

**Follow-up of the recommendations received during the National Convention on 'One Year of RTI' 13<sup>th</sup> to 15<sup>th</sup> October, 2006, received from the four Panels, Citizen speak, suggestions given by citizens and Resolutions passed during the National Convention by Citizens**

\*\* - Recommendation of CIC is "Suitable action may be taken by Govt of India"

Sl No	Reference	Recommendations received during the National Convention	Recommendations of the Central Information Commission
<b>AMENDMENTS TO THE ACT</b>			
1.	Panel 1 Recom. 17	Section 30 provides for issuing notifications for removal of difficulties with in two years of the commencement of the Act. A Committee of Information Commissioners of Centre and State having representations from all stake holders may be formed to suggest suitable modifications including amendments to the Act. If any amendments to the Act are required, appropriate legislative measures could be taken up.	**
2.	Panel 3 Para 17	जो कानून बना है उसमें संशोधन की आवश्यकता नहीं है उसमें बदलाव नहीं लाना चाहिए।	Amendments which strengthen the RTI regime can be taken up as per recommendations of Panel One, Recommendation 17.
3.	Resol. No 3	The Government must give an undertaking publicly that no changes will be made in the RTI Act until October, 2008.	**
<b>ANNUAL REPORTS</b>			
4.	Panel 2 Para 9	As Ministries and Departments annually prepare their Annual Reports and present it to the Hon. Members of Parliament & State Assemblies. The contents and scope & these Annual Reports could also be suitably modified to address some of the suo moto disclosure information prescribed under section 4(1) (b) (i) to (xvi). Public Authorities may consider this recommendation 4(1) (b) provisions.	**
<b>APPELLATE AUTHORITIES</b>			
5.	Panel 1 Para 4 Bullet 1	Identification of First Appeal Authority is difficult particularly in cases where applicants do not receive information within the stipulated time frame and have to file the first appeal. Under section 7(8) of the Act PIOs are duty bound to provide details of the appellate authority if they refuse information. But not all PIO provide these details, particularly, when they have provided incomplete information or have sent only an interim reply to the RTI request. Only a very few are finally able to approach the Information Commission.	The Commission agrees with the procedure followed by Karnataka SIC of allowing applicants to make complaints u/s 18 whenever a request for information is deemed refused.
6.	Panel 3 Para 5	अपीलीय अधिकारी के स्तर पर जो निर्णय होते हैं वह कई बार मौखिक रूप से कहे तथा सुनाए जाते हैं। अपीलीय अधिकारी के निर्णय लिखित होने चाहिए।	**
<b>APPOINTMENT OF INFORMATION COMMISSIONERS</b>			
7.	Panel 3 Para 14	अधिनियम की धारा 5 के अंतर्गत मुख्य सूचना आयुक्त तथा सूचना आयुक्त, कानून, विज्ञान, समाज सेवा आदि क्षेत्रों से लिए जाने चाहिए व अनुभवी होने चाहिए, किन्तु यह देखा गया है कि अधिकतर आयुक्त सेवा निवृत्त अधिकारियों को बनाया गया है यह उचित नहीं है। अन्य क्षेत्रों के अनुभवी विशिष्ट जनों को भी अवसर मिलना चाहिए।	**

### AUTONOMY OF THE COMMISSION

8.	Panel 1 Para 5 Bullet 2	The Commissions have not been provided with adequate infrastructure e.g. office, computers, staff, funds etc. There is no clarity on their administrative and financial powers. Governments have not kept up with their obligations u/s 13(6) of the Act to provide adequate staff. The Commission has to rely on the government for all its infrastructure including physical, financial and manpower, etc. The Commissions' autonomy is therefore compromised and they are unable to function <i>autonomously without being subjected to directions by any other authority under this Act</i> [s.12(4) and s.16(4)]. The restrictions on recruitment imply that the Commissions are understated. Their budgets are also subject to approval by the administrative departments to the extent that the CIC and some SICs have no powers of re-appropriation.	The Commission will function better if it is given autonomy for physical, financial and manpower management. It needs to have its own Financial Advisor. The DDO of the Commission should have cheque drawing power. The budget of the Commission should be charged upon the Consolidated Fund of India.
9.	Panel 1 Recom. 11	Independence of Commissions and effective discharge of their duties cannot be guaranteed without granting them full financial and administrative autonomy. The expenditure of the Commission should therefore be 'charged' upon the Consolidated fund of the State and Centre for respective Commissions.	**
10.	Panel 4 Para 3	The Information Commissions both at the centre and the States should have financial autonomy so that they need not go to the Finance Department or to the concerned Administrative Department for funds.  The Commission should also have autonomy in matters of creation of posts and recruitment of the personnel.	**
11.	Resol. No.1	The Governments must provide required resources, facilities, funding and personnel to the Information Commissions to be able to implement the Right to Information Act.	**

### COMPETENT AUTHORITY

12.	Panel 3 Para 6	कई संस्थाओं में यह पाया गया है कि वे जो नियम बना रहे हैं वह सूचना का अधिकार अधिनियम, 2005 कानून के दायरे में नहीं आते ऐसे भी सूचनायें (परिपत्र) निकाले जा रही हैं। प्रत्येक संस्था को यह अधिकार दिया जाना चाहिए कि वह अपने नियम बनाए परन्तु जो भी नियम बनते हैं वह सूचना का अधिकार अधिनियम, 2005 कानून के दायरे में ही होना चाहिए, जो भी इसका उल्लंघन करें तो केन्द्रीय सूचना आयोग को इसका ध्यान लेकर सही आदेश पारित करना चाहिए।	**
13.	Panel 4 Para 4	The RTI Act gives power of framing rules to competent authority which include the Central Government, State Government and the High Courts and the Supreme Court. It is necessary that uniformity is maintained in formulating the rules and devising procedures.	**

### CONTEMPT OF COURT

14.	Panel 4 Para 3	There is a need to augment the power of the Commission so as to enable the Commission to enforce its decisions. The Commission already has powers of a Civil Court for limited purposes. This power should be widened so as to enable the Commission to appropriately deal with contempt matters.	The Commission agrees with this recommendation.
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### COSTS

15.	Panel 1 Para 3 Bullet 3	People in rural areas find the appeal process expensive as they have to come to the capital for the hearings. The location of the Commissioners in the State and Centre at the capital cities discourages the poor from filing appeals.	Facilities for video conferencing need to be enhanced.
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**DISCLOSURES UNDER SECTION 4**

16.	Panel 1 Para 2	<p>In the Central government, 43% Ministries/ Departments/Public authorities are reported to have less than 50% compliance, 26% have between 50-70% compliance and only 17% of Ministries/ Departments/Public authorities have complied with more than 70% of the provisions of Section 4. No compliance data is available for 14% of Ministries/ Departments/ Public authorities. States and union territories have averaged a compliance of 29% only.</p> <p>There is no systematic monitoring of the voluntary disclosures for their quality.</p> <p>Incomplete/insufficient disclosures have no penal consequences for public authorities.</p> <p>There has also been no compliance of Section 4(2), which requires public authorities to explore what information is needed by the citizens and <i>suo-moto</i> disclose it.</p>	<p>The Act is not explicit about who is responsible for monitoring proactive disclosures under section 4. There are oblique references in the Act to the role of the Central Information Commission in enforcement of the provisions of this Act for e.g. references under section 25 (5) and in section 19(8) (a) (iii) and 8(a) (vi). However, with the present level of staff and officers it is not possible for the Commission to take on the entire monitoring of voluntary disclosure. There are approximately more than 900 Public Authorities of the Central Government. So unless proper infrastructure, manpower and other resources are given to the Central Information Commission it cannot fulfill its duties.</p> <p>The Central Information Commission also feels that it is first necessary to identify broad indicative indices of disclosure for the Public Authorities and Ministries. Thereafter, the variants of each Ministry can be identified separately. After formulating the indicative indices, if the Public Authority still gives incomplete disclosures, the Government could consider providing for penalty clauses for failure to implement section 4 through suitable amendment of the Act.</p>
17.	Panel 1 Recom. 1	<p>The definition of 'Information' under sec 2(f) needs to be interpreted in the spirit of proviso to Section 8(1)(j). Citizen's charters should be included under Section 4(1)(b), as a large number of RTI requests emerging in States were due to failure of various public authorities to provide delivery of services expected from them.</p>	**
18.	Panel 1 Recom. 3	<p>Effective implementation of s. 4(1) (a) requires records management policies and procedures made compatible with the RTI Act. In the spirit of this Act, the disclosure of the decisions should be the norm; the public authorities should initiate measures so that as far as practicable, all its decisions are mandatorily disclosed on its website. Extensive computerization and networking is essential. Each Public Authority must provide for a certain percentage of their budget for this purpose till the Commission is satisfied with state of computerization of records of the Public Authority.</p>	**
19.	Panel 1 Recom. 4	<p>Disclosures under Section 4 and their adequacy (including the citizens' charter) should be made enforceable either through the Head of the Public Authority or through the PIO who in these circumstances needs to be of a sufficiently senior rank.</p>	**

20.	Panel 1 Recom. 6	Disclosures under Section 4 should be printed and periodically updated. It should be obligatory for the public authorities to publish the disclosures in their Annual Reports.	**
21.	Panel 1 Recom. 7	The scope of "suo moto" disclosure of information by public authorities needs to be expanded to minimize citizen's resort to RTI to get information needed by them. Citizen's charter should therefore form an integral part of s. 4(1)(b) disclosures so that the public is aware of the commitments of a Public Authority towards the Citizen.	**
22.	Panel 1 Recom. 13	Each Public Authority needs to frame time-bound action plan for the implementation of RTI Act. with outcome budget and clear-cut physical targets. They should also be made accountable for not fulfilling the obligations u/s 4 and 5.	**
23.	Panel 2 Para 2	Publication of the 16 theme Manuals, as given in section 4(1) (b), and dissemination widely in a suo moto mode is the most important obligation of all Public Authorities and the same has been found to have been done in an unsatisfactory manner. It is evasive, in complete and mostly not adequate to the purpose for which it is required. This requires immediate attention and supervision.	**
24.	Panel 2 Para 4	For a satisfactory compliance of the provisions of section 4 it is also essential to re-visit and review the way the Public Authorities conduct their business, as without such a thorough review it would not be possible to undertake a satisfactory compliance of suo moto disclosures.	**
25.	Panel 2 Para 5	All Public Authorities must immediately update, multiply and develop hard and soft copies of all Acts, Rules, Manuals, Codes, Regulations, Govt. Resolutions/Government Orders, as section 4(1) (b) (vi) covers this category of documentation. In many cases the Acts have not been updated, or taken off the Statute books or printed in an updated manner. The Public Authorities (Ministries/Department) who are administratively responsible to undertake it must be made accountable to complete the task and report it to the CIC or the SIC, as the case may be.	**
26.	Panel 2 Para 6	All Public Authorities must also re-visit their processes (viz. their decision-making systems/processes) as section 4(1) (b) (iii) provides for its disclosures and which has been found wanting in most of the so-called suo moto disclosures put on the web so far. This is a major task which all Public Authorities must complete on a top-priority basis.	**
27.	Panel 3 Para 12	एक साल हो गया कानून को बने किन्तु अभी तक कई विभागों ने अपनी वेबसाइट इन्टरनेट (Internet) पर उपलब्ध नहीं कराई है। इसका जायजा भी लिया जाना चाहिए।	**
28.	Panel 4 Para 2	Public Authorities should provide maximum information as stipulated u/s 4 of the Act on their websites. Proactive disclosure will help people in active participation in the governance.	**
29.	Panel 4 Para 5	All Public authorities should take a pro-active role in disclosing information as mandated u/s 4 and should facilitate access of information by the citizens. The responsibility should not be left alone on PIO. The public authority itself and the first Appellate Authority within the Department should also be equally responsive and accountable.	**
<b>DISMISSAL OF CASES</b>			
30.	Panel 1	NGOs alleged that while Commissioners dismissed a case if the complainant didn't show up or was late for some reason, the	CIC follows Rule 7(2) of the Central Information Commission

	Para 4 Bullet 3	government departments from whom the information was being sought were given a number of chances to appear and not penalized if they failed to provide the desired information. As a result, an impression was being created that the government departments needn't take this Act very seriously. The rules must provide that the appeals/complaints under the Act shall not be dismissed due to non-appearance of appellants/complements but shall be decided on merits in all cases based on available material.	(Appeal Procedure) Rule 2005.
<b>ENFORCEMENT OF COMMISSIONS ORDERS</b>			
31.	Panel 1 Para 4 Bullet 5	The powers under the Act for enforcing the Commission's orders are limited in the face of sometimes open recalcitrance of public authorities. ICs have also not been following up on the directions to check compliance.	'Contempt' provisions need to be incorporated in the Act.
32.	Panel 1 Recom. 5	The Commission should be empowered to enforce its decisions including penalizing the Head of the Public Authority for continued contempt of its orders.	**
<b>EXEMPTIONS</b>			
33.	Panel 1 Para 3 Bullet 7	The Police is flooded with requests from lawyers and the media which may hamper investigations and affect security. The Delhi Police and the CBI wish to be included in the Second Schedule as exempted organizations.	The Commission feels that provisions under Sections 8,9, 11 & 24 adequately take care of exemptions to disclosure of Information.
34.	Cit. Speak Sugg. 4	ED (Finance) of CONCOR suggested that PSUs were operating in a competitive environment and to enable them to have a level playing field and in the interest of running their businesses on profitable lines, they should be allowed to interpret exemption available under section 8(1)(d) of 'commercial interests' broadly.	**
<b>EXEMPTION CLAUSES</b>			
35.	Resol. No. 5	Commissions should go by the letter and spirit of the law, ensuring that all denials of information are only as per the exemptions listed in the Act.	**
<b>FEES</b>			
36.	Panel 1 Para 3 Bullet 1	Fees charged and the manner of payment are not uniform. Some States charge very high fees which is against the spirit of the Act. There is confusion about the head of accounts to which the application fee is to be credited. Bank drafts prescribed in some States mean Rs. 35 commission for an application fee of Rs. 10. Payment by way of postal Orders and non judicial stamps is applicable only in few states.	Simplification of the process of payment of fees needs attention. A committee, including ICs, can be constituted to make concrete suggestions in this regard.
37.	Panel 3. Para 1	सर्वप्रथम 10 रुपये का एक पोस्ट स्टाम्प सूचना के अधिकार के लिए बनाया जाए जो कि सभी डाकघरों में प्राप्त हो सकें। पूरे देश में एक ही तरह का प्रपत्र चलना चाहिए ताकि लोगों को अधिक सुविधा प्राप्त हो सकें।  स्टाम्प के माध्यम से निर्माण होने वाल निधि सूचना का अधिकार अधिनियम, 2005 के प्रचार-प्रसार के लिए उपयोग किया जाए।	**
38.	Resol. No. 6	The Governments must ensure a common name in whose favour the application fees can be made by demand drafts or postal orders, and increase the modes of payment of these fees.	**
<b>IMPLEMENTATION OF THE ACT</b>			
39.	Panel 1	The Information Commissions are also not playing any role in overseeing the proper implementation of the Act or preparing the	The Central Information Commission can play an active

	Para 4 Bullet 4	PIOs to fulfill their duties and responsibilities in accordance with the Act.	role in overseeing the proper implementation of the Act provided this power which lies with the Central Government under section 26 is either amended or the duty is delegated to the Central Information Commission under the existing Act. The Central Information Commission has already sent a proposal to the Government for setting up an Institute of Transparency and Accountability which could take care of these issues.
40.	Panel 1 Para 7	There is clearly a need for effective monitoring, review and auditing of the implementation of the Act. Annual Reports by CIC/SICs under s.25 is based on information furnished by the Government departments without the benefit of any independent cross-check. The Commissions need to be given a separate set up with adequate staff for effective monitoring of its orders and for conducting cross-checks wherever necessary. Perhaps the Commission could engage the services of retired officers and renowned members of the Civil Society for this purpose.	Since this is an enormous task, if the CIC is expected to do this task adequate finance, infrastructure and manpower must be provided.
41.	Panel 1 Recom. 12	The Commissions should put in place mechanisms for Monitoring/review/auditing of information/orders with sustained follow-up to overcome deficiencies in implementation.	**
42.	Panel 1 Recom. 13	Each Public Authority needs to frame time-bound action plan for the implementation of RTI Act. with outcome budget and clear-cut physical targets. They should also be made accountable for not fulfilling the obligations u/s 4 and 5.	**
43.	Panel 1 Recom. 16	The civil society must continue building pressure on public authorities to ensure the implementation of the Act in letter and spirit. There is need for formal involvement of intermediary civil society organizations to train the PIOs and APIOs in collaboration with other government nodal agencies.	**
44.	Panel 2 Para 3	The Central Information Commission and the State Information Commissions must use the Monitoring and Reporting powers given to them under section 25 of the RTI Act and ensure their satisfactory compliance as is being done by Uttaranchal Information Commissioner. This has also been recommended by the Second Administrative Reforms Commission in their first Report which is on RTI Implementation.	**
45.	Panel 2 Para 13	The Central Information Commission and the State Information Commissions will have to pro-actively take initiatives and fill a perceived space, if one is perceived. They must use the provisions like the one contained in section 25 (Monitoring and Reporting) to take a lead themselves, if the appropriate government is failing to take initiative. They are expected to precipitate issues if there exists a doubt or clarity is wanting in the Act.	**
46.	Cit. Speak Sugg. 5	Mr. H. Purushotham suggested working out mile stones to be achieved by CIC/RTI in the next 5 to 10 years. He also suggested that all decision-making officers should sit in transparent rooms so that the bribe they were receiving could be watched by any one. This could perhaps reduce corruption in public office.	**

<b>INFORMATION</b>			
47.	Panel 1 Para 3 Bullet 4	Very often the information provided is turning out to be incomplete, misleading and unclear. The government departments don't always comply with the orders of the Information Commission. The process to be adopted by the Commission to enforce its orders is unclear.	**
<b>INFORMATION COMMISSIONS</b>			
<b>Setting-up Information Commission</b>			
48.	Panel 1 Para 5 Bullet 1	Most of the states surveyed in the CMS study had only two Information Commissioner (IC), while States like Gujrat, Madhya Pradesh, West Bengal, Himachal Pradesh and Maharashtra had appointed only one IC.	**
49.	Panel 3 Para 13	एक वर्ष के बाद भी कई राज्यों में कानून के अनुसार कमिश्नर नियुक्त नहीं किए हैं। केन्द्रीय आयुक्त इसके विषय में राज्यों के मुख्यमंत्रियों को लिखें।	**
<b>I . T</b>			
50.	Panel 2 Para 10	Extensive use of I.T may be resorted to satisfactory address the obligation related to suo-moto disclosures and this task may be taken on a Mission Mode during the Eleventh Plan Period.	The Commission concurs with the recommendation.
51.	Cit. Speak Sugg. 13	Ms. Anita Karwal, Secretary, Government of Gujarat suggested that central grants to States should be linked to procedural implications and increasing use of IT/e-governance. Records in the Government offices need to be digitized and indexed for easy retrieval. Video Conferencing should be used extensively for hearing the appeals. List of organizations owender/ controlled/ substantially financed should be compulsorily revealed in the proactive disclosure. Proactive disclosure of public authorities should be audited by a team of Government officials and NGOs. Compulsory training of officers of central and states on RTI should be provided.	**
<b>JUDICIARY</b>			
52.	Panel 1 Para 3 Bullet 6	The judiciary is expected to frame its own rules for dissemination of information under the Act. Apart from the Supreme Court, only a few High courts in the country like Karnataka have framed the rules and designated PIOs and AAs as required by the Act. Some, like the Bombay High Court, have still not complied with the provisions. Supreme Court has suggested amendment to the act so that the second appeal in their cases may not lie before the Central Information Commission but with the Registrar General of the Supreme Court.	**
53.	Panel 1 Recom 14	The judiciary needs to initiate measures for effective implementation of the RTI for which it should frame rules as required under the Act.	**
54.	Panel 1 Recom 15	The judiciary could also consider giving priority to disposal if cases where Public Authorities have withheld Information on stay of Commissioners' orders.	**
<b>PENALTY CLAUSE</b>			
55.	Panel 1 Para 4 Bullet 2	The reluctance of the Information Commissioners to use the penalty clause against officials providing wrong or no information has been an issue of discontent. The Commissioners feel that indiscriminate use of the clause may lead to collapse of the administrative machinery more so because these are still early	The Commission concurs with the recommendation.

		days of implementing a whole new concept of governance. There is a misunderstanding that the penalty is fixed and automatic, but the Act requires the Commission to follow principles of natural justice. The panel noted that once it is decided to impose the penalty the Act in present form does not provide discretion to the Commissioners to determine the amount. The Commissioners should be given some discretion in imposing penalty under section 20 of the Act as the fine imposed on the PIO not only damages his career prospects but also hurts him financially. In present form, the Commissioners may be forced to impose penalty that will appear to be disproportionate to the lapse. The suggested discretion may encourage the Commissioners to impose penalties in more number of cases.	
56.	Panel 1 Recom. 9	As regards penalties which can be imposed u/s 20, Commissions should be given overriding powers to decide the quantum within the parameters of the provisions of this section.	**
<b>PIO</b>			
57.	Panel 1 Para 1	While Public Information Officers have been appointed by most of Public Authorities and the process of accessing information by people has started, there are still many public authorities that are yet to designate/notify PIOs. Even where they have been designated/notified, particulars of all such functionaries is still not available at one place. Most public authorities, particularly at the district level, do not display names and details of PIOs on their notice boards etc. making it difficult for the public to know where the application is to be submitted. Officials who do not have easy access to information or are too junior are often appointed as PIOs. <sup>3</sup> There is also a lack of uniformity in the States in identifying the competent levels of officials for discharge of this function.	**
58.	Panel 1 Para 3 Bullet 2	Applicants have to resort to sending their applications by registered post since officials avoid accepting their applications in person. Most of the PIOs at state level and district level are not cooperative and they sometimes threaten the applicants forcing them to withdraw applications.	**
59.	Panel 1 Recom. 8	PIOs need to be of adequately senior in rank in the organization having adequate infrastructure to meet the demands of information sought under the Act. PIOs need training to be sensitive to the needs of the people and informed about their functions. For this additional work, they could be suitable compensated. A reference to this effect may be made to the Sixth Pay Commission set up by the Central Government.	**
60.	Panel 2 Para 8	Each Public Authority must review its decision relating to nomination of the Public Information Officer to ensure that PIOs are not over-loaded with the RTI work and they share it equitably within the organization. No standard prescription can be made in this regard as the P.As vary in size, spread, resources and transaction of documents. The Chief Executive of the P.As must judiciously divide the PIO work.	**
61.	Panel 3 Para 9	जो भी सूचना अधिकारी सूचना की अर्जी लेने से इंकार करता है उस पर सख्त से सख्त कार्यवाही होनी चाहिए। जनता/नागरिक जब सूचना अधिकारी के पास जाएं और उसकी अर्जी को स्वीकार ना किया जाए तो एक रजिस्टर में इसकी प्रविष्टि चाहिए और वह 02 गवाहों के सामने की जाए। आयोग को इसके ऊपर प्रभावी कार्यवाही तत्काल करनी चाहिए।	**
62.	Panel 3 Para 11	एक साल हो गया यह कानून बने लेकिन कई कार्यालयों में कार्यालय के बाहर सूचना अधिकारी और अपीलीय अधिकारी का नाम, पता, टेलीफोन नम्बर आदि का बोर्ड नहीं लगाया गया है। मुख्य आयुक्त को इसका जायजा लेना चाहिए कि कौन-कौन से कार्यालयों द्वारा यह नहीं किया गया है तथा इस पर कार्यवाही होनी	**

		चाहिए।	
63.	Cit. Speak Sugg. 2	PIO is the weakest link under the RTI Act. He/She can only be penalized under the Act. PIO needs to be provided complete infrastructure of photocopier, fax and accommodation for enabling him/her to handle the responsibility placed upon him/her.	**
64.	Cit. Speak Sugg. 3	Mr. Yogesh Kumar of Samarthan, Bhopal, had suggested that there was a need to create a budget line to strengthen infrastructure for CPIOs, mechanism for filing RTI applications needs to be simplified and a centralized system of monitoring the applications with a facility of citizens to check the status of their applications through internet should be put in place.	**
65.	Cit. Speak Sugg. 10	Mr. Ajay Kumar Goel of Health Care Foundation, Delhi, suggested that a separate cadre in civil services like IPS, IAS may be formed and named Indian Public Information Officer. The Central Information Commission should form a bench of more than one Commissioner to take up review of the decisions made by single Commissioner. There should be a time-limit fixed in the Office of Central Information Commission which should suo moto take up issues requiring disclosure of important information like availability of medicine blood platelets in Government hospitals during Dengue, etc. through their websites.	**
66.	Cit. Speak Sugg. 11	Mr. Hemanth Gupta, CPIO, HEC, Ranchi suggested that CIC should not issue notice to CPIO as the appeal was disposed of by the Appellate Authority. More over he had to collect this information from various offices which should be given show cause notices.	**
<b>PROCEDURE</b>			
67.	Panel 3 Para 16	अंतिम निर्णय देते समय कमिश्नरों ने दोनों पार्टियों का पक्ष सुनकर ही निर्णय देना चाहिए।	**
68.	Resol. No. 4	Commissions must give an opportunity for a personal hearing to appellants and complainants.	The Commission is already following this procedure.
<b>PUBLIC AUTHORITIES</b>			
69.	Panel 1 Para 6	Even enumeration of public authorities is a Herculean task given the huge numbers of public authorities <sup>15</sup> . Various Public Authorities like the electric distribution companies of Delhi (known as DISCOMS), and Association of Indian Universities have dragged the Central Information Commission to the High Courts on being declared as Public Authorities under the Act. Governments need to notify all its authorities specifically u/s 2(h) to dispel all doubts in this regard.	The Commission concurs with this recommendation.
70.	Panel 1 Recom. 2	The Competent authority under the Act should notify all its public authorities under sec 2(h) of the Act to remove any ambiguity in this regard.	**
71.	Panel 2 Para 12	As regards various clarifications e.g. definitions of public authority or individual or substantially financed self-governing institutions etc. The CIC and SICs should act in a pro-active manner as only through such a process many of the existing grey areas would get defined more clearly.	**
72.	Panel 3 Para 15	विविध प्राधिकरणों की कौन-कौन सी संस्थाएँ इस कानून के अन्दर आती हैं इस पर एक-मत नहीं दिखाई देता सरकार ने इस लिखित है। इसे सुस्पष्ट करने की आवश्यकता है।	**

73.	Cit. Speak Sugg. 1(b)	Social audit of certain public authorities by NGOs, Citizens Forum and Civic Bodies of repute would help in fighting corruption.	**
74.	Cit. Speak Sugg. 7	Mr. Ramakrishnan had sought clarification if a company established under the Companies Act which is a central law should become a 'public authority' as section 2(h) (b) gave an impression that any body or institution established under any law made by the Parliament would constitute a public authority.	**
75.	Cit. Speak Sugg. 9	Mr. B.L. Ghasolia of ONGC suggested that the procedure to be followed by the public authority should be incorporated in the Act which should have provisions for denying information on vexatious requests.	**
76.	Resol. No. 2	All Public Authorities must fulfil the requirements of Section 4, and a compliance report should be submitted to the appropriate Information Commissions before 1 January, 2007.	**
<b>PUBLICITY</b>			
77.	Panel 1 Para 3 Bullet 5	Since the Act has not been publicized very well, the users are largely government employees and the educated urbanites. BPL exemptions are being misused by unscrupulous elements.	**
78.	Panel 1 Para 8 Bullet 3	Government has not undertaken any campaign, either in electronic or print media for making RTI popular among citizens, while it regularly launches campaigns on achievements of railways, health programmes, etc. This gap has so far been partly filled by NGOs and the media by publishing handouts.  This historic piece of legislation can be said to have been only partially successful. Public Authorities and Public Information Officers are becoming aware of their full responsibilities. Citizens are learning of the power of information in their hands. It has been a learning experience for each entity involved in the working of the law. But there is still need to tap the full potential of the Act. RTI activists are optimistic despite the initial hiccups and believe that the Act has indicated that it is a powerful weapon to change the work culture in Government. Much would hinge on the seriousness of Central and State Governments and Public Authorities in fulfilling their obligations under the Act and ensuring removal of difficulties in the functioning of the Act including the important aspect of autonomy of the Central and State Information Commission.	**
79.	Panel 1 Recom. 10	Each Public Authority should fulfil its obligations u/s 26 of dissemination of knowledge amongst citizens. Adequate budget for this purpose must be provided.	**
80.	Panel 2 Para 14	Effective measures be taken urgently to ensure that compliance of section 4 RTI reaches to the levels closet to the villages.	**
81.	Panel 3 Para 2	सूचना का अधिकार अधिनियम, 2005 के प्रचार-प्रसार के लिए यह आवश्यक है कि हम आकाशवाणी, दूरदर्शन, रेडियो आदि जो कि गांवों और कस्बों में लोगों की जानकारी का साधन है, का उपयोग करें, साथ ही पोस्टर पत्रिकाएं भी लोगों की मातृ भाषा में हो और वह सरकार द्वारा सरल भाषा में प्रकाशित हो। यह प्रकाशन सामग्री सभी डाकघरों, तहसीलों, ग्राम स्तर के पंचायत कार्यालयों तथा बैंकों में लगनी चाहिए और वितरित किये जाने की सुविधा हो।	**
82.	Panel 3 Para 3	विद्यालयों में सूचना का अधिकार अधिनियम, 2005 के बारे में जानकारी पाठ्यक्रमों में होनी चाहिए ताकि बच्चे विवेकशील हों तथा इस अधिकार को पहचान सकें। इसके अलावा नुक्कड़, नाटकों, सभाओं तथा प्रतिस्पर्धाओं द्वारा इसको अधिक से अधिक प्रसारित करना चाहिए। स्कूलों में अध्यापकों को इसके बारे में प्रशिक्षित किया जाना	**

		चाहिए।	
83.	Panel 3 Para 4	इस अधिकार के बारे में जागरूकता बढ़ाने के लिए सरकार को स्वयं सेवी संस्थाओं को बढ़ावा देना चाहिए तथा जो भी स्वयं सेवी संस्थाएं इस कार्य में लगी हैं उनका सहयोग लेकर इस कार्य को आगे बढ़ाना चाहिए।	**
84.	Panel 4 Para 1	Awareness on RTI has come in the urban areas but the impact of a RTI is much less in rural areas. There is a need to take RTI at the grassroots level. The following steps may be taken in this regard:  (i) There should be training programme for both the information seekers and the information providers.  (ii) Multimedia should be used in the information dissemination.  (iii) Best practices in RTI should be show-case.	**
85.	Cit. Speak Sugg. 6	Mr. D.D.N. Yadav emphasized that on setting up a 'practical regime' under RTI as envisaged under the RTI Act for which Governments to work hard in creating general awareness about the provisions of RTI Act.	**
86.	Cit. Speak Sugg. 12	Mr. Mukesh Kumar wanted Government to take steps to propagate this Act in the illiterate population living in the village and train Village Sarpanch, District President and other elected officials of local bodies.	**
<b>RECORD MANAGEMENT</b>			
87.	Panel 2 Para 7	The present status of record maintenance and destruction is in a state of utter neglect both in the Centre and the States. The weeding Rules which should have been drafted, and kept updated, are either in a state of utter neglect or non-existent in most of the Public Authorities. All Public Authorities must quickly review it. Their existing weeding Rules framed under the Destruction of Records Act, 1917. These weeding Rules must provide the period of retention of each type of records maintained by each Public Authorities. The condition and maintenance of Record Rooms need to be improved at once, to facilitate quick retrieval of record demanded. Wherever any record/document is not traceable its absence must be explained in context of the Weeding Rules in place in a particular Public Authority. Clear our accountability must be fixed for delays or non-traceable list of any document with reference to the Weeding Rules.	**
88.	Cit. Speak Sugg. 1(a)	The public authorities were facing enormous difficulties in cataloguing and indexing of records of all administrative units. The State Information Commission should be made powerful and functional in ensuring that public authorities take initiative in this regard and direct the Government for training the staff and rendering necessary support to SPIOs.	**
<b>REFUSAL OF INFORMATION</b>			
89.	Panel 3 Para 7	जो भी आयोग के ऐसे निर्णय हों चाहे वह राष्ट्रीय स्तर पर हो, राज्य स्तर पर हो, जहाँ अगर सूचना नहीं दी जा रही हो तो ऐसा करने के कारणों को अधिनियम के प्रावधानों के अंतर्गत स्पष्ट किया जाना चाहिए।	**
<b>TIME LIMIT</b>			
90.	Panel 3 Para 8	आयोग के निर्णय अधिक से अधिक 90 दिनों में पारित होने चाहिए तथा यह भी आवश्यक होना चाहिए कि यदि सुनवाई 90 दिनों में नहीं होती है तो यह माना जाय कि जो सूचना मांगी गई है वह देनी अनिवार्य है।	With the present infrastructure & manpower this will be difficult to implement.

<b>TRAINING</b>			
91.	Panel 1 Para 8 Bullet 1	Very little action has been taken under this section. Nodal agencies in the states have initiated the process of training PIOs in Uttaranchal, MP Chattisgarh, Andhra Pradesh, Rajasthan and Kerala. Centre for Good Governance, Yashada (Pune) and Public Administrative Training Institutes are handling the training of PIOs. This itself is a huge task and necessary budget needs to be provided.	**
92.	Panel 1 Para 8 Bullet 2	Nodal agencies in some states (AP, MP, Uttaranchal) have prepared learning materials on RTI (in English, Hindi and local languages) and template for suo moto disclosure of information.	**
93.	Panel 2 Para 11	A massive round of training of CPIOs/SPIOs must be undertaken to achieve the objective of Maximum Disclosure and Promotion of Open Governance. In this regard particular attention of the CPIOs and SPIOs be drawn towards the provision contained in section 25 (5) wherein they are expected to exercise their functions conforming to "the provisions or spirit of" the RTI Act. They must not be over-technical in meeting the demands made on them out also look at the spirit and intent behind asking the question. This alone would promote an open-governance regime, one of the intended objective of the RTI Act.	**
94.	Panel 3 Para 10	सूचना अधिकारी, अपीलीय अधिकारी, सहायक सूचना अधिकारी तथा नागरिक सूचना देने के लिए विभिन्न कार्यालयों में जो भी जवाब लिखने वाले अधिकारी हैं, उनको प्रशिक्षण दिया जाना चाहिए।	**
95.	Cit. Speak Sugg. 14	Ms. Vandana Sharma of Delhi suggested that to gain appropriate benefit of the Act training programmes for citizens at large be organized so that they could ask right questions for seeking the information they were looking for.	**
<b>WARRANT OF PRECEDENCE</b>			
96.	Panel 1 Para 5 Bullet 3	The government is still to define the warrant of precedence issue with regard to the ICs.	**