

## **Proceedings of the Annual Convention 2016**

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The 11<sup>th</sup> Annual Convention of the Central Information Commission was inaugurated by the Union Home Minister Hon'ble Shri Rajnath Singh on November 07, 2016.

While delivering the inaugural address, Shri Rajnath Singh said that Right to Information (RTI) Act is a powerful medium of two-way communication between the citizens and the Government. On the one hand, the citizens get information through this Act and on the other hand, the Government gets new ideas for formulating people-friendly policy and to reform the governance system, when people ask such information. The Government system should use it effectively, he added. He also said that our system needs to be corruption-free, smart, sensitive, transparent and answerable for making all the programmes of the Government a success and RTI can play an important role in it. RTI Act provides a strong foundation for the feeling of trust and cooperation which is important for the governance.

Shri Rajnath Singh said that programmes like 'My Gov.in' website provide a platform for two-way communication between the Government and the citizens. This benefits both—the citizens and the Government, he added. He also said that the 'Top-down' approach is now getting converted into 'Bottom-up' approach. Shri Rajnath Singh said that now maximum possible information is being made available on the websites of Government departments and agencies. This transformation has gained momentum after the advent of the RTI Act. He also recalled that the Hon'ble Prime Minister had said last year that the dream of 'Digital India' is closely linked with the transparent government. This means if the Government makes maximum information available online, the transparency of the Government increases to that extent. Shri Singh also emphasized on the need for an 'Integrated Response System', where every citizen has a Single Window to reach the Government for fulfillment of his needs.

Shri Rajnath Singh said that the Government is committed to be transparent, answerable and smart. The Government provides information to its citizens, on various issues as per RTI Act along with information on its performance, he added. The Central and State Information Commissions are acting as a catalyst and as a bridge between the Government and the citizens, he added. He said that the right to information has become a peoples' revolution after the enactment of RTI Act.

Shri Rajnath Singh also expressed happiness over the launch of Citizen-friendly software by CIC, where the citizens can register their appeals and complaints. The citizens can know the status of the cases and can also have information of the date of appeal through e-mail and SMS. He said that CIC uses video-conferencing to hear the cases and last year about 11,000 hearings have been done through video-conferencing. This is a good facility for people living in the far-flung areas. He said that e-Court system introduced by Commission today will help in reducing the pendency of cases.

Speaking on the occasion, the Union Minister of State (Independent Charge) for Development of North Eastern Region (DoNER), MoS PMO, Personnel, Public Grievances, Pensions, Atomic Energy and Space, Dr. Jitendra Singh said that the instinct for information existed since the birth of the mankind. Over the centuries, as the civilization evolved, the quest for information became more institutionalized and now the right to information has taken the shape of a law. He said that the government is virtually already in public domain. He said that e.g. in case of Department of Personnel and Training (DoPT), every decision taken by the ACC is uploaded on the website on real time basis. He also said that the department has recently launched a Mobile App-Employees Online (EO) for this purpose, which aims at Government being more transparent and citizen-centric.

Delivering his welcome address, the Chief Information Commission (CIC) Shri Radha Krishna Mathur said that this annual convention aims at talking stock of the successes and shortcomings of the previous year. He

said that during the two-day conference, various sessions have been planned on RTI implementation in different sectors. He also said that during the previous annual convention, the Prime Minister had said that the RTI queries received by the Ministries should be analyzed. It will help us knowing where we lack in transparency and policy etc. Shri Mathur informed that the CIC has digitized about 1.5 lakh files. He emphasized that more RTI requests should come from women, and underprivileged, rural areas etc. Necessary awareness and training campaigns have to be launched regularly to achieve this.

At the end of the inaugural function, Shri Yashovardhan Azad, Hon'ble Information Commissioner proposed the vote of thanks.

As a part of the Inaugural of the Convention, Shri Rajnath Singh launched the 'e-Court Software of CIC'. The e-Court system aims at enabling speedy disposal of Appeals/Complaints by using digital technology. The system will allow online filing of appeals/complaints and case disposals using latest technology. The system will generate a unique number which can be used by the applicant for tracking the status of a case filed with the Commission. As soon as a case is filed online or offline, the system will generate SMS/email alert to the applicant. Alerts will also be generated to inform the applicant at the stage of Registration, issue of Facilitation Memo, scheduling of the case hearing and also at the stage of decision uploading. The system will offer an online search facility which allows a user to search for Dak, File, Hearing Notice and Decision etc.

Shri Rajnath Singh also released a book on RTI success stories. The book has been prepared for the Commission by Yashwantrao Chavan Academy of Development Administration, Pune.

After the inauguration of the Convention, various seminars were organised on topics such as RTI in Railways, RTI Web portal by DoPT, RTI in Public Sector Undertakings, RTI in Banking/Insurance, Academic Papers on RTI and RTI in States.

## **Session I: RTI in Railways.**

The session started after the opening remarks by Shri Amitava Bhattacharyya, the Hon'ble Information Commissioner chairing the session along with Shri Bimal Julka, Hon'ble Information Commissioner. Sh. Mohd. Jamshed, Member (Traffic), Indian Railways was also on the dais. There were five speakers in the session, namely Shri Sharat Chandra Jethi, Additional Member, Railway Board, Shri Sachin Shukla, DGM West Central Railway, Shri Rajesh Tiwari, IRSS, Deputy General Manager, North Eastern Railway, Gorakhpur, Shri R. Subramaniam, Deputy Secretary and Shri Anil Galgali, RTI Activist.

Shri Amitava Bhattacharyya, Hon'ble Information Commissioner in his opening remarks mentioned that Indian Railways is not only the largest Public Sector Undertaking in India but it also accounts for the highest number of appeals and complaints lodged with the Central Information Commission for disposal. During the course of hearing, the concerned Information Commissioners are constrained to issue various advisories to the Chairman, Railway Board & the Member (Traffic), Railway Board on many issues including suo motu disclosure under Section 4(1)(b) of the RTI Act. In order to ensure the effective implementation of these advisories by the railways, recently a meeting was taken by the Chief Information Commissioner with the concerned officers dealing with RTI matters in the Railway Board and various important zones which was attended by Hon'ble Information Commissioners Sh. Amitava Bhattacharya & Sh. Bimal Julka. The meeting suggested a number of urgent steps on the part of the Railway Board for taking action on these advisories. Sh. Amitava Bhattacharya, Hon'ble Information Commissioner however observed that not much improvement seemed to be discernible at the ground level despite issuance of these advisories by the CIC.

**Shri Sarat Chandra Jethi, Advisor, Railway Board**, the first speaker gave a power point presentation summarizing the Railways efforts to decrease the RTI applications by making *suo-motu* disclosures under section 4 of the RTI

Act. He also tried to place the numbers of RTI in perspective given the size of the Indian Railways operation which had a network of Rs.11,15,000 track kilo meters with 7112 stations and 13000 passenger trains. The Railways are also the biggest employers in the world under one management with 13.00 lakhs employees. In so far as RTI is concerned, the Railway Board has online and offline system for receiving RTI applications. Indian Railways account for 25 percent of the total RTIs received by the Government of India. Out of RTIs received 77% are cleared satisfactorily at PIO level, 23% go upto FAA level and only about 4% go to CIC. This indicates that 96% applicants are satisfied with in the system. The Indian Railways have received more than 6.00 lakhs RTI applications since 2005 and it is the endeavor of the Railways to ensure that none of the applicants need to approach the CIC with an appeal or complaint.

**Shri Sachin Shukla, Dy. GM, West Central Railways**, the second speaker presented three case studies conducted by them. The first case study was of Shri Jagat Narain who made an RTI request on 19.08. 2009 seeking some documents. The disclosure of documents highlighted that eligibility norm for promotion was wrongly invoked in that particular case. The railway authorities took prompt action and subsequently the applicant got promotion. A video-clipping was also shown where Shri Jagat Narain thanked the railway authorities for providing him information under the RTI Act. The second case study was related to Railway Recruitment Cell. The speaker observed that RTI requests are filed mostly asking for reasons for non-selection. Therefore, the RRC made a standard format of reply which contains marks of candidate, category wise cut off marks, invitation for viewing of related documents etc. The RRC also started *suo motu* disclosing category wise cut off marks, category wise total vacancies, category wise provisionally called candidates etc. This has cut down the RTI applications to less than half. The last case study related to RTI requests filed in respect of refund cases. The speaker stated that the Railways deal with refund cases not as a routine RTI matter. In such cases, the RTI applicant is contacted over phone also and the refund is provided on priority basis

besides furnishing information asked for. A video of Mrs. Rachna Aggarwal was shown, where she appreciated RTI Act for quick settlement of her refund case. The speaker concluded his presentation stating that sincere efforts are being made to decrease RTI load and suggested a centralized HR module.

**Shri R. Subramaniam, Deputy Secretary, Central Railway, Mumbai** made a power-point presentation on the topic implementation of RTI on Indian Railways. The speaker presented a research study which was carried out by forwarding 25 questions to 100 PIOs as a part of training. The study highlighted that PIOs were of the view that normal work assigned to them suffers due to additional work load and laid emphasis on RTI fees enhancement to reduce frivolous RTI applications. The speaker concluded that replying to RTI requests within prescribed time has improved in the Indian Railways to certain extent as their record keeping mechanism has improved since the RTI Act came into effect.

**Shri Rajesh Tiwari Deputy General Manager, North Eastern Railway** mentioned that the first RTI application in the Indian Railways was filed on 24 October 2005 itself. Since then in 10 years, North Eastern Railway received 45000 RTI applications. Initially there was some reluctance among PIOs to part with information due to apprehensions regarding Official Secrets Act. However, the situation has improved over time and number of RTIs has been reducing due to better *suo motu disclosures*. He also mentioned that earlier RTIs used to largely focus on individual or personal concerns. However, now new emerging RTI applications are coming up in which the nature of information sought is focused more on matters of public interest such as regarding the stoppage of trains, cleanliness, details of accidents, efforts made towards Make in India initiative etc.

**Shri Anil Galgali RTI activist** appreciated the sunshine Act and stated that written replies under the RTI Act increased answerability of the Government. However, there is a vast difference in implementation between the Centre and States where the old secrecy mindset continues. Enough is not being

done to spread awareness and RTIs remains poorly implemented at the district level and below. Shri Galgali highlighted that while there is no fee being charged by the FAA and the CIC in respect of Central Government cases, in a few States the FAA and the Commissions charge fees, to reduce RTI Cases, which is not proper. He stated that lack of uniformity in rules regarding RTIs is creating huge problems in implementation and creating confusion for the applicants.

**Shri Mohd. Jamshed Member Traffic, Railways** in his address highlighted that the Railways caters to two large constituencies, viz., Passengers and Employees. He stated that about 2.4 crore passengers travel daily over the Indian Railways network. The Railways have 13 lakh employees. All these passengers and employees are potential RTI applicants on various issues which may be related to grievances. Sh. Mohd. Jamshed stated that since 2014 the Indian Railways has consciously ensured that the maximum information is made available online. The Indian Railways is accessible through customer on other social media such as twitter and face book etc. All this has been done to ensure that people need not take the RTI route for redressal of grievances. Daily there are 20,000 tweets for the Indian Railways out of which about 5000 required immediate action. Railways have put in to place a well oiled system to deal with such tweets. Even Railway Minister reacts to such tweets. The system has ensured that those in need do not have to resort to RTIs. In so far as the employees are concerned, the Railways have launched NIVARAN and IPASS system to redress and reduce the grievances of the employees. He mentioned that the CIC had been also giving guidance on the things needed to be done. However, he mentioned that the Railways have a long way to go.

### **INTERACTIVE SESSION**

In the session, **Shri Devashish Bhattacharya from Himachal Pradesh** highlighted about an unfortunate order of HP State Information Commission and stated that in one order it was ruled that no Government employee can seek information under RTI as they can get information otherwise too. The

PIOs are very conveniently quoting the above order to deny information. The Commission took note of the above and stated that since the issue raised is not related to Railway in particular they will deal with it separately.

**Shri Sarbajit Roy (India against Corruption)** specifically mentioned two organisations of the public authority, viz., Commissioner of Railway Safety which is under Ministry of Aviation and RDSO stating that since these organisations are not functioning as per international safety standards, the Indian Railways, safety norms have not been placed in public domain.

**Sh. Mohd. Jamshed, Member (Traffic)** responded to Mr. Roy specifically stating that such information is available in the manuals of the relevant departments which are all in public domain.

Ms. Vinita Deshmukh remarked that PIOs claimed to be unhappy with RTI as it interferes with their work but Railway should focus on Section 4 implementation which would reduce the burden. Sh. Harinder Dhingra also remarked that as per with own analysis only 7-8% PIOs believe that RTI has increased their work load and as such the claim of 71% should not be taken as correct. It was responded by the panelists that while statistics may differ from study to study, it is correct that work load increases with introduction of all new activities, even introduction of new trains increases work. Complaints against RTI will also go down as more information is put on website.

**Shri Bhaskar Prabhu** mentioned overcharging for Railway meal by vendors and asked that menu card and rate information should be available within the train and on the IR website. He stated that if *suo motu* disclosure is made-the vendor will not be able to take undue advantage. In response, the public authority stated that complaint can be made against overcharging so that license of the vendors can be cancelled. It was further informed that Railways are taking initiative for e-catering which will allow a passenger to have a choice in selecting the vendors and the menu. It was also informed that the Railways website contains the daily menu and rate list for specific trains under the “Trains at a Glance”.

**Shri Venkatesh Nayak** gave suggestion to the Railway Authorities to use outer surface of trains to advertise about RTI across the country. **N. Vijayakumar** suggested for RTI facilitation counter in the Railway platform. The panel agree to consider the suggestions.

At the end of the session, Hon'ble Information Commissioner Shri Bimal Julka presented his closing remarks. He said that several issues discussed during the session were encountered by the Commission during the course of day to day hearing. He appreciated the endeavour of Railways to disclose enough information on their websites but observed that there were a number of constraints experienced by the public in reality.

He shared experiences during the hearings, some of which were narrated as under

- **Employee Service Related Matters**
- **Examination Related Matters**
- **Commercial Matters**
- **Amenities and Passenger Facilities Related**
- **Matters related to claims and compensation**
- **Suggestions and advisories issued to the Ministry of Railways from time to time, etc**

The Hon'ble Information Commissioner thereafter dealt with the following

**Prompt reply of RTI application:** It was observed that timelines prescribed under the RTI Act, 2005 were not scrupulously adhered to, leading to abnormal delay in replying to RTI application.

**Payment of RTI Fees:** It was also stated that in several instances RTI applicants were directed to draw I.P.O (as RTI fee) in favour of an officer other than Accounts Officer which is not prescribed under the RTI Rules, 2012.

**Suo Motu Disclosure:** On several occasions, the applicants are compelled to approach the Commission on 2<sup>nd</sup> appeal or complaint whereas information sought could have been disclosed suo motu by the public authority.

**Institutionalised Mechanism for quicker reply of RTI applications:** The Hon'ble Information Commissioner felt that there was enormous scope for an organisation like Railways to look at and examine various technological tools that are available today in order to put it to its optimum use. Apart from facilitating information gathering, this would enhance efficiency and productivity of the work force employed.

**Greater Awareness of provisions of RTI Act, 2005:** The Hon'ble Information Commissioner shared various instances wherein third party information was also disclosed without exercise of due diligence. It was emphasized that there was a need for better sensitization of PIOs in such matters as per the provisions of RTI Act, 2005. It was felt that sensitive issues involving public interest, such as payment of compensation on account of a theft or railway accident, etc. were required to be dealt with more sympathetically.

**Inspection of Documents:** The Hon'ble Information Commissioner felt that applicants should be invited for inspection on a pre-fixed time in order to avoid inconvenience and a responsible officer be appointed to facilitate inspection. It was also stated that often the officers agreed to allow inspection of documents during hearing in the Commission that remained unattended.

**Redressal of Grievance:** It has been observed that largely the applicants approach the Commission not for seeking information but to get their grievances settled. In such cases, the Commission felt handicapped as issues relating to redressal of grievances fell beyond the purview of RTI Act, 2005. However, taking a holistic and humanitarian approach and considering the plight of the applicants, the Commission on several occasions has issued advisories for strengthening the grievance redressal mechanism.

## **Session II Presentation by DoPT on the RTI portal**

Shri Devesh Chaturvedi, Joint Secretary, DoPT made a presentation on the RTI portal launched in 2013 which has helped improved the disposal of RTI applications and reduced the burden on PIOs. He discussed the benefits of the online RTI application filing process and suggested that the States should also try to adopt the RTI online portal. He also mentioned that the CIC portal will be integrated with RTI online for better synergy. Government is considering launch of mobile app for RTI very shortly for the convenience of the citizens. Shri Ashish Kumar, DDG (Technical), Department of Posts, made a brief presentation on the e-IPO as a mode of prepayment.

In the ensuing discussion, Shri Sarabjit Roy raised the issue of security certificate of the online portal and some issues arising relating to issue of privacy and concomitant risk to the requesters' life. He also stated that e-IPOs could be misused. Sh. Devesh Chaturvedi assured to get the issues raised looked into and addressed.

## **Session III RTI in Public Sector Undertakings**

The session on **RTI in Public Sector Undertakings** was chaired by Shri Sudhir Bhargava, Hon'ble Information Commissioner and Shri Divya Prakash Sinha, Hon'ble Information Commissioner. Dr. U.D. Choubey, Chairman, SCOPE was also invited to be on the panel.

**Shri Divya Prakash Sinha, Central Information Commissioner** in his opening remarks pointed out that the Commission receives a large number of grievance related matters under the guise of requests for information and suggested that the public-sector undertakings establish robust public grievance machinery, so that they are able to deal with the grievance at their level. He also pointed out that the CPIOs and the FAAs sometimes are not fully aware of all the provisions of the RTI Act and suggested periodic organizing of workshop on RTI matters not only for the CPIO and FAA but also for other staff. An analysis of RTI application by the PSUs will give

them insight as to what are the issues which form the subject matter of RTI applications and to the extent possible place such information in *suo-motu disclosure* under Section 4(1) (b) of the RTI Act. Hon'ble Information Commissioner also suggested that the Public Sector Undertakings should review their digitalization program for better record management as this will not only help in reducing corruption but to bring out transparency in functioning of the PSUs.

**Shri, M. K. Goyal, AGM National Thermal Power Corporation** made a presentation on RTI Mechanism in NTPC which has a centralized system at Corporate Centre with one CPIO and 46 APIOs in different projects/regional offices. The Corporation has been trying to ensure effective compliance of Section 4(1)(b) of the RTI Act, 2005. Designation of PIOs at different projects and regional office level has been also effective in ensuing prompt action on RTI requests. The year wise statistics shown by the speaker revealed the number of RTI applications received and subsequently challenged in Second Appeals which indicated that in 2014-15 only 0.31% of the RTI applications and in year 2015-16 only 8.1 % of the RTI applications were raised to the level of Second Appeals which indicates that more than 90% RTI application received satisfaction within the organisation. An analysis carried out by the speaker indicated areas where the majority of RTI applications were received such as those relating to retirement benefits, transfers, issues of land acquisition etc. The impact of RTI on NTPC was also discussed as to how the organizational functioning of NTPC was changing to enable proactive disclosure. The speaker concluded his presentation by highlighting the efforts undertaken by NTPC towards transparency and accountability which include electronic tendering process and online performance management system (PMS). It was also stated that the website of the organization has been a dynamic one catering well to the needs of the citizen. Other measures introduced or in the pipeline were discussed like record retention policy, CSR related issues and also case studies in effective implementation of the Act.

The second speaker for the session was **Shri A. K. Jain, Managing Director, REIL** began by discussing the three branches of the RTI tree constituting good governance, transparency and power and highlighted the absolute compliance of Section 4(1) of the RTI Act by the REIL. Shri Jain pointed out that the provision for such disclosures was included in the RTI Manual. A year wise tabular representation of the number of RTI applications received in REIL and subsequent second appeals since the inception of RTI regime in India was presented which reflected the effectiveness and efficiency with which RTI applications are dealt with in REIL. The most commonly sought information under the RTI Act was shown in different slides and the Speaker also highlighted the broad subject matters on which majority of the RTI application are filed with the CPIO, REIL which includes subjects like service matters i.e. Vacancy recruitments, details of CSR, etc. The Speaker stated the various concerns faced often by the staff dealing with the RTI applications, such as irrelevant information sought, frivolous applications and redressal of grievances.

The third Speaker of the session, **Shri Rajeev Bharadwaj, Director (HR), Solar Energy Corporation of India (SECI)** pointed out that much before the advent of Right to Information Act in India a plethora of judicial pronouncements recognized the right to information as Fundamental Right under the broader area of Right to Freedom of Speech and Expression under Article 19(1) (a) of the Constitution of India. The speaker made a case for generating RTI awareness among the masses who take the PSUs for granted and ask for disclosure of trading practices and the context in which various decisions are taken by the organization and suggested that such disclosures from PSUs should be exempted. The Speaker stressed upon in utilizing the exception under section 8(1) (h) of the RTI Act. He emphasized that the CPSU should not be equated with any other Government Department with regard to the Act as in his view while PSUs do use public funds for their work, their business interest needs to be protected from their private sector competitors.

The final speakers for the session were Shri M. Ravindran, Director (HR) and Shri S. B. Mitra, GM (Law) GAIL who began their presentation by giving a brief introduction about the functioning of GAIL (India) Ltd, which is India's principal Natural Gas Company and about its core competency which is gas transmission. The Speaker explained that the public friendly website of GAIL gives information on every aspect of its operations. The RTI mechanism in GAIL includes a separate RTI Cell working at the Corporate Level along with 40 ACPIOs, details of whom are uploaded on the GAIL website along with RTI guidelines. The Corporate RTI Cell is headed by a CPIO and assisted by one Chief Manager and one Dy. Manager Level Executive. Most of the RTI applications received by GAIL are regarding HR and Contracts. The Speaker informed that GAIL has been disclosing every minute detail about the examination procedures including number of candidates selected, cut offs, etc. as a part of *suo-motu disclosure*. The speaker highlighted that a Gold Trophy was awarded by SCOPE to GAIL for meritorious work under RTI Act. GAIL also has almost 100% disposal rate. GAIL also follows the practice of sending interim reply to the applicants in cases where the information sought is spread across and/or voluminous. The Speaker went on to explain that disclosure V. non-disclosure should weighed on the scale of Public Interest in order to ascertain which of the two would serve the larger public interest, although the term "public interest" is a relative term and will keep changing from case to case.

At the end of session, Dr. U.B. Choubey, Chairman, SCOPE gave a few remarks stating that though transparency and accountability are pillars of good corporate governance, transparency was unfortunately not embedded in the PSUs value system at the initial stage. Hence, RTI was looked upon as a necessary evil ten years back when the Act came into being. But today we recognize it as a necessary component of good governance. However, he pointed out that RTI has been made applicable only to authorities in the public sector, i.e., PSUs and Government Departments even though the private sector also uses public funds through loans from banks, etc. He strongly recommended making amendments to the RTI Act to make it

applicable to the private sector also. Dr. Choubey repeated that RTI has been useful to the PSUs as it has enhanced their brand image and help them become more competitive in the international market. The PSUs together account for 15% of market capitalization which is an indication of confidence of investors in the CPSUs. People can and do uses RTI to question PSUs decisions about investment, production, award of contract etc. However, Dr. Choubey remarks on habitual seekers of information and pointed out that there are persons who have filed more than 300 RTI applications in one PSU and remarked on the stress on resources of PSUs as well as Information Commissions due to such use of the RTI Act. At the end, Dr. Choubey again referred to the need for making RTI obligations applicable to private sector entities in order to provide a level playing field to all players in the commercial sector.

### **INTERACTIVE SESSION**

**Shri V.S. Gadhavi, SIC, Gujarat** mentioned the presentation from NTPC and pointed out that the land acquisition and compensation issues are crucial for the villagers. He mentioned the deficiencies in the Relief and Rehabilitations measures by PSUs and suggested that relevant information should be placed on the NTPC website. This also applies to other Corporations.

The Speaker from NTPC answered the first query stating that R&R policy of NTPC is on their website. However, it was pointed out that land is not acquired directly by NTPC but by State Government. In some cases the State Government have asked them not to disclose the names of the beneficiaries on their website as very often questions of land ownership and inheritance are yet to be decided and lead to litigation.

**Shri Sarabjit Roy** made some remarks regarding the handling of RTIs both in PSUs and the Central Information Commission. Shri Venkatesh Nayak suggested that the list of beneficiaries of compensation should be uploaded on the PSU's own website. He also agreed with the suggestion put forward by Dr. U.D. Choubey regarding bringing the private sector under RTI Act

and offered support to this demand. Shri Vijai Sharma, Former Chief Information Commissioner stated that the entire protocol of RTI is pegged on public authorities' definition and how we choose to define it. If passenger safety information can be sought from Air India, same should be accessible from private airlines. Competitiveness is not likely to be adversely affected as PSUs are not making losses due to RTI. Wherever safety, health and environment issues are involved such private actors must also come under some transparency and accountability discipline. Functionality approach must be adopted to bring in transparency in all sectors.

**Shri Sudhir Bhargava, Central Information Commissioner** has summarized the presentations of the panelists. He closed the session with expression of gratitude to the speakers and the participants who raised questions.

#### **Session IV: RTI in Banking and Insurance.**

The session was chaired by Shri Sharat Sabharwal, Hon'ble Information Commissioner along with Smt. Manjula Prasher, Hon'ble Information Commissioner. The session began with opening remarks by Smt. Manjula Prasher, Hon'ble Information Commissioner who highlighted the unprecedented rise in the number of bank accounts, particularly in the wake of Jan Dhan Yojana and the remarkable growth in insurance sector during the recent years. In such a scenario, the need and desire of the people to seek information is natural and the Right to Information provided easy access to information. She spoke of the transparency required in public sector functioning especially in banking and insurance sector in view of the complexity of this sector, which is difficult even for educated people to follow. She asked for simplification of the policies and related documentation so that general public can also understand them easily.

**Shri Nand Kumar, GM, RBI**, with the help of the RBI organisational chart explained the primary functions of RBI, the areas of public interaction and

principal goals of Reserve Bank's communication strategy, modes of dissemination of information which includes press releases, notifications, publications, advertisements, participation in exhibitions and through their website. The difference between the centralised and decentralised approach adopted towards dealing with RTI applications was explained. He mentioned that CGMs-in-charge of the Central office departments and Banking Ombudsman are designated as CPIOs. The alignment to online RTI portal was also highlighted while giving brief statistical figures for number of Appeals and RTI Applications received till date. Certain commonly sought information was described under the heads of banking supervision, banking regulation & customer service/consumer protection while remarking that this information is mostly available in public domain yet people ask for it. In the last segment, improvements brought about in terms of *suo motu* disclosure, frequent updates, setting up of online application tracking system, online filing of complaints against deficiency in banking facilities and launch of a dedicated website called SACHET to enable public to get information and file complaints on a platform common for all financial sector regulators were discussed. As a closing remark, steps taken for greater transparency were enumerated, high point of which was appointing a transparency officer. The way forward includes improving disclosure on the website, holding more training programmes and use of mass media for increasing public awareness.

The second speaker for the session, **Shri. P C Tamta DGM, SBI** started with highlighting upon the customer base, business size, branch network, number of debit card holders & CSPs, daily average transactions as well as Central & General Banking functions of the bank and informed about the broad channels of public interaction ranging from business correspondence to loan & advances. The media of dissemination of information related to public at large was described as including website, branch network, press releases, digital signage, town hall meetings (620 conducted in number till June 2016). The present system of handling RTI Applications by the Bank across the country was discussed mentioning the number of FAA's, CPIO's,

CAPIO's deputed at present and the flow of an RTI request through their query management & tracking system comprising of internal transfer through a software to save time, incorporated tracking feature and delay alerts for intimation to the CPIO & FAA at Circle and corporate levels. Periodical returns are also generated through similar software. The percentile of Applications upon which Appeals were made to CIC till date was shown to be 17% as opposed to the 83% closed at their end.

The third speaker for the session, **Shri. Rajeev Chaturvedi ED, LIC** gave a broad outline of their organisation in terms of its functions, structure, 8 zonal and 113 divisional offices, products available for sale, number of employees & agents, achievements, areas of public interaction etc. Measures taken for dissemination of information through 6 different servicing touch points (Branch office, Satellite Office, Mini Office, Customer zone, premium points, life plus offices) were talked about including the channels of PR & publicity such as social media, print & electronic media, advertising etc. The mechanism of dealing with RTI applications was discussed while stressing on the structure of CAPIOs appointed totalling upto 3538, 130 CPIOs & 140 Appellate authorities. The speaker explained that LIC has adopted DOPTs RTI online module which has helped connecting central office with all zones, branches, divisions as well as helped in facilitating Hindi replies and providing 5 pages of information free of cost to applicants. This was followed by a description of the types of information sought or FAQs delineated into five broad categories *viz.* policy holders grievance related, employees benefit related, public interest about structure, financial rules and regulations, role of employees, product related and marketing incentives related queries. The systematic improvements brought in due to RTI was talked about which comprised of introduction of Annual Performance Assessment Report, instructions introduced by customer relations management department to all offices for better standards and redressal of grievances. In the last segment, *suo motu* disclosure done for achieving greater transparency, year-wise statistics of RTI applications and appeals received was referred to. Certain improvements in LIC's internal

systems based on the feedback received by them from public were highlighted such as settlement of claims through NEFT replacing the archaic cheque based system, digital payments of premium by policy holders etc.

The fourth speaker for the session **Shri Rakesh Sharma of PFRDA** began by giving a brief synopsis of their establishment, highlighting the duties, powers and functions entrusted to the PFRDA and its positioning as the regulator for pension schemes in the country. He explained in detail the attributes of New Pension Scheme (NPS). Different modes of disclosure adopted by PFRDA comprising of intermediary websites like NPS Trust, CRA, electronic media/print media, organizing trainings, conferences, SMS/email alerts, publications and helpline numbers were mentioned by the speaker. The process adopted for dealing with RTI Applications in PFRDA was explained which included appointment of alternate CPIOs/FAAs, nodal officers, circulars issued to adhere with timelines, compilation and collation of information from different departments and translation into Hindi for facilitating the information seeker was highlighted. A list of FAQs was discussed, nature of these ranging from returns generated under various schemes to procedure for withdrawals under NPS, eligibility criteria for Atal Pension Yojana, issuance of PRAN card. Based on these FAQs, systematic improvements made routinely is then highlighted *viz.* awareness building mechanisms like fortnight NPS service, appointment of Retirement advisors, developing policy as per subscriber problems, pension bulletin etc.

The last speaker for the session **Shri H. Ananthkrishnan of Insurance Regulatory Authority of India (IRDAI)** stressed on the fact that IRDAI does not directly interact with the public except through regulated entities for facilitation of grievance redressal and primarily adjudicates upon disputes between insurers. The primary measures taken for dissemination of information were discussed mainly comprising of a dedicated RTI Software (RAMS) for managing the Applications and Appeals, an online portal to file the same, an online grievance management system and a toll free grievance call centre while bringing out that no appeal or application is kept pending beyond 30 days time period. The structural mechanism of dealing with RTI

Applications & Appeals before and after the alignment of online portal was compared, focusing on the new features contemplated upon making their website user-friendly which included a robust search engine, bilingual & department wise dissemination of information etc. The frequently asked questions were categorised by IRDAI ranging from complaint status to recruitment procedure, product/policy/claims details and based on these systematic improvements were brought about such as launching a separate consumer education website, posting FAQs and replies online and even bringing out handbooks in different languages covering different topics, appropriate circulars issued based on the concerns raised in the RTI Applications etc. In conclusion the speaker discussed the methods adopted for quick disposal of RTI Applications and steps taken for achieving greater transparency by updating their Section 4 disclosures as well as keeping a statistical data of Applications & Appeals received, deputing department wise CPIOs aiding in keeping pendency at bay, conducting training programmes and putting up Do's & Don'ts circulars highlighting decisions of CIC as a guidance factor.

#### **INTERACTIVE SESSION:**

**Commodore Lokesh Batra** raised the issue of the policy followed for safe banking not being available on any bank's website. He informs that he had raised this issue particularly against SBI for which directions were issued by CIC but that they have failed to adhere to it as is the case with RBI also. He highlighted that there is no confidentiality factor which governs the transactions between different vendors and various issues of risks for the customer.

**Shri Deepak Singhal** on behalf of the Reserve Bank of India stated that RBI is already pursuing the issue appropriately.

**Shri Debashish Bhattacharya** raised the issue of information falling in the nature of revenue intelligence, which is denied under relevant provisions of Section 8 of the RTI Act to information seekers but such information was

being leaked to media houses. He gave an example of the names of loan defaulters appearing in the news or media in the recent past which otherwise when sought under RTI Act was denied to him.

**Shri Deepak Singhal of RBI** responded by stating that he could not understand what instances the questioner was referring to and as such could not appropriately respond to this query.

**Shri Sridhar Acharyulu (Information Commissioner)** asked the IRDA representative as to whether there are any norms laid down for disclosure of the amount of unclaimed policies like that of 'Yogakshema' and if so, whether these amounts are placed in public domain in compliance of Section 4(1)(b)(iv) & 4(1)(d) of the RTI Act.

In response the LIC representative mentioned that all mandatory information as per the 17 clauses of Section 4 is in public domain. He further stated that the total amount of unclaimed policies is available in their annual reports. Individual unclaimed amounts are not disclosed due to personal security reasons but such details can be availed by entering the details of policy on their website. Only where a third party seeks the policy amount the same is denied as per the provisions of the Act. He also added that as such in the last year 99.7 % maturity claims have been settled leaving negligible number of outstanding claims and that due efforts are made to encourage people to come forward to settle their claims.

**Shri Sheik Shakeel from Jammu and Kashmir** wanted to know the role and duties of RBI in enforcement of RTI Act in the J&K Bank which is the largest public sector bank in J&K and yet is not amenable to RTI Act.

**Shri Deepak Singhal of RBI** responded that it is not within the mandate of RBI to declare who is a public authority.

**Shri Anil Galgali** suggested that loan defaulters list should be made public while referring to his RTI Application where he had sought similar details regarding *Vijay Mallya* and the same was denied by the CPIO & FAA. **Shri**

**Venkatesh Nayak** raised the issue of action taken by RBI after the pronouncement of Supreme Court's verdict in *Jayantilal Mistry* case favouring the disclosure of inspection reports of RBI against other banks. **Shri Sarbajit Roy** raised the recent cyber hacking of bank accounts of customers and argued that RBI does not have a policy of *suo-motu* disclosure to other banks itself. He also stated that there is a trend within the banks to claim that they are not aware of such and such policy laid down by RBI, in order to evade the responsibility of replying to the concerns of the information seekers. He also raised the issue of a disturbing dichotomy between the adjudication of Banking Ombudsman and the Appeal tribunals asserting that the Banking Ombudsman invariably favours the banks while the latter favour the consumers. He also stated that orders of the Banking Ombudsman are not put up in public domain. **Shri Subhash Chandra Agarwal** raised an issue about some directive of Supreme Court in 2009 for disclosure regarding the re-introduction of 1 Rupee note.

**Shri Deepak Singhal of RBI** responded that banks are aware of all the circulars and they may have to look into the issue if so argued. He further stated that he was unable to reply to the issue of quantum of rupees 1 notes being sold in black.

The session ended with closing remarks from **Shri Sharat Sabharwal, Hon'ble Information Commissioner** who observed that based on the matters adjudicated in the Commission it could be said that second appeals are mostly avoidable if a reasoned FAA order is given. He also observed that the CPIO's are not well versed with the provisions of the RTI Act and there is an inherent tendency to disperse responsibility among all PIOs as a result of which the applicant receives a multitude of replies and finds the same inadequate, thus compelling the applicant to approach appellate authorities. He further summed up the conclusions of the session stating that one issue that has come out is the need for greater transparency about NPAs, defaulters, Inspectors' reports etc. Public Authorities say non-disclosure is necessary for protecting the economic interests of the country and commercial confidence and are amenable to fiduciary relationships secrecy.

However, this has to be balanced with the consideration that the public has a right to know what has happened with their money. Banks should not be allowed to hide sensitive information about their weaknesses, so that people can make decisions in an informed manner about where to take their business. This argument is not finally settled despite the Supreme Court's judgement in Janayantialal Mistry's case. RBI should see how much more it can do to disclose more information in these areas.

**Day 2: 08.11.2016**

### **Session V: Presentations of Academic Papers on RTI**

**Session on Academic Papers on RTI** chaired by Shri Yashovardhan Azad and Prof. M. Sridhar Acharyulu, Hon'ble Information Commissioners began with welcome statement and a brief on the methodology followed for selection of papers for presentation. In all 22 papers were received and out of which five papers were shortlisted by an independent panel of experts for presentation in the Convention.

The first speaker for the session **Prof. M. Sridhar Acharyulu, Hon'ble Information Commissioner** traced the evolution of Right to Information beginning with the 'Right to Petition' under Magna Carta (1215) to 'Right to Redressal', to rebel and how this right to be heard got translated into right to information. He endeavoured to map out the linkages of Article 44 of the Charter of Fundamental Rights of the European Union to the right to petition which can be traced back to the Magna Carta (1215). According to him, the right to question government dealing and criticizing the government are inherent right of citizens of India which got strengthened by the advent of RTI Act. He highlighted how in addition to several auxiliary rights, right to petition and right to information were added as a basic features of a civilized society and catered to needs of transparency in government dealings. Right to know and be informed is a critical need for any democracy as an informed citizenry alone can keep a check on corruption and lead to an accountable

government. Hon'ble Information Commissioner closed his presentation, bringing out the issue of record maintenance as a major hurdle in implementation of this sunshine legislation. According to him, RTI will not be effective without proper maintenance of records and files.

In this session, questions were permitted immediately after the presentation of each paper. **Shri V.S. Gadhvi** complimented the speaker for the presentation and appreciated his suggestion that Information Commissioners should try to redress grievances. **Shri Bhimsain, Former State Information Commissioner** stated that Information Commissioners should take *suo motu* cognizance of non-compliance of Section 4 of RTI Act. **Shri Patil, State Information Commissioner, Karnataka** referred to misuse of RTI provision at Government level for denying information.

The second speaker for the session **Shri Subhash Chandra Aggarwal**, characterised the advent of RTI as attainment of a second freedom after India attained independence in 1947. He emphasised that after the enactment of RTI Act, citizenry is empowered more than parliamentarians. The Act has served as an eye-opener for the government and is not only a curative medicine but also a preventive one. The issue of judicial accountability has become clear only after the better utilization of RTI law. The speaker asserted that it's high time that political parties should start implementing the mandate that they are accountable to the public in India. The speaker suggested that every effort should be made to reduce pendency in the Information Commissions and suggested that file-notings made by legal-interns and Commissioners should be made a part of record. He asserted that the advice of the Prime Minister during the Convention of 2015 should be followed in practice and the best is to legislate 'Right to Services & Grievances Bill 2014' on lines of RTI Act. He suggested that RTI Mediation clinics be established in the Commission along the lines of Lok Adalats as organized by the National Legal Services Authority (NALSA) which can contribute to fast clearing of backlog of RTI petitions at the CIC. He added that Delhi Right to Information Act 2001 should be repealed. An important point made by the speaker was to introduce RTI Courses in various

Universities and Colleges and to update the school syllabus to include lessons on RTI Act and suggested that Universities can set up RTI Cells as part of their social responsibility. The speaker also suggested bringing the private sector under RTI Act. In conclusion, the speaker suggested that in order to discourage tendency to file useless RTI petitions RTI, fees should be raised to Rs. 50 which may include cost of first twenty copied pages. He also called for reforms needed in RTI rules like using of A4 size paper for giving RTI replies as a uniform measure, introduction of RTI stamps and coupons for payment of RTI fees etc and checking the practice of fake RTIs.

After his presentation, the remarks were made by various speakers regarding introduction of a column in the ACRs of CPIOs about compliance with RTI the regime, filling of vacancies of State Information Commissions expeditiously etc.

The third speaker in the session, **Shri Pariekh Pandey a student from RGNUL, Punjab** showcased a few success stories of RTI which helped in better governance. The example of Chandigarh becoming a smoke free city due to warning boards on tobacco products after an RTI was filed and establishment of fair price shops was cited by the speaker. He referred to the challenges to RTI from poor record maintenance, lack of infrastructure, poor levels of awareness among people about the law and the need for complementary laws such as Whistleblower Protection Act, etc. He also referred to the widening of scope of exemptions under Section 8 by various court orders which needed to be minimised.

The fourth paper for the session was presented jointly by **Shri Amaresh Jha, Research Scholar and Dr. Aman Vats, Associate Professor, Amity School of Communication**. The presentation was based upon a stakeholder analysis done by the team taking views from a cross section sample of media persons, PIOs and RTI users. The study was carried out on issues such as to what extent RTI has led to transparency and accountability and in what ways RTI has affected decision making in India. Through graphical representations the speakers highlighted trends in RTI implementation in

India and concluded on a note that RTI has met its core objective of transparency and accountability, but it has to go further on improving the infrastructure. Although participation as a tool of empowerment is well established, the study demonstrated that public participation has not reached the desired levels despite the RTI being in place since 2005. The speakers felt that the RTI Act has increased the trust in government and there is a feeling that transparency and accountability in governance has increased and there is a clear shift from culture of secrecy to culture of transparency. RTI Act, thus, has proved very instrumental in bringing this change.

The final paper for the session was jointly presented by **Dr. Kalyan Kr. Bhattacharjee, PIO, IIT Delhi along with Dr. Sandeep Chatterjee, FAA, IIT Delhi**. They addressed the audience on the harnessing IT for RTI and presented a case study of IIT Delhi. The speaker presented the SAP-LAP research framework in IIT Delhi and stressed on the effective processing of RTI applications at IIT Delhi from 2010-2011 onwards till date. Findings revealed that gradually over the years, the number of second appeals have reduced from about 05 in 2010-2011 to just 01 in 2015-2016. The speakers then explained about the categorization of RTI applications at IIT Delhi and also about the e-governance measures introduced at their end to effectively handle RTI requests for enabling prompt and speedy disposal.

#### **INTERACTIVE SESION:**

**Prof. M. Sridhar Acharyulu** mentioned his own efforts at requesting educational institutions and universities to introduce RTI courses in the curriculum. The **State Information Commissioner, Goa** recommended that DoPT should take up IIT model for replication in the State Government. **Shri Manoj Kamra** pointed out that IIT Delhi was displaying the names and address of the applicants on their website but not the information sought and replies given. **Shri Venkatesh Nayak** suggested that performance on RTI related responsibilities and Section 4(1) compliance should be made a part of the APARs of the Heads of Departments and Heads of Public

Authorities. **Shri Bhaskar Prabhu** shared the information regarding Bombay University Certificate Course on RTI. Some other RTI activists stated that even when penalties are imposed on defaulting PIOs, the Departments are not recovering the same. The State Information Commissioner, Andhra Pradesh/Telangana asked for clarification whether information commissioner could hold review meetings of public authorities. Sh. Yashovardhan Azad, Hon'ble Information Commissioner responded that under the Act, the Information Commissioners are empowered to hear second appeals. Review meetings or monitoring by Information Commissioners do not form part of the RTI regime.

#### **Session VI : RTI in States**

The final session of the Convention was focussed on implementation of **RTI in States**. The session was chaired by **Shri R. K. Mathur, Hon'ble Chief Information Commissioner** along with **Shri M A Khan Yusufi, Hon'ble Information Commissioner**. The first speaker for the session, **Shri Sarwan Singh Channy, Hon'ble Chief Information Commissioner, Punjab State Information Commission** addressed the audience on the topic of improvements in Governance at State level arising out of orders of Punjab State Information Commission. Shri Channy stated that in Punjab, Government has given sanction for third party audit of Section 4 compliance of public authorities on a biennial basis. Responsible senior officers have been appointed and PIOs and FAAs. FAAs are also issuing speaking orders. However, the role of FAA needs to be designed clearly as they are the weakest link in the system. There is also no penalty for the FAA. The Punjab State Information Commission has imposed an amount of Rs.2,32,750/- as a penalty in 335 cases and an amount of Rs.3,96,600/- as a compensation in 839 cases. The speaker also highlighted that the Commissioners of Punjab State Information Commission are holding workshops/seminars/meetings at various levels for awareness of NGOs/citizens and PIOs/FAAs. Based on the orders of the Punjab State

Information Commission, the documents like Police files/Zimni Orders/Answer Sheets/ACRs are being made available to the information seekers. The orders of the Commission have helped in bringing down corruption by enhancing transparency and accountability of the Public Authorities. The SIC does not close a case unless there is compliance with their orders. The Punjab State Information Commission also keeps a check on misuse of the RTI Act viz. one RTI Activist has been black-listed on account of misconduct. The SIC concluded the presentation by indicating that several private bodies handling public money have been declared as public authorities after the Thalappalam judgement of the Supreme Court such as Punjab Cricket Association, Press Club of Jalandhar etc.

The second speaker for the session **Shri Himangshu Shekhar Das, the Hon'ble Chief Information Commissioner, Assam** in his opening remarks mentioned the RAAG study which he stated had wrongly inferred a thirty year waiting period in Assam for clearing pending cases. He stated that only 536 cases are pending before the SIC, reduced from 3000 earlier. He emphasized that with the present strength and disposal rate it should take only around three months to clear the pendency. Shri Das also elaborated the primary measures taken for improving quality and speed of disposal at SPIO and FAA level and explained, how the effective *suo-motu* disclosure of information by the Public Authorities is likely to reduce the number of RTI applications. Shri Das gave several instances of improvements in governance at State level on the basis of various orders passed by the Hon'ble State Information Commission. It was also highlighted that voluminous information sought by numbers of RTI applications takes a lot of time of Public Authorities which adversely effects discharge of their regular duties. He suggested that applicants should ask for specific information. The speaker mentioned the problems in locating records, especially land records in the States and informed that SIC has ordered filing of FIRs in 25 cases of missing files. He stated that after this, the excuse furnished for refusing RTI enquiries has come down drastically. The speaker concluded that the RTI Act is not being used optimally in the State due to lack of awareness. The

State Information Commission is therefore working to organize awareness camps of people and also helping them to write the request for information more effectively.

The third speaker for the session, **Shri Ratan, Acting SCIC, Andhra Pradesh** highlighted various practices and problems pertaining to RTI second appeals and complaints coming for disposal. He informed that Andhra Pradesh Government had issued a G.O. making the D.C. and D.R.O. as nodal officers for implementing the RTI at the district level. He also mentioned the difficulties being faced because of the bifurcation of the State. However, the Chief Secretary has been conducting quarterly meetings and fixing responsibility on all the officials handling RTI requests. He stressed on the targets to achieve the disposal of RTI appeals within a month from their receipt, an improvement from the present day disposal in 3-4 months. Shri Ratan also mentioned that, like-in Assam revenue records are increasingly being reported as missing. However, filing of FIRs does not serve much purpose because the records are very old and fixing responsibility of specific officer is difficult due to lack of evidence. The State Information Commission has directed scanning of records for posterity. He concluded his presentation mentioning the gap between expectations of the citizen and RTI activists and the performance of the Information Commission. However, he said that to the extent feasible, the Information Commission tries to even resolve the peoples' grievances by giving some directions in their orders.

The last speaker for the session, **Shri K. Ramanujam, Hon'ble Chief Information Commissioner, Tamil Nadu** brought out various innovative methods of using RTI as a grievance redressal mechanism. It was observed that large number of cases people resort to this mechanism in order to seek redressal of their grievances. Public Authority and the Government need to see the basic intent behind RTI applications in order to understand what is happening in their organization. He mentioned that the PIO is usually too low in the hierarchy to redress the grievances of the applicant and higher level authorities never get to see the RTI application. In this connection, the

speaker mentioned that during the RTI convention held in 2015, the Prime Minister had also observed that RTI could be used as a tool for good governance. The speaker gave a few suggestions such as a proper mechanism for preservation of electoral rolls, disclosure of the procedure for selecting candidates for various examinations by Public Service Commission under Section 4(1)(b)(iii) of the RTI Act, greater accountability at the level of Appellate Authority and the “Public Authorities” etc. He also emphasis on need for training of all concerned to get better results under RTI Act.

### **INTERACTIVE SESSION:**

**Shri Bhaskar Prabhu** mentioned that SCIC in Maharashtra is able to clear a large number of cases every year due to use of several standard order templates. **Shri Venkatesh Nayak** again observed that a case being remanded to First Appellate Authority is bad in law and this has been held to be so in Kolkata as well as Patna High Courts. A member of the audience from Imphal made the point that employees on contract cannot be made PIOs as they cannot be penalised under section 20 of the RTI Act. **Shri Vijai Sharma, Former CIC** complimented the panelists for excellent presentations. He also made the point that persons from vulnerable sections of the society often seek information to get grievance redressal. Even the Prime Minister had referred to this phenomenon in his address the previous year and this needs to be attended to on priority. In so far as private entities are concerned, he was of the view that it should be the nature of activities carried out by the entities and the public interest involved which should determine whether or not, the entities should be made answerable under the RTI Act. He gave the example of Bhopal Gas Leak and stated that where the activities of the commercial entities impact public health, environment or similar issues of wider social relevance, such entities should be made answerable under the RTI Act. **Shri Manoj Kamra** was of the view that grievance redressal is being used as an excuse to deny access to almost every kind of information by PIOs. **Shri Amit Kumar Niranjan** from **Amar Ujala** mentioned that there is a lot of talk of information dissemination through digital or online mode but access to

internet is not easily available in rural areas. He expressed concern that the rural areas may be unable to use RTI effectively if there is too much stress on digitisation. **Prof. M.M. Ansari** observed that while a lot of recommendations are made by Information Commissions in their Annual Report or otherwise, action on them from the Government side is lacking. **Shri M. Ratan, Acting SCIC, Andhra Pradesh/Telangana** mentioned that the Information Commissions do try to help aggrieved citizens indirectly.

At the end of the session, Sh. Radha Krishna Mathur, CIC thanked all the panelists.

### **VALEDICTORY SESSION:**

The Convention was brought to a close with a valedictory address by Shri Radha Krishna Mathur, CIC. Sh. Mathur summed up the proceedings of the one and half days Convention held with the common objective of deliberating on how to make RTI more effective, how to direct its implementation to make it a tool for good governance and for providing relief and redressing grievances of the most vulnerable sections of the society. Shri Mathur referred to the speech of the Hon'ble Home Minister who had affirmed that the Government is committed to transparency and had categorically stated that every RTI must be replied to. He had also recommended that a citizen should have a single window from which he should be able to get relief from any part of the Government. Hon'ble Home Minister had also pointed out the efficacy of the transparency efforts of the Government under RTI, which was helping to formulate better policies in Government. Shri Mathur mentioned the speech of Hon'ble MoS (PP) Dr. Jitendra Singh who had referred to the Governments' focussed approach to grievance redressal. Dr. Singh had also said that the number of grievances had quadrupled due to peoples' faith in the Governments intent and quick disposal of grievances.

Shri Mathur mentioned the panoramic presentation by the Railways on how they have effectively implemented the RTI Act. The railways were requested

to address the advisories given by the Commission to railways from time to time. The CPSU session focussed on having a level playing field with the private sector. A clear take away from the session was that where the private sector is engaged in activities impinging upon issues of public relevance (eg. environment, public transport, etc.) it should be covered under the Right to Information Act. The next session on Banking clearly brought out that appropriate investment in infrastructure and dedicated manpower can help deal with the people's expectations from the sector.

Shri Mathur appreciated the DoPT's presentation on the "RTIonline" and mentioned the need for all Central Public Authorities and States to be brought on board. Shri Mathur also appreciated the academic papers presented and said that it is useful for the Commission and all participants in the Convention to see how the work of various organisations and stakeholders including the Commission is seen by the outside world. He specifically mentioned the SAP-LAP model of IIT Delhi appears to be very innovative and informative which could be put to use by many organisations. Shri Mathur referred to final session regarding implementation of RTI in the States. Almost 50% of RTIs are filed in the States. However, the quality of implementation is not uniform across the country. While some States have greater awareness and more effective utilisation of RTI for public good, the others need to create much higher awareness. Mr. Mathur referred to SIC, Tamilnadu stating that there is a wide gap between the authorities who take decisions and the CPIOs who reply to RTIs. At the end, Shri Mathur enumerated the take aways from the Convention as follows:-

1. Continuous efforts to reduce pendency and improve the quality of IC's orders
2. Use of technology and big data analysis to improve performance and expedite hearings in the Commissions.
3. Engagement with different levels in Government, ensure full and timely replies to RTIs as well as to improve governance.

4. Suo motu disclosures must improve substantially. Many public authorities have not done even basic declarations. This needs to be taken up through audits and continuous follow up with Public Authorities.
5. Many public authorities are seeing diminishing RTIs. This trend needs to be analysed. Public authorities must carefully analyse if it is their better performance or a lack of faith in them.
6. Hon'ble Home Minister had said that a citizen should not be forced to send petitions on a subject to a large number of authorities/dignitaries everywhere for redress. Possibly, this petitioning can be minimized if one petition submitted through a single window gets a substantial, authoritative and timely response and action.
7. Dignity of the citizen must be respected while dealing with RTI applications. The DoPT instruction to appoint Transparency Officer and Facilitation Desk should be implemented by all.
8. Significant investments are needed to implement RTI effectively. Every welfare scheme must take into account the costs of interacting with citizens and redressing their grievances. Investment must be made on feedback mechanisms in such programmes.
9. States need to provide infrastructure and adequate funding to implement RTI effectively.
10. Private sector's actions impinge on people's well being. They must also be made accountable and transparent in some way. Appropriate solutions may be worked out by the Government.
11. RTI is not complete by itself. It must be linked to grievance redressal through Right to Services and Grievances Redressal Bill, encouragement to whistleblowers through the Whistle Blower Protection Act-2011 and enactment of Public Service Standards Act etc. so that the overall objective of good governance is achieved.

At the end Shri Mathur thanked serving and former CICs and ICs of both Centre and States, DoPT, NIC, YASHADA for the book they brought out on RTI, Secretary, CIC and staff and all others who made the Convention possible.