Information (RTI) service. Denizens aggrieved with the income tax department, for failing to meet refund deadlines, too are now taking this route to recover their money. In fact, RTI activists note that the number of I-T return-related cases is consistently on the rise these days with at least 20-25 such RTIs being filed every month.

Interestingly, much like in the case of passports, the success rate among those filing RTIs for I-T related issue too is very high. While refunds sought through the regular route, denizens rue, take over a year or more to get dispensed, in the case of an RTI application, the matter is resolved within a few months. "Not only have people received immediate responses to their RTI queries, they have even got their money that has been pending with the department for years," said Panasarama Krishna of It's Time to Make a Difference (ITMD), a social group working to promote RTI among Hyderabadis.

On average, Krishna said, his group receives 15 requests from people every month seeking help to file an RTI to claim their returns. "This trend is the result of both the inefficiency of the government departments and increasing awareness about the RTI among the 'aam' junta," the techie-cum-RTI activist said.

Not surprising then, professionals from across industries are going the RTI way to resolve their I-T concerns. Take for instance Nune Satyanarayana who, after running from pillar to post to get his returns for the years 2008-09 and 2009-10, finally filled out an RTI form to demand his due. "For all these years I have been doing everything I could to get my refund from the I-T department. Eventually, I filed an RTI about six months ago. Within 20 days the entire outstanding amount was credited to my account," said Satyanarayana with a sense of disbelief in his voice.

The young professional from Uppal added, "It is definitely unfortunate to see people file RTIs for every issue, but then the lax sarkari' offices have left us with no choice. Also, see the success rate of RTIs, it is unbelievable. So now, even for Provident Fund settlements and gas connection I have seen my friends filing a RTI."

It is perhaps success stories like these that drove techie Priyanka Tadikonda too, to use the RTI for her returns. In her case, the I-T office failed to dispense her refund for the year 2008-09. When repeated calls to the Central Processing Centre (CPC), Bangalore and the local tax office failed to yield any result, Tadikonda took the RTI route in June this year. Less than 60 days later, her backlog was cleared by the department who seemed to be sitting pretty on the amount for more than two years.

But not all have been as lucky as Tadikonda. In fact, activists say that in several cases even a RTI has failed to make the department sit up and take note of a pending case. A few denizens have followed it up with a second appeal, while others have simply given it up after failing to get their refund, activists said. "I am preparing to file my first appeal now," said Kamalakar Venkatramana Kondury, who has received a reply to his RTI, but is still awaiting the money. His refund for the year 2006-07 is still pending with the I-T department. "I got my response within two weeks, but the refund hasn't come yet. I hope filing an appeal works," the resident of Masab Tank said.

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8<sup>th</sup> August,2011

### **RTI Act toothless, can't bite corrupt: Anna Hazare**

*DNA*

Anti-corruption crusader Anna Hazare on Sunday stressed the need for a strong Jan Lokpal Bill as an effective tool to tackle the corruption in the country.

"The use of Right to Information (RTI) Act, 2005 is not sufficient to tackle the serious problem. The RTI Act does not have the teeth to bite the corrupt and hence we need a weapon like the Jan Lokpal Bill," he told a group of about 500 Puneites at his village Ralegan Siddhi, about 80 kilometres from Pune.

These Puneites organised a motor cycle rally on Sunday in Pune and travelled to Hazare's village to express solidarity with the anti-corruption crusader for his forthcoming hunger strike at

Delhi from August 16 to press for a strong Jan Lokpal Bill. The rally was organised by India Against Corruption (IAC).

According to the Pune chapter convenor of IAC, BB Somani Hazare reiterated that the Jan Lokpal Bill placed in the parliament is a weak one.

“Anna is determined to stage the hunger strike at Delhi and he is not bothered about the consequences,” Somani stated quoting Anna.

Hazare, according to Somani, also advocated for strong Lokayukta at the state level to combat corruption. The rallyists were welcomed by the residents of Hazare’s village by bursting crackers and offered them flowers.

“The response was truly encouraging for us. We have pledged to Anna that IAC would whole heartedly back him in his crusade against corruption,” Somani said.

Various groups and organisations in the city came together under the banner of IAC campaign to extend their support to the rally.

Sandeep Khardekar of Creative Foundations said, “People from different parts of the city participated in the rally which was carried out in peaceful manner.”

**URL of the article:** [http://www.dnaindia.com/india/report\\_rti-act-toothless-cant-bite-corrupt-anna-hazare\\_1573648-all](http://www.dnaindia.com/india/report_rti-act-toothless-cant-bite-corrupt-anna-hazare_1573648-all)

7<sup>th</sup> August, 2011

### **CIC: Put public-private partnerships under RTI**

*The Times of India*

MUMBAI: Central information commissioner Shailesh Gandhi has put forth a compelling argument for placing public-private partnerships (PPPs) under the ambit of the Right to information (RTI) Act in an order passed earlier this week. Though the order pertains to a specific case in Delhi, it will have far reaching implications for the rest of the country.

The Central Information Commission (CIC) recognizes PPPs as public bodies that must provide information under the RTI Act. However, Sanjeev Garg, who had sought information under the Act from the public information officer (PIO) at the [Delhi](#) chief minister's office on Delhi Integrated Multi-Modal Transit System Limited (DIMTS), did not receive any reply. A submission

made by the PIO to the CIC says DIMTS has appealed in Delhi high court against a CIC order that puts it under the purview of RTI.

In his RTI application, Garg wanted to know the purpose of creating DIMTS, what it has achieved till date, the amount of money given to it since its inception, whether it has met its targets and what action was taken in response to CAG reports against it. The application also sought information on the BRT corridors.

[http://articles.timesofindia.indiatimes.com/2011-08-/mumbai/29861353\\_1\\_ppps-rti-act-rti-application](http://articles.timesofindia.indiatimes.com/2011-08-/mumbai/29861353_1_ppps-rti-act-rti-application).

7<sup>th</sup> Aug,2011

### **,BJP questions Jadhav's selection as AI chief**

The Hindu

Two years after Arvind Jadhav, an IAS officer, was made Chairman and Managing Director of the Bharatiya Janata Party on Saturday questioned the appointment.

ding his immediate resignation, party spokesman Rajiv Pratap Rudy pointed the finger at thrthr ime Minister-appointed search committee, which was constituted in 2009, within a year of the ent of Raghu Menon as CMD. This panel shortlisted three names that were sent to the Prime who selected Mr. Jadhav. In 2008 Mr. Jadhav was also shortlisted but not selected for the job as d not have experience in the aviation sector. "How is it that a year later, the same man was equately qualified for the same job for which he was not found good enough earlier," asked Mr. o, through a Right to Information plea, gained access to documents on the two appointments. **anel 'bulldozed'**

Mr. Rudy did not make any allegation of wrongdoing by Mr. Jadhav but questioned the propriety ting a man to a job for which he had lost the race a year earlier. He suggested that the search e comprising the then Cabinet Secretary, Principal Secretary to the Prime Minister and others ldozed" into shortlisting Mr. Jadhav.

"It took me two years to get the information on the minutes of the meetings held by the search e," he said.

Separately, it is learnt, Mr. Menon, was promoted to the Secretary-level while he was with Air shifted to the Information and Broadcasting Ministry, creating a vacancy that was filled by Mr. t seems Mr. Jadhav has also been now empanelled for a Secretary-level position in the ent of India.

Mr. Rudy said Air India was in a total "financial mess. " It had a debt of Rs. 40,000 crore and ary arrears to employees to the tune of Rs. 3000 crore.

<http://www.thehindu.com/news/national/article2331401.ece?css=print>

ust,2011

### **Questions Jadhav's selection as AI chief**

*1du*

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Mr. Jadhav was also shortlisted but not selected for the job as he did not have experience in

ation sector. "How is it that a year later, the same man was found adequately qualified for the job for which he was not found good enough earlier," asked Mr. Rudy, who, through a Right to Information plea, gained access to documents on the two appointments.

### **panel 'bulldozed'**

Mr. Rudy did not make any allegation of wrongdoing by Mr. Jadhav but questioned the propriety of putting a man to a job for which he had lost the race a year earlier. He suggested that the search process comprising the then Cabinet Secretary, Principal Secretary to the Prime Minister and others "bulldozed" into shortlisting Mr. Jadhav.

"It took me two years to get the information on the minutes of the meetings held by the search committee," he said.

Separately, it is learnt, Mr. Menon, was promoted to the Secretary-level while he was with Air India, which was then shifted to the Information and Broadcasting Ministry, creating a vacancy that was filled by Mr. Jadhav. It seems Mr. Jadhav has also been now empanelled for a Secretary-level position in the Information Commission of India.

Mr. Rudy said Air India was in a total "financial mess." It had a debt of Rs. 40,000 crore and many arrears to employees to the tune of Rs. 3000 crore.

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