



Transparency Review

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“If a citizen uses the RTI for redressing grievances, it is innovative use, not abuse. If the governance systems generate huge number of complaints out of 'service', but not an effective system of their redressal, it is a problem with potency to transform into a crisis. When the RTI emerged as a mechanism from the crisis in governance, why not it helps the redressal too?”

Comment

**Dr N Bhaskara
Rao**

Analysis

Annu Anand

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**Sachin Kumar
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About CMS Transparency

The CMS Transparency team focuses on issues of good governance, raising awareness about the Right to Information Act (RTI) and empowering citizens to benefit from the legislation. CMS Transparency has been providing significant database and momentum to create responsive governance systems in our country.

The team will continue to establish links with civil society groups and design campaigns for RTI to further social objectives like transparency in elections, exposing corruption and improving civic services.

"I am happy to note that Centre for Media Studies (CMS) has been carrying out the exceptional good work in various areas having substantial public interest. One of their initiatives is the study on corruption in the country in particular in certain geographical areas or on a theme."

...K.V.Chowdary, Central Vigilance Commissioner, Central Vigilance Commission (2015)



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Protecting 'right to life' of women

Sachin Kumar Jain

On December 31, 2016, the Prime Minister addressed the nation. As part of the address, the PM said that a nationwide scheme was being launched for the pregnant women. Under this, the Union Government would provide financial assistance of Rs 6000/- to all pregnant women across more than 650 districts of the country for pregnancy registration in hospital, childbirth, immunization and intake of nutritious food.

This amount would be transferred to the account of the women. This scheme will go a long way in reducing Maternal mortality Ratio (MMR) in the country. At present, this scheme is being run in 53 districts with a provision of Rs 4000/- towards financial assistance as a pilot project (The PM did not mention that this scheme is a part of the National Food Security Act (NFSA), promulgated in 2013).

Subsequently, while presenting the general budget 2017-18 on February 2017, the Finance Minister said "the Prime Minister has already announced the launch of nationwide scheme for financial assistance to pregnant women in his address to the nation on on December 31, 2016. Under this scheme, Rs 6000/- would be directly transferred to the bank account of pregnant women who give birth to their children in a health institution and who get their children vaccinated."

The implementation of this scheme actually requires Rs 16.44 thousand crores. However, the Finance Minister has made a budgetary provision of only Rs

2700 crores. Last year, a provision of Rs 634 crore was made for the scheme under the NFSA, 2013.

The kind of policy commitments that the country today needs in combating gender discrimination is rather belied both by the government's perspective and budgetary allocation.

The Economic Aspect of the Scheme and Exclusion

After the December 31 announcement by the Prime Minister, the Ministry for Women and Child Development stated that the 'Maternity Benefit Scheme' was being extended countrywide. It would be better if we correct our perspective right from the beginning and acknowledge it as a 'Legal Maternity Entitlement Scheme'. However, once again we seem to be unwittingly portraying the women as the 'subscribed beneficiary'. This is an flawed perception. As soon as we depict entitlements, as 'granted benefits', the 'sense of being entitled' gets eliminated. It is from here that the governments start perceiving that they have the right to make the programme targeted. They shrink the number of 'entitlement holders' by invoking a host of conditions. In this scheme, too, the same process has been initiated. If this entitlement were to be sincerely extended to all women, the government would need to make a budgetary provision of Rs 16.44 thousand crores. However, the government has spoken of spending a total Rs 12661 crore towards defraying the scheme implementation for three months of the

The Union Government has made a provision of just 25.67% of the required amount. Therefore, it is abundantly clear that by putting different clauses of conditions in the scheme and through its lax implementation, as many as 2.2 crore women would be deprived of the entitlement.

financial year 2016-17 and that from 2017-18 to 2019-20! In this outlay, the Government of India will contribute only an amount of Rs. 7932 crores. Rest of the amount would have to be contributed by the state governments. This means that the Union Government has made a provision of just 25.67% of the required amount. Therefore, it is abundantly clear that by putting different clauses of conditions in the scheme and through its lax implementation, as many as 2.2 crore women would be deprived of the entitlement. The government itself has acknowledged that the scheme would 51.70 lakh women. What about the remaining 74.33% women? The government owes an answer on this. The impact of this deprivation would not only be on women but would also severely affect the younger children.

The government should stand by its commitment and responsibility, but it does not. After bringing in the National Food Security Act in year 2013, the Union Government said on November 13, 2013 that it would implement the scheme countrywide. The contribution of the state governments was kept at 25% while that of Centre was at 75%. Then on February 3, 2014, it was said that 100% funding of the scheme would be borne by the Central Government. Now it is being said that the contribution of the Centre would be 60% while that of states would be 40%. Essentially, only the ground level implementation should be the responsibility of the state government, while the entire financial outlay should necessarily be rendered by the Centre.

Maze of Clauses of Conditions:

- Maternity benefit only if the child birth occurs
 - in a health institution.
 - Benefit only if the child birth occurs when mother's age is 19 years or more.
 - Benefit only for up to the two living children.
 - Benefit only if Aadhar Card is available.

- Benefit only if the children are vaccinated.

Majority of the clauses that are mentioned towards the eligibility for availing the scheme benefits come under the purview of responsibility of the 'state'.

Examples of some of these responsibilities that require to be fulfilled by the state governments include, inter alia, the facility for respectful and quality institutional delivery, immunization of all children, arrangements for health-nutrition and care to ensure child survival. The question is that why should the entitlements of women be restricted for these clauses that are rather in the domain of the 'state'.

The Prime Minister included only the 'pregnant women' in his announcement, although the 'lactating' mothers – those who breastfeed their children – also come in the ambit of maternity entitlements. It seems that even at the highest governance level of the nation, basic understanding on gender aspects of the society has not yet been established. In the context of gender discrimination, this scheme would not only bring down the Maternal Mortality Rate, but also play an important role in achieving the objective of early childhood care and development of the children.

There are some serious problems associated with the announcements - for example, putting such clauses of conditions with maternity assistance scheme would be against the rights and life of women. According to the National Food Security Act-2013, there is provision of financial assistance of Rs. 6000/- for every pregnant woman and lactating mother. The law terms it as 'maternity benefit'. The women who are regular employees of central/state government or other public sector units or those who are getting the benefit under some other provisions are not entitled to this benefit. In addition, the Act duly enacted by the Parliament does not mention any clauses of conditions for the assistance. However, both the Prime Minister and the Finance

Minister have indicated many such clauses that would rather exclude and deprive over 2 crore women from the entitlement. Inclusion of any conditions will create another layer of exclusions and most of the women will continue to face threats to their life and opportunities. We also fail to understand that implementation of maternity entitlements as an approach is not confined only women; it will have deep and affirmative impact on the status of children, household economy and on society at large.

One of the clauses to get the benefit – that it would be restricted for birth of two children only. The women would not be eligible to receive the assistance for the third child. Women yet do not have reproductive rights in Indian society. In a society where the women are made pregnant repeatedly to fulfil want for the male child and where the wish and decision of the women have no meaning, the life of women is already under risk during the birth of the third child, the government too is becoming insensitive to her life.

Undoubtedly, the concept of keeping the family size restricted to two children is to be followed, but is it necessary to 'punish' the women for this? Whilst the society regulates the reproductive capacity of women, incorporating such clauses in the maternity entitlement scheme is against the constitutional right to life for women when considered in the backdrop of perspective of social realities. According to Census-2011, India has 1.6

crore women under age of 29 years who have given birth to three or more children. These women would be deprived of the entitlement. The planners and policy makers of the country are need to contemplate and take the initiative to let go their prejudices and study as to why more than two children are born in most of the families and what is the status of decision-making of the women in this regard?

It is also being indicated that only those women who deliver in a health institution (hospital), would get the maternity assistance. The country still has thousands of such villages where the residents do not have easy access to hospitals. The publicity of government schemes reaches such villages, but the services don't. Also, many health centres do have care facilities and many do not have doctors. The people are asked for bribe. They do not get the free medicines and the most deprived ones are meted out most ill treatment. Consequently, many dalit-tribal and poor people cannot reach health centres for delivery services.

According to the Health Management Information System (HMIS) report of the Ministry of Public Health and Family Welfare, the number of pregnant women in India in year 2015-16 was 2.96 crore. Studies show that under various programmes, 22 lakh women get maternity entitlements, while other 2.74 crore women are deprived of it. Consider this: In year 2015-16, 23.65 lakh childbirths happened at homes. These women have

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been considered 'ineligible for the entitlement' by the Union Government. For once, the Prime Minister and Finance Minister should reflect on humanitarian grounds and seek to find out as to why these deliveries occurred at home?

Till now, the scheme also has a clause that the benefit would be given only to the women who deliver at the age of 19 years or more. The HMIS report of the Ministry of Public Health and Family Welfare also shows that about 5.6% (16.57 lakh) of the childbirths occurred to mothers under the 19 years of age. In India, in the prevalent system of marriage and child marriage, it is the family and the society that decides who would marry whom and at what age. We cannot hide the fact that there are still a lot of child marriages happening in India. Underage marriages leave deep physical-mental-emotional impact on these younger mothers and in such circumstances, depriving them of maternity entitlement cannot be perceived as a 'sensitive humanitarian policy' by any count.

The way the Ministry of Women and Child Development has drafted the policy (according to the press release of Press Information Bureau dated January 3, 2017), it is not at all clear whether the women would be entitled to the assistance in case of abortion. According to the press release, the first installment of the maternity entitlement would be received at registration of pregnancy, second after institutional childbirth and third at the registration of birth of child and vaccination at the end of three months. Abortion can lead to serious physical and mental distress. Government's effort should be to provide full assistance to the women to get over this distress and not exclude them of the entitlement. In 2015-16, there were 9.84 lakh abortions (Medical Termination of Pregnancy) in India. Not only this but in case of stillbirth too, women should get full entitlement.

In India, the woman who conducts, manages and coordinates her domestic household duties and chores are not considered to be 'working'. But the truth

is that such women labour for 8-15 hours. They however, do not get any financial remuneration for this work. Therefore, this contribution does not add to our economy. It would be better if the government comes out of its 'traditional gender insensitivity' and institute a system to redefine, redistribute and evaluate labour.

According to Census 2011, 14.995 crore women in India work as main and marginal labourers and 5.8 crore women are looking for work. These women looking for work are meanwhile engaged in some work or other. Thus, about 20.795 crore women are working or seeking work. About 16 crore women are managing domestic chores. According to the economic survey (2015-16), only 2.96 crore people work in organised sector and only 60.5 lakh of them are women. Organised sector means where the workers have the rights to fixed hours of work, leave, health benefits, children's education, time for social events and pension rights. This group of employees has the protection of labour laws. Only the women in organised sector get the maternity entitlements like paid leave during pregnancy and after childbirth, health and safe childbirth services, arrangements of childcare at workplace and others. These maternity benefits should be given not under duress but with a feeling of responsibility and care. Even the situation in organised sector is not very good. Here too, the women have to face discrimination, misbehaviour and harassment in the context of maternity entitlement. Yet, there is at least a system in place for women working in the organised sector.

The government of India says that the aim of the programme is to compensate the loss of income/wages due to pregnancy. We have to think as to how much income is lost during the 15 months of pregnancy and lactation and what is the basis of government deciding upon the amount of maternity entitlement. In the present context, the monthly average works out to only Rs 400/-!

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From Right to Petition to Right to Information

Prof Madabhushi Sridhar Acharyulu

The meaning of the history cannot be confined to the rise and fall of kings and wars around a territorial unit. The genesis of ideas and their rule over the civilization is significant history of mankind. For instance, the Great Britain has no written constitution, but declarations of Rights of Men and consequential developments constitute landmarks of legal history of Britain. The Magna Carta, meaning Great Charter first issued by King John of England in 1215 and 1689 Bill of Rights are two documents which influenced the legal history of that nation, US and several commonwealth countries like India. King was granting certain liberties to God, the Church and the free men of England.

When right to petition was first contemplated, the human rights as an idea or a provision of law was not known. In June 2015, we have completed eight hundred years of *Magna Carta*; looking at the humanity from rights angle, this guarantees an individual's right to something against the powers that be. Magna Carta was an agreement between an unpopular king and rebel barons which is supposed to be implemented by the council of 25 barons.

It was a failure as was not agreed or implemented for hundreds of years, but that did not affect its landmark place in the history of law.

Eight hundred years ago, Magna Carta was a potent international rallying cry against the arbitrary use of power. Lord

Denning called Magna Carta 'the foundation of the freedom of the individual against the arbitrary authority of the despot'. Most of the 63 clauses of Magna Carta granted by King John dealt with specific grievances relating to his atrocious rule. The Magna Carta, which did not succeed in keeping peace and declared as not valid, from then to the recent RTI Act, drastically changed relationship between the citizens and the government. The people are no more subjects, grown as citizens.

In tune with the turbulent political upheavals, the Magna Carta of 1215 was constantly being changed, some rights were deleted, some rewritten and most of them repealed; still it remains cornerstone of the British and American Constitutions, so also of the Indian Constitution.

After some deletions and changes, only three clauses of the 1225 Magna Carta remain on the statute book. One defends the liberties and rights of the English Church, another confirms the liberties and customs of London and other towns, but the third is the most famous:

No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land. To no one will we sell, to no one deny or delay right or justice.

Most enactments are based on the paradigm that except in matters of defence, atomic energy and matters concerning the security of a country, there is no room for secrecy in the affairs of the Government.

Right to Petition in Clause 61, *Magna Carta*

It did not remain archaic relic, but gained immense importance, used by the revolutionaries against the absolute power. What right is essential in social living? Is it right to life? Do we get it without asking for it? How do we ask without any guaranteed right to ask? Right to ask is basic; right to petition is a basic need. If that is given as right, an individual can ask for life and for everything he needs.

Filing a petition or making a representation was also not allowed in certain regimes. It was almost impossible to complain or questioning the grievance. The petitioner or complainant was threatened by authorities. There were instances of complainants being jailed.

The petitioning is equated with the questioning or challenging the authority of Emperor, but for dictatorial Kings it was seditious libel. It's a complaint against the royal rule. They looked down the seeker of something. The people are supposed to take whatever was given, should not ask. The right or demand was unimaginable in dictatorship regimes world over. People remained subjects-subjected to such atrocious rule of the kings.

In this context, permitting someone to file a petition itself will be a great relief. This right, as explained, can be traced back to the *Magna Carta* (1215), it was considered the Petition of Right (1628), then was part of the Basic Law for the Federal Republic of Germany, the Bill of Rights 1689, and the United Nations Declaration of Human Rights in 1948 followed by the listed Fundamental Rights in Indian Constitution. This right was included in the Article 44 of the Charter of Fundamental Rights of the European Union was finalized on 1st December, 2009.

The *Magna Carta*, Chapter 61 encompasses, among others, the right to redressal of grievance, it says. "the peace and liberties we have granted and

confirmed to them by this our present Charter, so that if we ... or any one of our officers shall in anything be at fault towards anyone, or shall have broken any one of the articles of this peace or of this security, and the offence be notified to four barons of the foresaid five and twenty, the said four barons shall repair to us and, laying the transgression before us, petition to have the transgression redressed without delay..".

Unless legally recognized as specific right, a person filing a petition for redress would be prosecuted as a 'criminal'. A mere mention of right to petition is of no use without guaranteeing protection of the criminal prosecution. There are several such auxiliary or consequential rights to 'right to petition' were discussed and provided. Those 14 supplementary or auxiliary rights are:

- a) Right against prosecution for petition
- b) Right to consideration of such petition
- c) Right to rebel
- d) Right to response
- e) Right to lobby
- f) Right to transparency
- g) Right to sue the government
- h) Right to compensation
- i) Right to remedy: (to file PIL, emerging out of Articles 226 and 32 of Constitution)
- j) Right to freedom of speech and expression
- k) Right to dissent
- l) Right to services
- m) Right to redressal of grievances
- n) Right to information

The Right to information also has almost all those facets of the 'right to petition' discussed above, with a few more additions like right against non-receipt of application, right to reasonable assistance, right against rejection, right to response within 30 days and right to deem that as rejected, right to complain and right to appeal, right to compensation and right to sue. Once it is recognized as 'right' it should have consequential remedies. One can indirectly seek redressal of grievance through an RTI request for action on his/her complaint or memorandum and can question inaction

or reasons for the policy. Besides, the duty of disclosure on the public authority makes the RTI Act to include various facets of principles of good governance that once thought to be the components of right to petition and were demanded by political forces from the age of Magna Carta. Right to service needs a consequential remedy for getting damages for not rendering that service. If the citizen charter mandates issuance of permission or certificate, within 10 days (for example), the citizen is entitled to get it or compensation for loss suffered. The citizen charter should also contain a clause that if the authority fails to render service it will pay a particular amount to citizen or would promise to compensate the loss established. It is a tortious liability of authority falling under the 'state liability' principle that was evolved over a period, and in general, Tort is a civil wrong. State has liability to compensate citizen for causing damage or committing civil wrong towards that citizen. In these cases of tortious liability also the state immunity or sovereign immunity was pleaded for a long time, but ultimately the judiciary ruled out the archaic principle of immunity and rendered state liable for damage resulting to citizen from the actions and omissions including negligence of the state, its agencies and employees. Such an action, omission or negligence could be a crime also depending on circumstances and facts of each case.

In addition to several auxiliary rights to right to petition as explained above, right to information is added as a significant necessity of civilized society. Right to information is basic to any democracy. A vibrant citizenry is a pre-requisite for survival of democratic society and good governance. It is not possible to have a rightful expression as a right without the right to information which is basis to freedom of speech. The quality of life in a civilized society depends upon the quality of exchange of information about governance and related aspects. The struggle between human rights and

Government by secrecy should not go on forever. A citizen cannot afford to reconcile to the strong trend that government might run only on secrecy and human right is only a dream. It is not possible for any democratic Government to survive without accountability, which can be realized only when the people have information about the functioning of the Government. The whole effort must be to make democracy a really effective participatory democracy. The representative rulers should allow the real sovereigns, i.e., the people to decide, and the people have to decide or take part in every decision making process.

Freedom of Information Laws

Realising the importance of the freedom of speech and expression including the freedom to receive and impart information, many countries around the world such as—Sweden, the United States of America, Finland, Netherland, Australia, Canada, the United Kingdom, Japan, South Korea, Jamaica, Israel, South Africa, Thailand, India, etc.—have enacted Freedom of Right to Information Acts. The objective behind these enactments is to ensure that governmental activity is transparent, fair and open.

Most enactments are based on the paradigm that except in matters of defence, atomic energy and matters concerning the security of a country, there is no room for secrecy in the affairs of the Government. Whether it is a matter of taking a decision affecting the people or whether it is transaction involving purchase or sale of government property or whether the matter relates to entering into contracts—in all these matters, the Government should act in a transparent manner. This means that every citizen who wishes to obtain any information with respect to any of those matters should be entitled to receive it.

The impact of the Freedom of Information laws has varied across different countries, but the trend towards an access regime is fostering greater

Government accountability, and more dramatic headlines.

Voter's right to personal information of contestants

The Right to information in the context of the voter's right to know the details of contesting candidates and the right of the media and others to enlighten the voter was recognized by the Supreme Court.

In the *Union of India v. Association for Democratic Reforms' Case*, the petitioner challenged the constitutional validity of Amendments to Representation of Peoples Act invalidating the Supreme Court's May 2, 2002 judgment, that the right to know about the candidate standing for election has been brought within the sweep of the Article 19(1)(a). There can be no doubt that by doing so, a new dimension has been given to the right embodied in the Article 19(1)(a) through a creative approach dictated by the need to improve and refine the political process of election. In carving out this right, the Supreme Court had not traversed a beaten track, but took a fresh path. It must be noted that the right to information evolved by this Court in the above-mentioned case is qualitatively different from the right to get information about public affairs or the right to receive information through the Press and electronic media, though to a certain extent, there may be overlapping. Nonetheless, first, the right to information of the voter/citizen is sought to be enforced against an individual who intends to become a public figure and the information relates to his personal matters. Secondly, that right cannot materialize without State's intervention. The State or its instrumentality has to compel a subject to make the information available to public, by means of legislation or orders having the force of law.

Objective of RTI

The objectives of the Right to Information Act, 2005, are as under:

An Act to provide for setting out the practical regime of right to information for

citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority.

It is stated further more that:

Democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed;

The aim and purposes of the transparency law are:

1. Greater Transparency in functioning of the public authorities.
2. Improvement in accountability and performance of the Government.
3. Promotion of partnership between citizens and the Government in decision making process; and
4. Reduction in corruption in the Government departments.

Under Right to Information Act of 2005 the right to information includes following rights:

1. Right to inspect works, documents, records.
2. Right to take notes, extracts or certified copies.
3. Right to take samples of material.
4. Right to obtain information in electronic form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through print outs where such information is stored in a computer or in any other device.
5. Right to information whose disclosure is in the public interest.

Disclosure is the duty of any decision maker in a democratic society. It is reflected in fundamental rights such as right to know as part of right to life and right to free speech and expression wherein the administrative authorities are constitutionally obliged to inform the people.

Right to notice is an essential component of principles of natural justice. Absence of bias and hearing the other side are the

principles which constitute the underlying theme of procedural laws—codes of civil and criminal procedure. Open hearing is the mechanism through which the courts of law offer the information in a transparent manner.

Accused has right to know the charges and evidence adduced against him. Similarly, arrested has right to information about grounds of his arrest and right to inform his friend or relative about the arrest and place of detention, etc. These rights were initially interpreted by the Supreme Court in several cases and finally they were incorporated through in 2008 amendments to Code of Criminal Procedure.

Section 4 of the Right to Information Act, 2005 mandates that every public authority shall maintain all its records duly catalogued and indexed in a manner and in a form which facilitate the access to information granted as a right to all citizens. It requires every public authority to ensure that all records that may be computerised and/or provided within a reasonable time and subject to availability of resources are computerized and connected through network all over the country on electronic systems so that access to such record is facilitated. All this is essential to facilitate the Right to Information.

The Public authority is also mandated to publish details within 120 days from the enactment of this Act about its functionaries and the procedure that the functionaries had to follow in order to discharge their public function. It is also obligatory to publish facts affecting people while formulating important policies or announcing the decisions. It also mandates every public authority to publish all relevant facts while formulating

important policies or announcing the decision which affect people in general. Likewise, every public authority is obliged to provide reasons for its administrative or quasi-judicial decision to affected person.

Section 4(1)(b) lists 17 categories of information which have to be declared *suo motu* by public authorities. However, most organisations provide only sketchy details. This is one of the very essential provisions of the Act which is of great help to the people in general. For example, the CM's Relief Fund is available to individuals also, but no information has been posted on the government website about how the citizen can go about applying for it. Those who know wield the influence and take their kith and kin to the legislators or officers who are close to CMO. Similarly, details of several social welfare and poverty alleviation schemes should be posted on government websites. In fact, the Adarsh housing society scam would not have been possible if the government had implemented Section 4 of the Right to Information (RTI) Act.

The Act mandates that the routine information must be put in public domain *suo motu* to the public at regular intervals through various means of communications including Internet. Experience shows that the more the information is put in public domain the lesser number of applications will be made by the citizens. However, Considering the fact that the information requested is unarguably must in the public domain and that its range and volume is such that it would attract provisions of Section 7(9) of the Act, it is not possible to authorize its disclosure in the form in which the appellant had requested as it would disproportionately divert the resources of the authority.

Once the information is brought into the public domain it is excluded from the purview of the RTI Act and, the right to access this category of information shall be on the basis of whether the public authority discloses it free, or at such cost of the medium or the print cost as may be prescribed.

The Act mandates that each information shall be disseminated widely and in such form and manner so that information is easily accessible to the public. This can be done by publications of information of interest to the public through various modes such as newspapers, public announcements, media broadcasts, notice boards, the internet or any other means.

Principle of Maximum Disclosure.— Section 4 disclosure should be exhaustive and illustrative. If the principle of maximum disclosure is properly followed, the need for seeking information under the RTI Act would not arise. Once the information is brought into the public domain it is excluded from the purview of the RTI Act and, the right to access this category of information shall be on the basis of whether the public authority discloses it free, or at such cost of the medium or the print cost as may be prescribed. The public authorities are expected to disclose the directory of its officers and employees and their wage-and-emolument-related information.

All citizens shall have the right to information, subject to the provisions of the Act.

As a result of increased Government's accountability in delivery of services, rural to urban migration has accelerated as widely reported in the media. This is also corroborated by the findings of a national level survey, jointly conducted by the Transparency International and the Centre for Media Studies. The survey has revealed that, in the opinions of 40 per cent of respondent (all below the poverty line), corruption and malpractices in implementation of poverty alleviation programmes have declined due to RTI

induced accountability of the Government and its functionaries at various levels.

The RTI Act provides a framework for promotion of citizen-government partnership in carrying out the programmes for welfare of the people is not only the ultimate beneficiaries of development, but also the agents of development.

Lack of transparency and accountability encourage the government officials to indulge in corrupt practices, which result in lower investments due to misuse or diversion of funds for private purposes. As a result, the government's social spending yields no worthwhile benefits, because, for instance, the teachers do not teach, doctors and nurses do not attend health centres, ration card holders do not receive subsidized food grains and the promised jobs are not provided to the people. In the process, it perpetuates poverty and harms the poor. It creates an environment of distrust between the people and the government, which impinge upon the development and jeopardize democratic governance.

Section 20 of the RTI Act provides for penalties for withholding information or denying it for illegal defences. The Information Commission also has an authority to summon records, grant compensation for any loss.

Though the RTI Act mandates that public interest should be driving force in seeking information, most of the RTI requests are for seeking remedies to their grievances. Substantive number of applications is asking for action taken reports on the petitions, memoranda, or representations given earlier or on complaints filed by himself or by someone

As a result of increased Government's accountability in delivery of services, rural to urban migration has accelerated as widely reported in the media. This is also corroborated by the findings of a national level survey, jointly conducted by the Transparency International and the Centre for Media Studies.

else, or action on recommendations of a committee or judicial order, etc.

Right to petition is supported with legal guarantees and other consequences including the 'compensation' to be demanded for the delay or denial in delivery of information.

RTI: Value addition to Right to petition

Right to petition is important even today during these modern days of democratic rule of law. Most appropriately the right to information is an added value to that eight hundred year old right to petition. A just born child cries to say something; might be a demand perhaps. Mother, father or doctor or somebody around have a duty and need to respond to that cry. Cry of the society of the day is right to information, which is a human right. In a nutshell, it means right to empower oneself.

In the days of no governance or bad governance, "information" is the only important/essential tool for a citizen. Informed citizen alone could be a vibrant citizen, without whom there cannot be any purposeful democracy.

The right to petition, recognized eight hundred years ago has a new enforceable additional force, the right to information. File a petition, give reasonable gap and ask for action taken report under the RTI Act. The authorities are under obligation to inform the action taken or not taken, within 30 days. Magna Carta's Right to petition of 13th century is strengthened with 21st century's RTI!

Final inference

This conceptual evolution of right to petition into right to information and

other auxiliary rights leads to an inference that we cannot see the right to information in isolation. It is inseparable from right to redressal or the complaints-related mechanism or the demand for compensation or a policy or norms to discharge of statutory functions. The provisions of the RTI Act 2005 need to be understood in its completeness and historical context. Fragmented approach to this law or its provisions will not help realisation of the rights. With RTI people should evolve from subjects to 'citizens' – vibrant members of public and the Republic.

If a citizen uses the RTI for redressing the grievance, it is innovative use, not abuse. If the governance systems generate huge number of complaints out of 'service', but not an effective system of their redressal, it is a problem with potency to transform into a crisis. When the RTI emerged as a mechanism from the crisis in governance, why not it helps the redressal too?

The RTI is the result of revolutions and evolutions passing through political turbulences leading to establishment of democratic rule. It cannot be sacrificed by the misuse by authorities of power of discretion provided by law. Its people's precision right that need to be protected by themselves. It should not be allowed to die with strategic but illegal defences like 'missing file' or 'records not traceable', or misuse of discretion to decide disclosure. The provisions of RTI law need to be liberally interpreted and the scope of exceptions should be realistic. The exception has to be decided in the context of exemptions or provisos prescribed under the same provision with reference to the objectives of the Act.

Article is based on paper presented by Prof Acharyulu (Central Information Commissioner) at Eleventh Annual Convention of Right to Information in New Delhi.

UBI: For whose benefit?

Annu Anand

The National Democratic Alliance (NDA) government is advocating the idea of Universal Basic Income (UBI) to reduce poverty and bring social justice to every section of the society. The government has mooted the idea in the Economic Survey (2017-18) brought out by the Finance Ministry.

The government appears to be serious about its implementing and it is expected that some parts of the country will experiment with UBI before the next economic survey is presented.

The Universal Basic Income is the right of a citizen to a basic income which will enable him/her to cover basic needs just by the virtue of being a citizen. It's not the first time that the government has initiated debate on this subject. In fact, a pilot project has been running in a few villages in Madhya Pradesh and West Bengal since 2010.

Those supporting the scheme argue that UBI is essential as existing welfare schemes like old age pension and maternity benefit scheme which have been unable to generate targeted results on the ground. Some of these welfare schemes are fifteen to twenty years old but have not been successful in reducing poverty significantly. Critics also argue that UBI may cost between 4-5 percent of the GDP, while reduction in national poverty may only be 0.5 percent. Therefore, there is a need to dissect and critically analyse the different aspects of the proposed draft of the scheme before launching it nationally.

One of the biggest criticisms of UBI is that it will replace existing, targeted welfare schemes like MNREGA, mid-day meal and PDS, which so far have showed some encouraging results, if not satisfactory. The findings of many surveys have put them in the category of well targeted scheme. For instance, MNREGA grants a universal right to work for one person from each family. Under the scheme, the person can opt for the work of their choice for 100 days. But under UBI, there is no specific incentive to work and labour is completely detached from minimum wages. The question is, should minimum wage be guaranteed irrespective of labour or a citizen's contribution to society?

Most existing welfare schemes are targeted in nature and address the specific needs of a section of economically or socially weak section of society. Under UBI, will everyone be painted with the same brush?

A welfare scheme which is universal in nature faces other challenges in implementation. Under the proposed scheme, there's no cut off limit for beneficiaries. This implies that even economically well-off sections of society will be entitled to a monthly amount. In such a scenario, it is possible that due to administrative backlog and increased financial burden on the government, economically weaker citizens of the society may get left behind. It is a criticism which has been aired by former Chief Economic Advisor Kaushik Basu. He argues that a cut-off income for UBI is

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necessary and citizens above the limit “should be encouraged to give it up voluntarily.”

Another argument in favour of UBI is that it will reduce the administrative burden on government departments at the state and centre level. Instead of managing delivery of different schemes, with UBI the government can focus on a single scheme. However, with many beneficiaries entitled to cash transfers under UBI, will administration be tougher?

In India, 350 million people still don't have a phone. Aadhar penetration is incomplete. Only 67 per cent population has Aadhar card.

But according to the proposed UBI scheme, a phone or an Aadhaar card is mandatory for it. It has been found that existing cash transfer schemes like maternity benefits are unable fulfil targeted delivery on time. So, how will UBI work for a population where a majority don't have Aadhaar, phone or a bank account? A scheme like UBI will add to the woes of an already overburdened banking system in India.

Most welfare schemes in India rely on transfers in kind, like food grains. The benefits address a specific need, like employment in MNREGA. With UBI, cash benefits can be spent by the beneficiary in any way he or she wants. In a patriarchal Indian family, it is usually the male who makes financial decisions and has the spending power. As has been argued by

social science researchers, a major risk of cash-in-hand is that it can be spent on activities like drinking, gambling, social functions like weddings rather than for welfare. Moreover, UBI will not be addressing a specific need of the beneficiary.

We have also seen the results of Direct Benefit Transfer in lieu of food grain under the national Food Security Act. This scheme was initiated as a pilot project in Chandigarh, Dadar Nagar Haveli, Puduchery and few parts of Delhi.

The scheme which was implemented in two phases didn't show any favourable results. There were many instances where many people prefer food over cash and around 40 percent target people didn't receive the cash due to problems of opening bank accounts or having ration card. The results of this scheme have direct bearing to UBI.

The roadmap for UBI is not very clear in the proposed draft. There are many questions need to be answered and analysed. How the beneficiaries will be identified and if it's universal? Those who don't need financial help, will they be kept outside the scheme?

It depends upon the objective of the scheme which is not very clear that whether government want to set the loopholes of the welfare schemes? If so, how it will be possible when it will be implemented universally?

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Petty Corruption on Decline; Perception or Reality CMS-ICS 2017 Report

Latest report of CMS on corruption in citizen centric public services indicates a decline in what citizens have to pay as bribe. In fact, the decline is significant in case of some public services such as Police and Judicial services, when compared to 2005 levels.

The 11th annual CMS-Indian Corruption Study (CMS-ICS) is being released by Dr Bibek Debroy, Member, NITI Aayog.

Dr Debroy said that CMS annual survey has become a reliable indicator for the trend of corruption in public services.

N. Vittal, former Chief Vigilance Commissioner, in his foreword mentioned that this year's CMS report is unique as it brings out the trend that deserve to be taken note further by the academics of the country. The report brings out that bribe that citizen has to pay has come down more specifically in the last three years, and particularly in the case of public services which have adopted newer interactive ICT technologies.

Cross Media Ownership and Concentration in Indian Media

Concern about media ownership issues has been raised periodically in India, in spite of its diverse and multi-facet media ecosystem. It was first expressed by The First Press Commission in 1953 when it observed that out of the 330 dailies published at that time, five owners controlled 29 newspapers and 31.2% of the circulation (Government of India 1954: 306); 15 owners controlled 54 newspapers and over 50% of the circulation (Government of India 1954: 309). With privatization of more media sectors since liberalization, the trend has only deepened as satellite television and now more recently, the radio industry have been privatized. Issues like paid news and fake news have also raised fingers again on issue of ownership and also, cross media ownership.

The Press Council found that 61 candidates admitted to paying for news coverage during Gujarat state elections in December 2008. With elections in four Indian states in the next few weeks, it continues to remain a matter of concern, particularly since the Press Council of India and the Law Commission have both pointed out that self-regulation has failed to stop the practice of paid news and even described the practice as ‘undermining democracy.’¹ At other times the corporatization of the media industry and the entry of big business and political parties in the media

business has caused a panic. Sun Network, one of India’s largest media companies, albeit politically affiliated, was facing the risk of having its licenses revoked by the MHA till recently. Political ownership of cable firms, whether directly or indirectly, is widely believed to be rife in India, to the extent that, in 2014, the Telecom Regulatory Authority of India recommended that “political bodies” be “barred from entry into broadcasting and TV channel distribution sectors.” The risks, especially of filtering information, are likely to assume new dimensions as many of these companies move into providing internet services too.

The advent of ‘fake news’ has been creating a buzz worldwide since the election of Mr Donald Trump in the US in November 2016. In India, a doctored video of a protest in JNU by a news group raised doubts on the legitimacy of the educational institute, which was further propagated by another mainstream news channel on primetime television without verification. This led to a national furore that culminated in a public thrashing of students inside court premises by lawyers and a gaping divide in public sentiment. More recently, hoaxes of GPS chips in the Rs 2,000 note did the rounds after the prime minister’s November 8 demonetisation speech. Spread by both media and WhatsApp messages (the latter being the source of numerous misleading

The corporatization of media does not retain its 'voice of people' role, but increasingly becomes another lobbying tool for big business in the country, thus completely undermining its expected role of 'fourth estate' of democracy. And the ownership and control of media by political groups completes the process of undermining democracy completely.

stories in the country), it led to wide scale confusion among recipients of the new note.

The various reports generated by ASCI, TRAI, PCI and Law Commission between 2010 to 2015 on several aspects of the media industry have expressed concern about cross-media holdings, ownership concentration, malpractices in the media industry amongst others. The ASCI study of 2009 and the TRAI report on cross media ownership of 2014 merely observe the subject and its possible repercussions. Both works are about the content media sector.

Bhattacharjee & Agrawal in a study carried out for ICSSR (2013-14), observe that, of the 12 major producers of news content, eight have presence in multiple media.

1. Majority of the news media companies are closely held family concerns and private limited companies. Picard (2011)² has opined that it is not merely ownership, but *control* of media organization that is equally important in studying the influence it has. Thus the industrial and political linkages of the groups have also been identified and only four of the 12 media groups studied are not directly related to industrial or political groups (ABP, NDTV, Hindu and ITG). However, in a largely advertising revenue driven business model, as observed by TRAI, all media houses are dependent on corporations for their advertisement revenue for sustenance and thus are indirectly controlled by them and upholding the corporates requirements for their own survival. All the Indian news media companies are privately held, thus the controlling group/ family has full control over the companies in addition to ownership.

2. Increasing concentration of media production in the hands of a few, as reflected by increasing C4 (total marketshare held by top four companies in the sector) value in all the news media sector, including newspapers, within a decade of privatization of the economy, does not augur well for small and

marginal voices. Most media companies are a single unit within a large diversified group and their power cannot be fully calculated since the power of each of the units within its respective industry is not known. The companies of a diversified group lend financial and other support to each other that cannot be estimated accurately.

The situation is well demonstrated by the increased concerns expressed about Viacom affiliated Reliance Group's indirect control over several media companies in India in addition to its direct ownership of companies reviewed in this study.

The corporatization of media does not retain its 'voice of people' role, but increasingly becomes another lobbying tool for big business in the country, thus completely undermining its expected role of 'fourth estate' of democracy. And the ownership and control of media by political groups completes the process of undermining democracy completely.

As the media companies undertake horizontal and vertical integration in the carriage industries, the ownership concentration process is only hastened. With telecom companies either acquire or enter into strategic partnerships with media companies to bring about convergence, the process is further hastened, in keeping with Noam's (2009) theory that convergence hastens the concentration process in media industries.

This numbers driven study, being presented is a continuation in India of the new method of measuring diversity in media propounded by Prof Eli Noam⁴. The Noam Diversity Index has informed the recently introduced revised Media Plurality Index for the enlarged EU and includes 'content' and 'carriage' media within its ambit in the age of convergence and vertical integration.

A Seminar on this issues was jointly organized in the month of February by Centre for Media Studies (CMS) and Centre for the Study of Developing Societies (CSDS)

Do simultaneous polls help good governance?

Dr N Bhaskara Rao

It is quite clear now that Prime Minister Narendra Modi is determined to see simultaneous elections for Lok Sabha and to all state assemblies of the country. The President's Republic Day address wherein he endorsed the idea of simultaneous election and suggested to return to early practice of after independence when Loksabha and assembly elections were held simultaneously. His statement has put the idea on the national agenda.

The idea of simultaneous elections has its pros and cons. On the face of it the idea is good. Particularly, because election codes of election commission curtail powers of the incumbent government which in turn means government getting freed from some executive powers which may result in hampering the growth of economic development.

The core of argument for simultaneous elections is that a considerable expenditure is involved for conducting elections.

In addition it is also argued that the involvement of the political parties in frequent elections reduce the time for governance.

The Information and Broadcasting minister claims that the country remains strong when Union and States act together and that is possible with simultaneous elections.

In fact the arguments against simultaneous elections include that it amounts to adopting Presidential form

without declaring so and that it facilitates one-person domination without country opting for such a system formally.

This also meant diluting Federal system in favour of centralisation. This reflects homogenizing the country instead of bringing equity, sustaining plurality and promoting local and regional leader.

The I & B minister ignores completely that it is a country of many states under a Federal structure. How it could be 'one election,' unless it meant "one leader' as well for the country!

Nobody can deny the fact that 'one nation, one election', one leader is not good either for democracy or for the development of the nation. Similarly it is not good for the Federal system or for free and fair election.

The idea of simultaneous elections should not deprive states of having a popularly elected government. Or, deprive a majority government to wind up when and if the ruling party at the union loses majority and goes for a midterm poll. That should not mean states to dissolve assembly and go for elections irrespective of its five-year tenure. Then the question of imposing President's rule on a new ground. Simultaneous election should not offer yet another opportunity to the Federal government to impose President's rule.

So far since the Time of Republic 108 times popularly elected government in states were removed to impose President's rule. Only a few times, it was

Instead, the need of the time is to find alternate ways of conducting elections at all levels with least cost and in a free and fair way and re-look into poll time codes. Second, find ways of curbing misuse of the government machinery by the incumbent party to its poll advantage.

due to fact that House could not elect a leader in the normal course. Most of the times President's rule was imposed at the discretion of the leaders of the Federal government or its agent in the state, the governor. Transparency in the process was missing and suo-moto announcements has become a practice. Instead of curbing such practice, the idea of simultaneous elections amount denting the very democratic process and going against political plurality necessary for tackling social diversities.

Instead, the need of the time is to find alternate ways of conducting elections at all levels with least cost and in a free and fair way and re-look into poll time codes. Second, find ways of curbing misuse of the government machinery by the incumbent party to its poll advantage. The question that we also need to debate is whether we go for one agenda and one leader driving the poll process which meant local concerns, issues and interests becoming secondary.

The distinction between elections at different levels get blurred when voters are required to vote simultaneously. These questions need to be looked into from both feasibilities under constitution and desirability as well as to democracy, development and plurality aspects. From both these criteria simulations election could be reasonably pursued if and when we formally adopt a Presidential system.

Prime Minister Modi is in 'cloud nine' situation today to afford a head on with real issues of political reforms. The debate for simultaneous elections should not push under carpet again the more important and long pending poll reforms. There are many issues that need to be dealt The first, is to consider proportional representation of elections in place of first-past-the post system that we had experienced nearly seven decades. A debate on this is more pertinent. Second, bring political parties under regulatory

frame and into transparency regime by bringing them under RTI.

Third, the Prime minister and chief minister should be elected similar way as the speakers of parliament and assembly. Third, the Prime Minister and Chief Minister should be same way as the Speakers of Parliament and Assemblies are elected. Fourth, the whip system should be curbed and limited to exceptional situations. Fifth, even more urgent, curb poll expenditure at all levels like by the government, by political parties, by candidates themselves and come up with compliance mechanisms as to ceiling on expenditure including by curtailing duration of poll process. Several Parliamentary Committees have gone into these aspects over the decades without being followed up. Simultaneous elections in India, 'one nation, one election' notion is antithesis to good governance, to deepening democracy and for consolidation of good governance on ground.

"One election" idea is against regional parties, local leaders and regional agenda. It promotes prospects of one leader, one party, and chances of misleading by pepping up passions and popularism. Charisma out of such emotions has threatening implications to the spirit of Federalism. Certain key persuasive instruments that are available today for consensus manufacturing country wise were not there during 1952-67 when we started with simultaneous polls. Instead, India would be better off if it pursues the five political reforms. Simultaneous election idea is easy to get adopted but it has doubtful implications. The basic poll reforms, on the otherhand, are difficult to push through but has durable positive implications to parliamentary democracy and Federal system that we had adopted and for addressing compulsions of equity and inclusivity.

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Delhi HC: AG not a public authority under RTI

The Delhi high court held that the office of the Attorney General of India is not a “public authority” as defined under the Right to Information Act, since AG’s “predominant function” is to give advice on legal matters to the government.

A division bench of Chief Justice G Rohini and Justice Jayant Nath reversed the decision of a single judge and observed that the AG appears in court on behalf of the government of India, having a fiduciary relationship with the government, due to which his opinions cannot be put in the public domain.

The court set aside a March 2015 verdict by a single judge, which had said the office of the top law officer was answerable to public under the transparency law as he performs public functions and is a Constitutional appointee.

“Essentially, the function being that akin to an advocate of the government, he is in

a fiduciary relationship with the Centre and cannot put in the public domain his opinions or the materials forwarded to him by the government,” the Chief Justice’s bench noted in its verdict on Friday.

HC added that, “The service of the AG is to advise the government on legal matters and perform other duties such of a legal character as may be assigned. The AG is not a functionary reposed with any administrative or other authority that effect the rights or liabilities of persons.”

Times of India (Feb 04, 2017)

The MCI had denied information about the minutes of its Ethics

The Central Information Commission (CIC) has directed Medical Council of India (MCI) to disclose details of disciplinary proceedings against its former president Ketan Desai. It has been pulled up the MCI for violating its earlier directives and denying information about Desai without reasons to substantiate the denial.

In a recent order, Information Commissioner Yashovardhan Azad directed the MCI to disclose the status of complaints against Desai and the status of suspension of his medical registration. He observed that “mere pendency of final decision/examination/consideration of an issue is not good enough reason to deny information”. Azad added that the

disclosure of information is “directly related to larger public interest”.

The MCI had denied information about the minutes of its Ethics Committee on complaints against Desai. “Merely stating that the minutes of the Ethics Committee are quasi judicial in nature does not make the same exempt under RTI Act, since there is no such provision under the Act,” said Azad. He added that the MCI needs to allow inspection of the relevant files regarding agenda of all meetings of MCI Ethics Committee since December 2013.

Kolkata-based appellant Kunal Saha had unsuccessfully sought the basis of appointment of the assessors, who conduct inspections on MCI’s behalf. The CIC has directed that “the qualification of the

Professors or Associates who are assigned the task should also be made available to the appellant” in order to “enhance the faith of patients”. The information is related to Desai’s alleged “criminal misconduct” that led to his suspension in October 2010. The CBI arrested him days

later while the MCI suspended his medical practitioner license. But later Gujarat State Medical Council nominated him again to the MCI in October 2013. Desai became World Medical Association President in October last year.

India Express (Feb 03, 2017)

Towards Openness

Budget promises more transparency in poll funding. But why anonymous donors?

The 2017-18 Union budget had an unusual feature, a section titled “Transparency in Electoral Funding”. Many commentators have hailed it as a positive step. But is it? An interview with Finance Minister Arun Jaitley in this newspaper is revealing. He stated: “The present system has failed and we are experimenting with a new system”. The “Key Features of Budget 2017-2018” put out by the government contain six statements on transparency in electoral funding. Only two are action-oriented.

Watch What Else Is Making News

Of the two, the first pertains to a reduction in the limit for cash donations to Rs 2,000 from Rs 20,000. While it looks like a sizeable reduction, it is unlikely to have any real impact. Past experience shows political parties follow the law only in letter and not in spirit. While the existing law required them to disclose donations of more than Rs 20,000 each in order to avail the 100 per cent exemption from income tax, it never forbade them from disclosing donations of less than Rs 20,000.

The other concern is the disparity between what ordinary citizens are being exhorted to do and what political parties are being enabled to do. Ordinary citizens are encouraged to make payments using digital means. Political parties, on the other hand, are being allowed to accept

donations up to Rs 2,000 in cash. Another point that follows is curious. It says, “Political parties will be entitled to receive donations by cheque or digital mode from their donors.” This implies that earlier, political parties were not entitled to receive donations by cheque or digital mode.

The second action-oriented point is, “the issuance of electoral bonds in accordance with a scheme that the Government of India would frame” and the amendment to the RBI Act to enable this. The details of the scheme will be known only when it is formulated. But the interview with the FM offers a clue about what it is likely to be. His statement reads, “These bonds will be bearer in character to keep the donor anonymous”. The problem with political financing is that 75-80 per cent of the declared income of political parties comes from unknown sources. If the objective of the electoral bond scheme is “to keep the donor anonymous”, then it seems to be the very antithesis of transparency.

The last two points, though not action-oriented, do seem to strengthen the “shadow of doubt”. These are: “Every political party would have to file its return within the time prescribed in accordance with the provision of the Income Tax Act” and: “Existing exemption to the political parties from payment of income tax would be available only subject to the fulfilment of these conditions.” The first of these has

been in existence since 1979 and the second since 2003. To include them in a “proposal to cleanse the system of funding of political parties”, as the FM said in his budget speech, seems an effort to create a mirage.

Transparency in political financing will happen when the political establishment

realises that the only way to get out of the shackles of big and black money is to become open. The government can do this by revising its affidavit in the Supreme Court to say all political parties should be under the purview of the RTI Act, thus honouring the Central Information Commission’s 2013 decision.

Jagdeep S.Chhokar
Indian Express

Real time updates for Right to Information cases via email, SMS

You will now get real time updates while filing a complaint or appeal under Right to Information (RTI) Act. The Central Information Commission (CIC) has taken an e-leap and would function like an e-court with all its case files moving digitally and the applicant being alerted about case hearings through an SMS and email.

The CIC would move to a new software, which would make the hearings faster and more convenient. As soon as an RTI applicant files an appeal or a complaint, he would be given a registration number and would get an alert on email and mobile phone about his case. The case would then be electronically transferred immediately to the concerned information commissioner’s registry electronically.

All this would be done within hours. At present, the process takes a few days.

The new system would also alert the RTI applicant about the date of hearing. An automatic SMS and email would be generated. Apart from this, the applicant would get an email in advance listing out the records given by him to CIC and the government’s submissions in his case. A senior CIC official told, “At present, the appellant and the ministry sometimes appear in the case without knowing what

the submissions are. So this would help both sides in preparing for the case.”

The Commission would be able to expedite the processing of applications with the new software. At present, it also has to deal with complaints of loss of case files and nonregistration of cases. The facility would not only benefit the appellants but also information commissioners.

When a commissioner would open a case file on his computer, he would get a ready background of the specific case and also details about the appellant. The official said, “We would know if he has more appeals pending. This could facilitate hearing of multiple appeals of the same person on a given day. It would directly impact pendency as more cases would be disposed in a day.” CIC has already scanned 1.5 lakh files and converted them into electronic files.

Nidhi Sharma
Economic Times

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For more details, visit www.cmsindia.org



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