

Central Information Commission

3rd Annual Convention
RTI and its Ramifications for Good Governance

3rd - 4th November, 2008

**Welcome Address of the Hon'ble Chief Information Commissioner,
Shri Wajahat Habibullah**

Mr. Honorable and highly respected Prime Minister of India, Dr. Manmohan Singh, Hon'ble Minister of State for Personnel, Public Grievances and Pensions and Hon'ble Minister of State in the Prime Minister's Office, Mr. Prithviraj Chauhan, my colleague Mr. A.N. Tiwari, my colleague Mr. Rahul Sarin and all our friends here today, I welcome all of you to this inauguration of this 2-day Annual Convention on the Right to Information Act, its implementation and its relevance to 'good governance'. This Act, as we all know, was enforced on 12th October, 2005 and you Sir, Mr. Prime Minister, in your speech in Parliament of May 12, 2005, while introducing this Bill, has spoken of your objective in introducing this. You had said then, Sir, that I believe that the passage of this Bill will see the dawn of a new era in our processes of governance, an era of performance and efficiency, an era which will ensure the benefits of growth flow to all sections of our people, an era which will eliminate the scourge of corruption, an era which would bring common man's concern to the heart of all the processes of governance, an era which will truly fulfill the hopes of our founding fathers of Republic. These are the lofty ideals that you set before the Parliament of India, that you set before the Government of India and that you set before all of us in the Central Information Commission / State

Information Commissions. The question now is that with the passage of three years, it is time to assess how far we have gone and whether in fact this is having the kind of impact that you had envisaged, that you have dreamed of in terms of governance and bringing to the centre of governance the concern of what is called the "Aam Aadmi", the common man of India.

In this connection, I would best refer perhaps to the assessment that we Commissioners have made internally since our last convention, which was an in-house convention of all Information Commissions held in 2007. We had set-up a National Sub-Committee of the Central Information Commission, who have submitted their final Report to us on 30th of July, 2008. Copies of this Report are available. The Centre for Good Governance in Hyderabad is printing it for general issue. The Committee had referred to a general change in attitude from within, which was required in terms of generic issues. They said a fundamental change in the attitude is necessary within the bureaucracy to enable it to comply with the Act in letter and in spirit. It is the responsibility of the respective Governments to inculcate in the bureaucracy respect for citizens' right and to give up the cloak of secrecy and opaqueness that its functioning is characterized by. The second generic objective is the recommendation that the RTI Act to be an instrument of accountability and transparency, political and administrative support and ownership of reforms is critical. The quality of leadership in supporting necessary reform measures and a corresponding effective compliance will to a large extent determine the effectiveness of the Act and finally, for the efficiency of the Act, the efficacy

of the Act, the role of the Information Commission must be recognized as critical for the efficacy of the Act. It will be incumbent on the Commissions as well as the Governments to recognize this issue and ensure effective and independent functioning of the Information Commissions.

Of course, it then goes on to detail the objectives and specifications as to how this could be done by:

- (a) improving free flow of information, including public awareness - Action Central and State Governments
- (b) cooperation & Coordination of activities of SICs and CIC
- (c) adoption of best practices: Creation of an e-enabled common portal for ICs with common gateway
- (d) rules & Executive Orders issued under the Act with Central Govt. taking lead in bringing homogeneity
- (e) scientific Management of records with public authorities
- (f) public awareness and training - Central and State Governments, and
- (g) information Delivery at the district level.

For this Report, I must thank Mr.Rajan Kashyap, who was then Chief of the Punjab State Information Commission, and has now retired and he was Convener of this Committee, which had a number of members from different parts of the country. Now, this year, we are going to, therefore, assess these issues and I must thank the Ministry of Personnel, particularly the Department of Personnel and Training, who have co-sponsored this function today to make

it more effective and to enable us to have this function in the manner in which we are having it.

The issues for discussion in the next two days for the information of Hon'ble Prime Minister are as follows: the RTI and Transparent Governance, Accountability and Transparency of two major principles of the RTI Act, how far have we progressed in this, need for a different strategy specific to rural areas because all of us know that the heart of India beats in its rural areas. Unless that is effectively covered, the Act cannot be deemed to have been a success; RTI and protection of individual privacy. Now, in our country, we do not have a any law equivalent to UK's Data Protection Act, 1998 or the US law of Torts on Privacy. This law requires to be evolved and in a country which is a democracy, the right of the individual, the liberty of the individual is something which requires to be protected and how is that to be done in the context of the Right to Information. Then, of course, media, civil society and the Right to Information. We have a number of eminent Speakers speaking on this and chairing the panels on these subjects, because this is the question of its outreach, how it reaches out to the country. Then, for the first time, we are having this time the RTI in South Asia. May I use this occasion to welcome our guests who are here from Pakistan, from Bangladesh, from Sri Lanka and Nepal. Welcome here to participate in this and Congratulations, Sir, for having set the trend through this Act of a whole movement in South Asia towards a freedom of information. We would also make a current assessment of the RTI. The government has taken the initiative in making this

assessment, the Department of Personnel had appointed the Price Waterhouse to make an assessment how far we have gone. At the same time, simultaneously, the private sector through NGOs has set-up their own initiatives and come close to completing its study. We shall be discussing that at the conclusion of this function.

RTI has shown that democracy does not mean simply holding of elections. For a democracy to be real, it is necessary that citizens become participants in that democracy; the citizens can believe that governance is theirs because in a democracy governance is theirs. Over history, we, in India, have contributed much to the growth of human thought, to the growth of human science, to the growth of civilization itself. Can I hope, can I pray, along with all of you, that today the freedom of information, which is being ventured forward by us, making it a fundamental right in that way will also contribute not only to our country, not only to South Asia, but to the world. Thank You and Welcome once again.
