11th ANNUAL CONVENTION 2016

The Union Home Minister Shri Rajnath Singh inaugurated the 11th Annual Convention of the Central Information Commission on 7th November, 2016. In his speech 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. Programmes like ‘My Gov.in’ website provide a platform for two-way communication between the Government and the citizens.

Shri Singh also emphasized on the need for an 'Integrated Response System', where every citizen has a Single Window to reach the Government for fulfilment 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.

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.

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. 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.
From Chief Information Commissioner’s Desk.....

As in the past years the Central Information Commission held its Annual Convention during the last quarter of 2016. Annual Conventions have traditionally been used by the Commission as an opportunity to take stock of successes and shortcomings of the previous year. During this year’s Convention the Central Information Commission engaged more closely with the Railways, Financial Sector and Public Sector Undertakings, the sectors having large public interface. A session was devoted exclusively to implementation of RTI Act in the States.

The one and half day Convention deliberated 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, particularly of the most vulnerable sections of the society. The discussions came up with several clear take aways which would form the basis of future action for all stakeholders. The take aways include use of technology and big data analysis to improve performance and expedite hearing in the Commissions, continuous engagement with different levels in Governments to ensure full and timely replies to RTI and to improve governance, investment in manpower and infrastructure for effective implementation of RTI, incorporation of feedback mechanism in welfare schemes etc. A need was also identified for making a level playing field for sectors where private enterprises are engaged in activities impinging upon issues of public relevance (eg. environment, public transport, etc.) by covering them under the RTI Act. Substantial improvement in suo motu disclosures are required for effective implementation of right to information, whereas many public authorities have not done even basic declarations u/s section 4 of the Act. Another trend is diminishing requests under RTI in many public authorities. Public Authorities must carefully analyse these trends to see if it is due to their better performance or a lack of response from them.

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 for redressal of his grievance. Possibly, this petitioning can be minimized if one petition submitted through a single window gets a substantial, authoritative and timely response and action. Dignity of the citizen must be respected while dealing with RTI applications, be it at the level of Central Public Information Officer, First Appellate Authority, the Commissions or Public Authorities in general. Our efforts in the coming year would be guided by these conclusions of the Convention.

Wish you a good read

RK Mathur
Chief Information Commissioner

The Union Home Minister launched ‘e-court Software’ for speedy disposal of appeals/complaints by using digital technology. The system will allow online filing of appeals/complaints and case disposals using latest technology. Alerts will be generated to inform the applicant at the stage of receiving of Dak, Registration, issue of Facilitation Memo, scheduling of the case hearing and also at the state of decision uploading. The system offers an online search facility which allows a user to search for Dak, file, Hearing Notice and Decision etc.

The Home Minister also released a book on RTI success Stories. The book has been prepared for the Commission by Yashwantrao Chavan Academy of Development Administration.

The book contain stories of ordinary citizen who made a difference by using RTI.

ANNUAL CONVENTION 2016

Central Information Commission held its Annual Convention on 7-8 Nov 2016 at DRDO Bhawan. During the Convention sessions 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. The sessions were attended by eminent panelists and experts in these areas as well as CPIOs, representatives of public authorities and other stakeholders.
SOME SIGNIFICANT CIC DECISIONS

1. FAKE BIRTH CERTIFICATES
The appellant filed RTI application asking for copies of SDM order required to be attached to the birth certificates in respect of approximately 50 persons. CPIO denied disclosure of information on the ground that it was third party information and no public interest had been established for disclosing. The First Appellate Authority ordered the CPIO to follow the proper procedures and reply to the appellant. The order of FAA was not complied. The Commission while hearing the second appeal held that practices and procedures devoid of transparency end up being a breeding ground for the malpractices of fraudulence, manipulation and corruption. This menace of forgery and corruption can be tackled only by making all such documents open to the public and issued only after multiple levels of cross linking. The Commission directed that the 49 fake birth certificates, which have been unearthed in this case, should be rescinded. The Commission also directed that an enquiry be initiated so that such acts of offence against the society at large can be investigated appropriately by an independent and capable security agency, criminality of the delinquent officer/s investigated and exemplary punishment awarded to the wrongdoers - as a deterrent in future from abuse of public office (CIC/YA/A/2015/001616).

2. CIC ASKS MHA TO RELEASE SECURITY CLEARANCE DETAILS OF JET AIRWAYS
The Ministry of Home Affairs denied a copy of Security clearance and its renewal obtained by an airlines in respect of one of their employees. The CPIO denied the information under Section 8 (1) (g) and section 24 of the RTI Act on the plea that the intelligence agency are exempted from the RTI Act. The Commission, while hearing the second appeal held that the information sought, if disclosed, would serve larger public interest since it relates to the issue of security clearance of a person who is working as a senior functionary in the Aviation Sector and not following proper procedures while granting security clearance to such person could post a grave threat to the security and safety of the passengers who travel by air. The Commission, directed the respondent to inform the appellant whether any security clearance was given to the named individual, within a period of four weeks from the date of receipt of a copy of the decision (CIC/SB/A/2015/000362).

3. TIMELY PENSION
The appellant had been receiving pension from the Department of Child Development/Social Welfare under the Government of NCT of Delhi. However, her pension was stopped since April 2012 and no information on reasons for stoppage of her pension was given to her even though she had filed an RTI application in June 2013. The Commission while hearing the second appeal held that getting Pension is not only the statutory right of the beneficiary as per the Government policy but can also be considered as a matter involving life and liberty. When a below poverty line woman was surviving on pension from social welfare department, non-payment of pension would cause a serious problem of living. The Commission also directed the respondent authority to compensate the losses incurred by the appellant a token amount of Rs. 5000 for stopping her old age pension for no fault of appellant without any information (CIC/DS/A/2013/001589-SA).
FOREIGN DELEGATION

1. **OCAI VISIT**

Delegates from Oversight Commission on Accessing Information (OCAI), Afghanistan visited the Central Information Commission 19 October 2016 for interaction and exposure to experience of Right to Information Act in India. The team comprised of Chairman, Deputy Chairman and 10 members alongwith coordinator.

2. **O.P. JINDAL GLOBAL UNIVERSITY VISIT**

A delegation from Jindal Global University and Stanford University of Law visited the Central Information Commission on 26 October 2016 for discussion on transparency and accountability brought out by implementation of Right to Information Act in India. The delegation comprised of Professor Nathaniel Persily, Professor of Law, Stanford University School of Law, Vice Chancellor, Registrar and Director of the Centre for Post Graduate Legal Studies of O.P. Jindal Global University.

3. **PHONE-IN-PROGRAMME ON AKASHWANI**

Shri Yogesh Kumar Singhal, Joint Secretary (Law) participated in a panel for a one hour phone-in-programme on 17 October 2016 on Akashwani to answer queries on RTI from all over the country.

4. **SWACHHTA ABHIYAN IN CIC**

Central Information Commission had earlier digitised around 1.5 lacs case files and uploaded them in its system. In keeping with the weeding out policy of the Commission, the shredded physical files are being cleared from the Commission’s premises in JNU.

**CENTRAL INFORMATION COMMISSION**

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Please visit www.cic.gov.in for more information about the Commission.

For any query/comment/suggestion, please write to jslaw-cic@gov.in

(News letter does not purport to be summary of all activities of the Central Information Commission and figures are subject to finalisaton.)