

INFOTAP

(Information for Transparency, Accountability and Participation)
[A Bimonthly newsletter on Right to Information Campaign in Karnataka]

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RTI BRINGS CHILD LABOUR SCAM TO LIGHT

A social activist from Madhya Pradesh (MP) has proved how the Right to Information Act (RTIA), 2005, can be used effectively to bring to light instances of corruption in Government offices. And the amount involved may run to several crores. All in the name of saving erstwhile child laborers.

The MP State Government is implementing the Indus Child Labor Project funded by the International Labor Organization (ILO) in five districts through the National Child Labour Project (NCLP) a registered society. The District collector is the President of the NCLP and the District Labor Officer is its secretary. Five project directors oversee the execution of the project. The amount sanctioned in one of the district was Rs.31.80 lakhs.

First Aid Kits forms one of the materials to be procured and distributed to the beneficiaries. As usual rumors about corruption in the implementation of the project made Dr.Rakesh Ranjan, an RTI activist working in MP and is also collaborating with Commonwealth Human Rights Initiative (CHRI) to ascertain the truth. He filed an application under the RTIA, 2005 with the Public Information Officer of the Indus Project Office, in Katni District where the project was being implemented. In his application he sought information about the number of first aid kits, the rate of each kit, an inventory of the contents of the kit and a copy of the proactive disclosure under Section 4 (1)(b) of the RTIA.

Dr.Ranjan was informed in writing that 40 kits were purchased in August 2005 at the rate of Rs.3500 per kit and was distributed to 40 training centers. Since this data did not reveal any evidence of corruption, Dr.Ranjan decided to probe further. He ascertained the prevalent market rates for the first aid kit and also obtained quotations from local distributors. The lowest quotation was that of Paras Pharmaceuticals (Rs.760 per set). While Alembic Pharmaceuticals quoted Rs.930, the highest bidder was Glaxo Smithkline Beecham with Rs.970 per kit.

On the other hand the implementing agency had spent Rs.140000 for buying 40 kits at Rs.3500 per kit through open tender process. This was the lowest offer received by the implementing agency. Dr.Ranjan was able to prove that had the agency bought the kits from the open market from the most expensive distributor, it would have had to spend only Rs.38800. It is clear that somebody has become richer by more than Rs.1 lakh in the process.

Dr.Ranjan took the matter further. He took a journalist and visited the 10 teaching centres to check the kits on the spot. They were astonished to find that none of the kits displayed any company logo. In three centers, the kits were found to be empty and the contents of seven kits in other centers were of cheaper quality. Since no action is being taken by the district administration Dr.Ranjan is contemplating to take up the matter up to ILO.

[The above article written by Y.G.Muralidharan, appeared in the New Indian Express]

PIOs in Directorate of Municipal Administration

The Directorate of Municipal Administration, Government of Karnataka, Bangalore, has designated the following officers as APIO/PIO and AA under the Right to Information Act 2005.

Name	Designation	Phone No.
Mr.Chandrashekarappa ADA (Administration)	Assistant Public Information Officer	22863576
Mr.Abdul Khayum Head Quarters Assistant	Public Information Officer	22868386
Mr.Krishnegowda Joint Director (Admn.)	Appellate Authority	22867307

KPSC designates Public Information Officers

The Karnataka Public Service Commission, has designated the following officials as Public Information Officers and Appellate Authorities vide their notification No.Admn.2607/2005-06/PSC dated 29th March 2006

Section	Public Information Officer	Appellate Authority
Administration and Accounts	Mr.S.Dhanesha,Assistant Secretary	Smt.B.R.Padmavathy,Deputy Secretary
Departmental Examination I	Mr.D.Jayaramaiah,Assistant Secretary	- do -
Examination Branch I	Smt. Mythili Bai,Assistant Secretary	- do -
Examination Branch II	Smt. Mythili Bai,Assistant Secretary	Mr.H.B.Channaraju,Deputy Secretary
Examination Branch III	Mr.G.Narayana,Assistant Secretary	- do -
Clearance & consultation	Mr.S.Dhanesha,Assistant Secretary	- do -
Recruitment Branch I	Mr.N.S.Revanna Siddiah,Assistant Secretary	Smt.B.R.Padmavathy,Deputy Secretary
Recruitment Branch II	Mr.N.S.Revanna Siddiah,Assistant Secretary	Mr.H.B.Channaraju,Deputy Secretary
Legal Cell	Mr.B.R.Swamy,Section Officer	Mr.T.Mahesh Hegde,Head of Legal Cell
Confidential Branch	Mr.S.Arunachalam,Assistant Secretary	Mr.B.S.Ramaprasad, IAS,Secretary
RHS	Smt.B.R.Padmavathy,Deputy Secretary	- do -
Computer Center	Mr.Mahesh M.Nadugeri,Sr.Programmer	Smt. Shoba Basavaraj,System Analyst
Regional Office,Mysore	Mr.L.S.Kukken,Assistant Secretary	Smt.B.R.Padmavathy,Deputy Secretary
Regional Office,Belguam	Mr.B.C.Vijaykumar,Assistant Secretary (I/C)	- do -
Regional Office,Gulbarga	C.Pandurangan,Assistant Secretary (I/C)	- do -

Address of KPSC,Udyoga Soudha,Bangalore 560 001,Tel: 30574911

Govt. Officials cannot compel people to buy NSCs

Next time if some Government official asks you to purchase National Savings Certificates (NSC) either to register your site, flat , house plan or issue a khata you can bluntly say that you need not. For the Karnataka Information Commission (KIC) in one of its pro-citizen decision has said that unless the State Government issues clear directions in this regard, its officials cannot demand NSCs as a rule.

In this case Dr.Anil Kumar, a citizen of Mysore, applied to the Mysore City Corporation (MCC) for obtained sanction to his building plan. The concerned official demanded NSCs worth Rs.25000. Instead of complying with the demand Dr.Anil Kumar filed an application under the RTIA to the Deputy Director of Town Planning, who was the PIO and seeking to know under which rule the NSCs are demanded. After four months he received a reply stating that they were only trying to meet the NSC target set by the Deputy Commissioner.

Dr.Anil Kumar filed an appeal before the KIC and argued that these targets were by no means a legal provision and the reply furnished was a wrong and misleading one. He also sought compensation for delay in furnishing information, escalation in building costs etc.

The KIC observed that it was aware that the State

Government has been setting targets for field officers to mobilize investments under NSC. But there could be no compulsion or harassment to the general public forcing them to invest them in NSC. It directed the Principal Secretary, Finance Department to consider issuing a clarification to officials asking them not to compel people to buy NSC.

The KIC directed the MCC to pay Rs.1000 for the delay in responding to him and mental agony he underwent. Dr.Anil Kumar did not insist on other forms of compensation.

Applications can be handwritten

In yet another important decision the Central Information Commission (CIC) has said that handwritten applications for seeking information under the Right to Information Act (RTIA) cannot be rejected.

Ms. Rekha Koll of Sundar Nagari, Delhi, had submitted a handwritten application to Delhi Development Authority (DDA) asking information about the procedure for applying for purchase of a flat under the Ambedkar Awas Yojana Scheme. But the DDA refused to part with the information on the ground that her application was handwritten and insisted that it be provided in a type written form.

Taking exception to the DDA's refusal, the CIC directed the Director (Housing) of DDA and PIO to appear before it to show cause as to why a penalty up to Rs.25000 should not be imposed on him for defying the Act.

(Source: *The New Indian Express* 14.6.2006)

Public Authorities can collect cost towards providing information

In a decision of far reaching consequence, the Central Information Commission (CIC) has said that the Public Authorities can collect actual cost incurred by it from the applicant for collecting and providing information under the Right to Information Act (RTIA). Disposing of an appeal in the case of Dr. Balwant Singh and Bharath Sanchar Nigam Limited, the CIC has ruled that this is allowed under Section 7(3)(a) of the RTIA.

Dr. Balwant Singh a retired IPS officer from Jaipur had filed an application with the BSNL and sought information about the number of employees of BSNL indicted by Consumer Forums since January, 2001, amount of compensation awarded against them, total amount paid by BSNL from public funds and the amount recovered from them, authority under which BSNL is making payments on behalf of the indicted employees, and whether any disciplinary action has been taken against the erring officials and whether any amount has been recovered from them

By a letter the Central Public Information Officer informed the applicant that he should pay a sum of Rs.9340 being the cost of providing the information sought. This was challenged in the CIC. The applicant argued that the information sought would not even cover half a page, but with a view to deny information such a huge amount has been demanded. He also argued that such a demand is against the spirit of the RTIA and the CPIO should be directed for furnish the information without demanding any cost. Further he demanded action in terms of Section 20 of the Act against the CPIO

On behalf of the BSNL, the CPIO stated that the information sought by Dr. Balwant Singh has to be collected from 320 field units to which the application copy containing 6 pages have to be sent. Therefore the photocopying of 1920 pages at Rs.2 per pages comes to Rs.3840. Further the CPIO submitted that BSNL has 50 CGMs and the cost of compilation of the information in each office has been assessed at Rs.110 totalling to Rs.5500. That is why the applicant was asked to remit Rs.9340.

The CPIO also said that it has collected the required information even before the applicant has remitted the amount and will be made available as soon as the cost is remitted.

After going through the arguments the CIC has upheld the BSNL's views. It has said that each and every information sought for by a citizen cannot be expected to be readily

available at a single point especially in an organization like BSNL which has a large number of field units. In the present case the information sought is for the whole of India from 2001 onwards.

The CIC has said that even though according to the applicant the information sought for would not cover even half a page, yet such a half page of information can be furnished only if collected from the numerous field units. Section 7(3)(a) empowers the CPIO to demand the cost of providing information and therefore the applicant cannot allege that by seeking exorbitant cost, BSNL is denying him the information.

The CIC also said that neither the RTIA nor Rules specify the mode, manner and the components of cost. As long as the same is based on a rational basis, a citizen cannot complain. As an exception the CIC has directed the CPIO to furnish the information already collected after the applicant deposits Rs.1000 as cost.

(Appeal No.27/ICPB/2006)

RTI campaign activities

CREAT to help BMP on RTI

The Bangalore Mahanagara Palike (BMP) has requested CREAT to help strengthening the RTI Cell established by BMP. The first meeting with Shri. Shivaramaiah, Joint Commissioner (Advertisements) incharge of RTI Cell was held recently and various issues related to the number of applications received, the nature of information sought, the difficulties in collecting and furnishing information etc. were discussed.

CREAT has agreed to provide technical support and resource persons for training BMP officials. It has also agreed to share the RTI training materials, books, case studies etc. available in its RTI Hub to BMP. CREAT has suggested BMP to organize a public interface/roundtable to assess the difficulties they are facing in accessing information. Based on the outcome of this interaction, steps can be taken to strengthen the RTI cell. Secondly, a training program at Zonal level for PIOs of BMP will be held in which CREAT will provide resource persons, reading materials etc.

Training programs where CREAT was invited as resource team

1	11.5.2006	District Training Institute, Bangalore Urban	Presentation on RTI for the PIOs and APIOs
2	15.5.2006	Secretariat Training Institute, Bangalore	Presentation on RTI for the PIOs and APIOs of Karnataka Secretariat
3 & 4	22.5.2006 & 23.5.2006	Industrial Management Academy, Delhi(Program at Bangalore)	Presentation on RTI for PIOs of Public Sector Undertakings
5	2.6.2006	Press Information Bureau, Bangalore	Media workshop on RTI
6	12.6.2006	District Training Institute, Bangalore Urban	Presentation on RTI for the PIOs and APIOs
7	18.6.2006	Preliminary meeting with RTI activists at Mysore	To discuss about strengthening RTI campaign in Mysore
8	26.6.2006	District Training Institute, Bangalore Urban	Presentation on RTI for the PIOs and APIOs

RTI Hub Activities

The RTI Hub established by CREAT is making good progress. The following new additions have been made to the Hub.

- 1.Suo Moto declaration and all circulars relating to RTI issued by Panchyat Raj & Rural Development Department
- 2.Suo Moto declaration by the Karnataka Police Department
- 3.Suo Moto declaration by Department of Legal Metrology
- 4.Suo Moto declaration by Karnataka Pollution Control Board
- 5.Rules framed by the Karnataka Legislative Assembly
- 6.Notification of setting up of RTI cell in Bangalore Mahanagara Palike
- 7.Training material prepared by the Secretariat Training Institute

List of PIO/APIO and AA by:-

- 1.Mysore Mahanagara Palike\
- 2.Department of Public Enterprises
- 3.Panchyatraj and Rural Development
- 4.Food and Civil Supplies Department
- 5.Karnataka Lokayuktha
- 6.Karnataka Public Service Commission
- 7.Office of the Registrar of Cooperative Societies
- 8.Karnataka State Road Transport Corporation

Advocacy activities

CREAT is meeting Government officials, heads of institutions and training institutions to lobby for effective implementation of RTI. Mr.Y.G.Muralidharan met the Shri. Umesh, Director of Secretariat Training Institute, Government of Karnataka, on 15.5.2006 and emphasized change in the structure of training contents.

Similarly CREAT has been successful in making the Administrative Training Institute (ATI) Mysore, to conduct training programs on RTI for civil society organizations. The ATI has organized three training programs in which Mr.Y.G.Muralidharan has participated as a resource person.



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