

FIRST REPORT

ON

**IMPLEMENTATION OF THE RTI ACT, 2005
(1.11.2005 TO 31.10.2006)**

**STATE INFORMATION COMMISSION,
HARYANA**

SCO 70-71, & 114-115,
SECTOR – 8C, MADHYA MARG,
CHANDIGARH – 160 009

Website: www.cicharyana.gov.in
e-mail : ussichry@yahoo.co.in
madhavang@hry.nic.in

CONTENTS

Chapter No.	Subject	Page No.
I.	Introduction	1-2
II.	Constitution of the Commission and its mandate	3-5
III.	Annual accounts of the Commission	6
IV.	Disposal of information requests by the Public Authorities	7-9
V.	Disposal of complaints and appeals by the Commission	10-11
VI.	Working of the RTI Act during November, 2005-October, 2006	12-14
VII.	Creation of awareness about the RTI Act – Initiatives of the Commission	15-18
VIII.	Recommendation of the State Information Commission, Haryana Part-I relating to the State Government and Part - II relating to Public Authorities	19-27
Annexure		
A	Proforma	28
B	Information received from the Public Authorities	29-47
C	Major Public Authorities from whom information has not been received	48-51
D	Detail of capacity building programmes / seminars on RTI Act organised by HIPA	52
E	Review of the implementation of the RTI Act in the field-meetings held at district level	53
F	Detail of Seminars / Workshops held on the RTI Act, 2005	54-55

CHAPTER – I

RIGHT TO INFORMATION : From Citizen's Movement to Legislation

"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 Government."

(Preamble, RTI Act, 2005)

INTRODUCTION

Freedom of information is a globally accepted right and most of the democratic societies have made this right as part of their respective legal systems. The importance given to this right is apparent from the following resolution adopted in the First United Nations General Assembly in 1946.

" Freedom of information is a Fundamental Human Right and the touchstone of all freedoms to which the United Nations is consecrated."

Article 19 of chapter III of the Constitution of India guarantees to all its citizens among other things Fundamental Right to Freedom of Speech and Expression. The Right to information is accepted as a Fundamental Right flowing out from Article 19 (1) (a) of the constitution. Over the years the Supreme Court has frequently ruled in favour of the citizen's right to know.

The main objective of the Right to Information Act, 2005 is to promote transparency and accountability in the working of every Public Authority in the country. The act mandates a legal-institutional framework for setting out the practical regime of right to information for every citizen to secure access to information held by or under the control of Public Authorities. It prescribes mandatory disclosure of certain information to citizens and designation of Public Information Officers in all Public Authorities to attend to requests from citizens for information within stipulated time limits. It provides

for appeal to designated appellate officers against the decisions of Public Information Officers. It also mandates the constitution of Central Information Commission and State Information Commissions to enquire into complaints, hear second appeals and be a watch dog in the implementation of the Act.

CHAPTER – II

Constitution of the Commission and its mandate

The Right to Information Act received the assent of the President of India on the 15th June, 2005, and was published in the Official Gazette of India on 21st June, 2005. The Act covers the whole of India except the State of Jammu and Kashmir. It is applicable to all Constitutional Authorities, bodies established or constituted by an Act of Parliament or State Legislature, or by order or notification of the appropriate Government. It also applies to bodies owned, controlled or substantially financed by Government directly or indirectly.

In order to ensure the effective implementation of Right to Information Act, 2005 the Government of Haryana on 31st October 2005, by notification in the Official Gazette, constituted the State Information Commission, Haryana, to exercise the powers conferred on, and to perform the functions assigned to it under this Act and also appointed Sh. G. Madhavan, IAS (Retd.) as the first Chief Information Commissioner of the State Information Commission, Haryana. He was sworn in on the 1st November, 2005 and the State Information Commission came into existence from this day. Later on vide notification dated 5th May 2006, Ms Meenaxi Anand Chaudhry, IAS (Retd.) was appointed as State Information Commissioner in the newly constituted State Information Commission, Haryana. She was sworn in on 9th May 2006.

Section 27 of the Act empowers the State Government to make rules to carry out the provisions of the Act by issuing notification in the Official Gazette. In exercise of this power, the State Government notified the Haryana Right to Information Rules 2005 on the 28th October, 2005. These rules prescribe the form of application to seek information, the fees and charges applicable and the mode of their payment and other related matters. Originally there were only two modes of payment of the fee namely through cash or treasury challan. However, on the recommendation of the Commission, the State Government vide notification dated 25th July 2006 also allowed payment of fee through demand draft or Indian Postal Order.

The budget was made available to the Commission only in the month of March, 2006 by way of supplementary estimates which were voted by the Vidhan Sabha in the last week of March 2006. As is generally the case with newly constituted bodies the process of locating a suitable office, recruiting staff, preparation of budget and creating the infrastructure took sometime. It took a couple of months thereafter to set up the office in the hired showrooms in Sector 8-C, Chandigarh with the help of the PWD & Architecture departments of the State Government. Thus the Commission became fully functional with the setting up of its office in SCO 70-71, Sector 8-C, Chandigarh from the middle of June, 2006. :-

It has been the endeavour of the Commission to ensure that the Right to Information regime, as enshrined in the preamble of the Act, is fully implemented so as to enable the citizens to secure access to information under the control of Public Authorities and to promote transparency and accountability in the working of every Public Authority. The Commission has made itself fully accessible and has been very liberal in entertaining complaints and appeals. The following steps have been taken to make the functioning of the Commission transparent with a view to ensuring that the citizen gets prompt & full information about the implementation of the RTI Act, 2005 in the State:—

1. The Commission has launched its own website "cicharyana.gov.in" w.e.f. Nov. 2006. By accessing the website the citizens can know the status of their cases including final orders issued. Since orders are generally announced at the conclusion of the hearing and are formally communicated within the next two to three days, they are loaded on to the website simultaneously. Citizen can also access information about the dates of hearing, the bench before which it is fixed, names of the parties etc. at the click of a button.
2. The website also gives bio-data information about the members of the Commission. It also contains information regarding circulars / instructions issued by the State Government / Commission from time to time, provisions of the Act, Rules framed thereunder, particulars of State Public Information

Officers, Assistant State Public Information Officers, First Appellate Authorities, of various Public Authorities etc.

3. Information on meetings held at the district level with officers and other sections of the Public by the member of the Commission is provided on the Website. Brief details of Seminars / Workshops held on the subject of RTI Act, 2005 also find mention on the Website.
4. The Commission has invited suggestions from all concerned to make this website more informative and useful to the citizen of this country.

CHAPTER – III

Annual accounts of the Commission

The State Information Commission, Haryana was set-up w.e.f. 1st November, 2005. The State Govt. made the following provisions under the Head of Account '2070 – Other administrative services – Non Plan' :—

Year	Funds Provided
2005-2006	30.00 lacs
2006-2007	126.00 lacs

An expenditure of Rs. 62.76 lacs was incurred till 31st October, 2006.

Even though the Commission came into being on 1st November, 2005 budget was made available only in the last week of March, 2006. The budgetary provision of Rs. 30.00 lacs made by way of supplementary estimates was voted by the Vidhan Sabha in the last week of March, 2006. However, advance action was taken with respect to purchase of office items including furniture and other infrastructure like telephones, fax machines, photocopiers etc. Action to set-up the office in the premises allotted by the State Govt. in Sector-8, Chandigarh was also initiated. It was due to this preparatory work that the Commission was able to utilize Rs. 26.79 lacs out of Rs. 30.00 lacs sanctioned for the year 2005-06 even though the final sanction was received in the last week of March, 2006. For the year 2006-07 the original budget of Rs.140.04 lacs was revised to Rs. 126.00 lacs by the State Govt. An expenditure of Rs. 62.76 lacs was incurred till 31.10.2006.

CHAPTER – IV

Disposal of Information Requests by the Public Authorities

Section-25 of the RTI Act mandates that the State Information Commission, after the end of each year, prepare a report on the implementation of the provisions of this Act during the year and forward a copy to the appropriate Government. The report shall be laid before the State Legislature by the appropriate Government. Each report is expected to contain information with respect to each Public Authority on the following points :—

- (i) Number of requests received.
- (ii) Number of requests rejected along with reasons, as per provisions of the Act, i.e., under sections 8 & 9 separately.
- (iii) Number and nature of appeals referred to the State Information Commission for review and their outcome.
- (iv) Particulars of any disciplinary action taken against any officer in respect of the administration of this Act.
- (v) Amount of charges collected by each Public Authority under this Act.
- (vi) Factual report on the efforts made by the Public Authorities to administer and implement the spirit and intention of this Act.
- (vii) Recommendations, if any, received for the development, improvement, modernization, reform or amendment to this Act or other legislation or common law or any other matter relevant to operationalising this Act.

With a view to assist the Ministries and Departments to collect the required information from the various Public Authorities under their jurisdiction a proforma was evolved. A copy of this proforma is available at Annexure 'A'. Letters were addressed

to all the Administrative Secretaries, Heads of Departments, Managing Directors of Boards, Corporations, Public Sector Undertakings, the Commissioners and Deputy Commissioners requesting them to furnish the information in the proforma prescribed to the State Information Commission in terms of Section-25(2) of the Act. Since the initial response was not encouraging, it was followed up through reminders. The information received from the Public Authorities has been arranged in an alphabetical order for Heads of Departments, Boards, Corporations, Public Sector Undertakings, Administrative Secretaries, Commissioners & Deputy Commissioners separately. This is available at Annexure 'B'. A list of Administrative Secretaries, major Departments and Public Authorities who did not respond is placed at Annexure 'C'.

As per reports furnished by the Public Authorities, a total of 4985 applications were received by them during the period 1.11.2005 to 31.10.2006. Request for access to information was denied in 156 cases under section-8 and in 30 cases under section-9 of the Act. A total sum of Rs. 6,26,071/- was collected as fee/charges from the applicants for providing this information. The total percentage of rejection of requests for access to information works out to 3.73% which shows that the Public Authorities have been providing information in majority of the cases. The following suggestions have been received from some of the Public Authorities and Ministries & Departments towards improved implementation of the Act :—

- (i) Many applicants seek very old & voluminous information requiring sufficient time to collect this information. The period of 30 days specified under the Act is quite inadequate to furnish such information. The period should be increased to 45 days.
- (ii) The quantum of information sought through each application needs to be fixed since many applicants tend to seek access to varied & voluminous information through a single application.
- (iii) In Public Authorities, where the number of applications received is very large, there should be a separate section with adequate staff & funds to process them.

- (iv) In view of the additional responsibilities assigned to designated officers i.e. the SPIOs & the First Appellate Authorities under this Act, not many officers are keen to take up this assignment. Again, the Act provides for stringent penalties for default. Therefore, the designated officers should be suitably compensated by making a provision for an honorarium.
- (v) The first Appellate Authority should also be given some powers under section-20 of the Act.

Suggestions made at (i) (ii) & (v) above would require an amendment to the Act which is to be initiated by the Government of India. It is not advisable to increase the period for furnishing the information from 30 to 45 days. Similarly, it may not be desirable to fix the quantum of information or the number of questions for single application since there are only a few such cases. Action on suggestions at serial no. (iii) & (iv) above has to be taken by the Government of Haryana or the concerned Public Authority. The lack of adequate staff & funds to process the applications under the Act, have been frequently voiced before the Commission during the public hearings by Public Authorities like Haryana Urban Development Authority & Department of Education etc. There is also a strong justification to provide honorarium to SPIOs and First Appellate Authorities for the additional responsibilities they are expected to perform under the Act. The Commission has separately made a recommendation for earmarking a small budget as a percentage of the budget of each Public Authority for the implementation of the Act. This should take care of the two issues mentioned above.

CHAPTER – V

Disposal of complaints and appeals by the Commission

During the period under report, i.e 1.11.2005 to 31.10.2006, 116 Complaints under section 18 (2) and 80 appeals under section 19 (3) of the Right to Information Act were entertained in the Commission. Out of these, the Commission had decided 98 complaints and 64 appeals up to 31.10.2006, and decisions were promptly communicated to the parties concerned. Besides, 393 applications have also been disposed of by suitably advising the applicants. A total of 34 cases i.e. 18 complaints and 16 appeals remained under action with the Commission as on 1.11.2006.

The Commission afforded an opportunity of hearing as well as personal hearing to both appellants and respondents to respond to the issues raised in the complaints/ appeals. Besides, the relevant record was also examined at the time of hearing before deciding these cases. During the period under report, penalty was imposed in a case against State Public Information Officer for delay in supplying the information. The Estate Officer, HUDA, Faridabad was the State Public Information Officer who was fined Rs. 3000/-. No disciplinary action was recommended against any SPIO during this period.

It was observed that some of the major reasons for complaints to the Information Commission were as under :—

- (i) Refusal to accept the application / application fee for providing information to the applicant under the RTI Act.
- (ii) Non-response to request for information or access to information within the time limit specified under the RTI Act.
- (iii) Providing incomplete, misleading or evasive replies to requests for information.

The main reason for non-acceptance of the application / application fee, at the initial stage, was the ignorance of the ASPIOs / SPIOs about the provisions of the Act. However, with the training programme conducted by the Haryana Institute of Public Administration (HIPA) at the district level for the SPIOs / ASPIOs, things started improving and such instances of refusal to accept applications came down considerably. The Commission has been very prompt in entertaining complaints in this regard and providing the necessary relief to the applicant.

The Commission while processing & deciding the complaints & appeals under the Act has laid stress on the following aspects :—

- (i) Though there is no time limit specified for disposal of complaints or appeals by the Commission under the Act, the Commission has tried to ensure that cases are disposed of within a period of 90 days of their institution. By and large, the Commission, has been successful in doing so.
- (ii) All the cases are decided after holding a public hearing. This ensures that all the facts of the case are available before the Commission and the complainant/ appellant gets a reasonable opportunity of presenting his/her case before the Commission. The SPIO gets personally committed to furnishing the information by a specific date because of his presence at the hearing.
- (iii) Every effort is made to ensure that information to the extent possible, is supplied at the hearing itself to the applicant. In case this is not possible, a specific time limit is set for furnishing the information. A compliance report is invariably obtained and the case is not formally closed until the information supplied is to the satisfaction of the applicant as well as the Commission.
- (iv) The proceedings at the public hearings are conducted in an informal atmosphere so that the applicant feels at home in presenting his / her case. The decision is normally announced at the conclusion of the hearing and the orders are communicated to the parties through courier within 3 to 4 days of the hearing.

CHAPTER – VI

Working of the RTI Act during November, 2005 – October, 2006

6.1 Complaints and appeals – an analysis

A majority of the complaints/appeals heard by the Commission were submitted by serving and retired public servants and related to redressal of personal grievances concerned with service/ career matters in the case of serving public servants and retiral benefits in the case of retired servants. In the case of other citizens the applications mostly related to property matters, taxation, and civil & criminal disputes of a personal nature. There were limited applications which required information on matters of general public interest, policy or developmental issues. Out of the total complaints and appeals decided during the period under report service and personal matters constituted 46.93% of complaints and 44.44% of appeals. Similarly, property related complaints and appeals constituted 27.55% and 20.63 % respectively of the total references received by the Commission. Public interest related complaints/appeals constituted a comparatively low percentage, i.e. 15.30% and 14.28% respectively. The major departments / Public Authorities involved were those of Education, Revenue, Urban Development, Police, Public Works, Power and Development & Panchayats. It is hoped that with increased awareness of the Act and its benefits this trend towards seeking access only to personal information will change and more & more applicants will in time to come seek information on matters of public importance.

The following issues and concerns in the implementation of the RTI Act came to the forefront while hearing the appeals and complaints by the Commission :—

(i) ***Lack of awareness***

A majority of the applicants seeking information were found to be lacking awareness of the provisions of the RTI Act. This is evident from the fact that a large number of them had approached the Commission directly for the supply of information

without making any reference to the concerned SPIO. In cases of deemed refusal by the concerned SPIO, the applicants approached the Commission directly in appeal instead of approaching the First Appellate Authority in the respective Departments / Public Authorities.

It is also a fact that a vast majority of applicants are not aware of the proper procedure for obtaining the information under the Act. They submit their applications without depositing the prescribed application fee or deposit fee through non-prescribed modes. Such applicants have been suitably advised by the Commission about the proper procedure to be adopted while submitting applications for seeking information.

(ii) Initial delay in Notification of Designated Officers

During the process of hearing of the complaints / appeals by the Commission, it had come to notice that some of the Public Authorities had not notified ASPIOs / SPIOs and First Appellate Authorities in their organizations. Such Public Authorities had been directed by the Commission to immediately designate these authorities and also prominently display their names on the notice boards in front of their offices for the facility of the general public.

(iii) Lack of Proper Functioning of First Appellate Authorities

It had been observed that the First Appellate Authorities in the departments/ organizations were not functioning properly. They either do not pass speaking orders or do not afford an opportunity of hearing to the appellant with the result that in almost all the cases, appellants have to approach the State Information Commission by way of second appeal. Sometimes, they tend to forward the appeal to the concerned SPIO in a routine manner without proper order or application of mind. It has also been observed that appeals are not being heard by them in a proper way. Summary disposal of appeals is against the tenets of providing a fair opportunity in accordance with principles of natural justice. In most of the cases, applicants have complained of not being provided with adequate opportunity by the First Appellate Authority to explain their view point. It is essential that First Appellate Authorities discharge their

responsibilities by a proper application of mind and pass a speaking order. Otherwise the very purpose of providing this in house forum of appeal to the appellant shall be defeated.

(iv) Inadequate Training in respect of Categories of Exemptions

The Act under Sections 8 and 9 has provided certain categories of exemptions from disclosure of information. The categories, by way of illustration, include, information likely to affect Security of the State, Strategic, Scientific or Economic interests of the State, Detection and Investigation of Offences, Public order, Conduct of international relations and Cabinet papers, Trade or Commercial secrets. The access to information, the disclosure of which would cause breach of privilege of Parliament or State Legislature and personal information which has no relationship with public activity and could cause unwarranted invasion of the privacy of any person is also exempted from disclosure. However, exemptions provided are not absolute and withholding of information must be balanced against disclosure in the public interest. It has, however, been seen that the provision of these sections have not properly been interpreted at the level of Public Authorities while rejecting the requests for information of the applicants. Thus, there is an urgent need to impart training to the officials/ officers concerned with the implementation of the RTI Act.

CHAPTER-VII

Creation of awareness about the RTI Act – Initiatives of the Commission.

A careful study of the number of applications received by various Public Authorities clearly shows that most of them pertain to urban areas and issues. The maximum number of applications have been received by the Public Authorities under the Departments of Urban Development, Labour & Employment, Excise & Taxation, Town & Country Planning, Technical Education, Education, Transport, Industries and the Universities. These were followed by the Departments of Revenue, Health, Development & Panchayats, Power Utilities, Cooperation, Food & Supplies, Irrigation, Police and Public Health. This clearly indicates that there is an urban bias in the functioning of the Act. The major reasons for this are attributable to the higher levels of awareness which exists in the urban areas, greater activity of electronic and print media as well as the citizen groups and welfare associations and greater assistance available to the information seekers residing in the urban areas. On the contrary, awareness levels in the rural areas are extremely poor and consequently the number of applicants seeking information are also comparatively low from these areas. It is ironical that the Act which drew its inspiration because of a movement started in the backward areas of Rajasthan is not attracting persons residing in the rural areas because of the lack of awareness of the basic provisions and their rights under the Act. Even though the RTI Act clearly casts this responsibility on the State Government it would not be practical to expect the State Government to solely discharge this responsibility. However other stake holders like the Non-Governmental Agencies, Citizen Welfare Groups, as well as the Electronic and Print Media also have to put in their efforts to educate and equip the public under the RTI Act. The Commission has separately suggested earmarking of some budget for this purpose. The Commission has also an important role to play in this regard. During the year under report, the following initiatives have been taken by the Commission to create better awareness about the provisions of the Act in the districts as well as rural areas of the State :—

1. The Haryana Institute of Public Administration, Gurgaon was requested, through the Chief Secretary to Govt. of Haryana, to conduct district level training programmes for the State Public Information Officers, Asstt. State Public Information Officers and District Heads of Offices about the basic provisions of the Act as well as procedures & processes expected to be followed to deal with applications received under the Act. These programmes were conducted at the district level by the HIPA during the period from May, 2006 to October, 2006. The details, district wise, are available at Annexure 'D'.
2. Members of the Commission visited the districts during this period to hold meetings & address officers of the district administration including SPIOs, ASPIOs and First Appellate Authorities on the importance of the Act and clear their doubts and misgivings about the various provisions of the Act. To make these discussions more meaningful & interactive in addition to district officers, representatives of the three tiers of the Panchayats, Municipal Bodies, representatives of non-governmental organizations and members of the media were also associated in the discussions. These visits apart from creating a lot of media interest also proved very useful in creating better awareness both amongst the officers and the members of the general public. Details of the meetings held at various districts during this period is given at Annexure 'E'.
3. During this period seminars and workshops were held on the provisions of the RTI Act and its implementation in the State wherein different sections of society were involved in the discussions. This proved extremely useful. Details of these seminars / workshops held on this subject are available at Annexure 'F'.
4. Public hearings conducted by the Commission have also been utilized to educate the officers and applicants who appear before the Commission about the important provisions of the Act and the lapses which they need

to avoid in future. Important observations are recorded as part of the order which are communicated to the designated officers. Specific directions with regard to compliance of particular provisions of the Act within a fixed timeframe are also given and compliance report obtained before the cases are formally closed by the Commission. In cases where the procedural lapses are of serious nature, a copy of order is also communicated to the Head of the Public Authority for issuing instructions to field authorities for taking remedial measures under intimation to the Commission. This has had the effect of ensuring implementation of these provisions in other Public Authorities as well.

One of the frequently reported concerns about the implementation of the Act at the centre and state level pertains to the inadequate use of the penal provisions against the PIOs for furnishing delayed information. It would be incorrect to assume that the Commissions have been lenient towards delays and are reluctant to impose penalties specified under the Act. It has to be appreciated that the RTI Act is a new enactment which is trying to bring about a fundamental change in the general mindset of Public Authorities and it would be impractical to expect miracles overnight. The PIOs as well as the Public Authorities have to be fully equipped to deal with applications by properly understanding the provisions of the Act and the responsibilities to be discharged by them. Training programmes need to be organized more extensively for indepth training since there is still a lot of ignorance about the provisions of the Act amongst the officers which is causing the delay. The Commission has laid stress on this aspect in the recommendation made to the State Government as part of this report. It would have, therefore, served no useful purpose by simply resorting to penal proceedings and imposing penalties right from the start. The citizens have also to be educated properly about how to make applications for seeking information and the procedure to be followed in this regard. A breathing time was, therefore, necessary for both the Public Authorities as well as the citizens to understand the system of applying for and getting access to the information. The Commission has laid more stress during this period, on ensuring furnishing of accurate, complete & timely information to the citizens rather

than penalising SPIOs. This does not mean that this trend will continue in future. Show cause notices are issued in cases of delay and the matter is examined in detail in the context of the reply submitted. The matter is closed only after obtaining written assurances from the Public Authorities / SPIOs that these lapses shall not occur in the future.

Another interesting development under this Act is that the State Information Commission, which is the final authority on the matter of providing information, is also being viewed as an authority to ensure redressal of the grievances of the petitioners/ citizens. The information seeker after the successful completion of the proceedings before the Commission is still keen to have specific orders regarding redressal of his/ her grievance which led to his/her seeking information in the first instance. The Commission has been at pains to explain to the appellants / complainants during the hearing that this is not a role envisaged for the Commission under the Act and they have to seek redressal elsewhere before an appropriate forum based on the information furnished to them. In majority of the cases citizens have difficulty in understanding this and are dissatisfied with the final result of the proceedings even though the necessary information required by them has been furnished to them. However it has been noticed that the very fact that the intervention of the Commission ensured supply of information has an indirect effect on the Public Authorities who have to finally decide on the grievance of the citizens. In many cases the desired relief is given to the citizens even before the completion of the proceedings before the Commission.

CHAPTER – VIII

RECOMMENDATION OF THE STATE INFORMATION COMMISSION, HARYANA

PART-I

RECOMMENDATIONS RELATING TO THE STATE GOVERNMENT

8.1 Creation of Awareness about the Act – Obligation of the State Government.

It has been the experience so far that Government servants, public officials and people from the urban areas have been the major beneficiaries under the Act. There is a limited awareness of the Act and its benefits in the rural areas of the State. The obligation to create this awareness among the public is cast on the State Government in terms of Section 26 of the RTI Act. To create the necessary public awareness, especially among people residing in rural areas, a special programme with specific budget should be developed and organised by the Government so that all sections of society benefit by the provision of the Act and the Government fulfills its obligation under Section 26 of the Act.

The programme with substantial budget should be implemented with focus on the following aspects for the effective implementation of the Act :—

- (i) Organize and develop educational & training programmes to spread awareness and advance the understanding of the Public especially of disadvantaged communities, about the Act so as to empower them to exercise the rights contemplated under the Act.
- (ii) Direct Public Authorities to participate in the development and organization of programmes referred to in (i) above and to undertake such programmes themselves.
- (iii) Promote timely and effective dissemination of accurate information by Public Authorities about their activities.

- (iv) Organising indepth training of the State Public Information Officers and Assistant State Public Information Officers as well as First Appellate Authorities.
- (v) Produce relevant training materials for use by the Public Authorities themselves especially in relation to Sections 8 and 9 of the Act.

B.2 Publication of a user guide

The Government has the obligation to compile a guide in its official language to assist a citizen who wants to exercise any right specified under this Act. It is strongly recommended that a comprehensive guide book in an easily comprehensible form, may be prepared and made available to applicants in all Public Authorities.

B.3 Directory of First Appellate Authorities / SPIOs / ASPIOs

The Commission has been writing to the State Government to publish a complete list of SPIOs and First Appellate Authorities for each Public Authority but this is yet to be done. It is recommended that the process of printing a directory of SPIOs and First Appellate Authorities in the State may be expedited. It should be a reasonably priced document which could be made available on request. Similarly the D.Cs of the districts should be asked to get this list published at the district level.

B.4 Directing & ensuring compliance of Provisions of Section 4 of the Act from Public Authorities

The compliance of the provisions of this section has been very poor by the Public Authorities. The Commission has also written to the State Government on more than one occasion on this matter but there has been virtually no progress. The importance of this provision whereby maximum information is to be placed in the public domain by each Public Authority cannot be ever emphasized. Each Administrative Ministry has to chalk out a time bound programme for compliance of this section by the Public Authorities under its control and complete the exercise by the 31st of December, 2007. The Finance Department has to ensure that a minimum percentage of budget is fixed for each Public Authority for this purpose so that the process of computerization of records is started without delay. Some of the schemes of Government of India available

for modernization / computerization of records should also be fully availed of to speed up this process.

8.5 Amendment in rules for facilitating easy submission of application and payment of fees

(a) Payment through court fee stamps

Under the provisions of the RTI Rules promulgated by the State Government in October, 2005 the fee could be deposited either by way of cash or through Treasury Challan. Some problems were encountered initially in accepting cash since many authorities had no such system of accepting cash and could also not advise the citizens about the proper receipt head in which the fee had to be deposited. A suggestion made by the Commission to have one common receipt head for the entire State for this purpose did not find favour with the State Government. However, the suggestion made by the Commission to accept payments through demand drafts and Indian Postal Orders was finally accepted by the State Government and a notification was issued on 25.7.2006. Payment of fee through the affixation of court fee stamps could also be considered as a mode of payment of fee under the Act. A suitable amendment to this effect can be considered in the rules notified by the State Govt.

(b) Notifying E-Disha district headquarter

With a view to give relief to the citizens seeking information, the Commission recommends that the E-Disha Centres which have been started in the districts should be utilized for accepting application under the RTI Act. An exclusive counter should be earmarked for this purpose and an APIO should be put on duty for accepting applications and pass them on to the concerned Public Authorities within 3 days. This measure apart from providing relief to the general public will also eliminate complaints of non-acceptance and indifference made with regard to some Public Authorities.

(c) Designation of selected Post Offices in rural areas as APIOs.

The Central Government has designated certain Post Offices as APIOs who receive RTI applications in respect of Central Public Authorities covered under the Act.

Since Post Offices are located in rural areas and payment of fee through IPO is an accepted form of payment, it is suggested that some of the Post Offices at the district and Sub-Divisional level may be designated as APIOs who can receive RTI applications with respect to Public Authorities of the State. The Post Offices can forward these applications along with application fee and charge postal fee separately from the applicant. It is recommended that this matter may be taken up with the Post Master General of Haryana at a suitable level and necessary provisions made in the rules thereafter.

(d) *Allowing e.mail. as a mode of filing application*

The Act provides for seeking information through e.mail but no procedure has been prescribed for depositing fee in such cases. A provision may be made in the rules that the PIO concerned should write to the applicant asking him to send the required fee through any of the prescribed methods within a fortnight to ensure action on the application.

8.6 Providing adequate budget to the Public Authorities

A common difficulty has been frequently aired before the Commission by the Public Information Officers at the time of the hearings as well as during interactive sessions conducted in the districts. It has been pointed out that while the fee and documentation charges are deposited under the receipt head of the Govt. department/ Public Authority, the charges for photocopying documents have to be met out of the contingency budget which puts a severe strain on the departments. In some cases where a large number of documents have to be photocopied especially from outside (because all Public Authorities do not have the photocopiers), the expenses are huge and cannot be met from the inadequate budget provided under the head "Contingency expenditure". This is a genuine difficulty which needs to be addressed by the Govt. One way of addressing this problem is to make a provision whereby a reasonable percentage of fee/charges collected by an Authority is placed at its disposal to meet the cost of providing information or else the provision under the head of contingency, should be suitably enhanced keeping in view the quantum of applications received

under the RTI Act by the concerned Public Authority. The budget provided for this purpose could also be utilized by the Public Authorities for purchase of photocopier machines.

8.7 Training Programmes for SPIOs & First Appellate Authorities

The SPIO is the pivot around which the entire Act revolves and unless he is properly trained and equipped the very purpose of the enactment is defeated. During the public hearings it has been noticed by the Commission that there is large scale ignorance amongst these officers about even the basic provisions of the Act and the procedures to be followed in dealing with the applications seeking information. The Haryana Institute of Public Administration had conducted a one day Training Programme at the district level but this has not been enough. Some of the larger Public Authorities of Government departments which have more interaction with the public like HUDA, Municipal Committees, Irrigation, Power Utilities and Education, need to organize specific training programmes for their officers and HIPA should have no difficulty in conducting such programmes. The Commission strongly recommends such a step so that the Act is implemented in right earnest in the State.

8.8 Providing support to First Appellate Authority / SPIO / ASPIO

(a) *Provision of adequate additional staff*

The lack of adequate staff to process the applications under the RTI Act has been frequently voiced before the Commission during the public hearings by Public Authorities notably like the Haryana Urban Development Authority, Department of Education etc. This is cited as a cause of delay in furnishing the information in most of the cases. The Commission has felt that this is a genuine difficulty which needs to be addressed by the Public Authorities. Even with the process of computerization of records some support staff will be required to process the applications under the Act which are bound to increase with the passage of time. The Commission has already recommended that the Finance Department should earmark a minimum percentage of budget of each Public Authority for implementation of the various provisions of the Act. It is further recommended that some part of the budget should be utilized to provide adequate

additional staff to the First Appellate Authorities and SPIOs for better implementation of the Act. The staff to be sanctioned will be decided by the Public Authority depending on the quantum of work load under the Act.

(b) Provision of honorarium

In view of the responsibilities placed on these officers under the Act and stringent penalties for non-compliance within the fixed time frame, these officers have to put in extra efforts in addition to their normal duties. Officers are generally reluctant to perform these functions and this fact has been brought to the notice of the Commission during the hearings as well as interactive sessions held from time to time. The Commission therefore recommends payment of reasonable honorarium to the First Appellate Authorities, SPIOs and ASPIOs commensurate with the additional responsibilities shouldered by them under the RTI Act.

PART-II

RECOMMENDATIONS FOR THE PUBLIC AUTHORITIES

The following are some of the areas which require immediate attention of the public authorities for the successful implementation of the RTI Act.

8.9 Universal *Suo motu* Disclosure of Information by Public Authorities

Section 4 (1) (b) of the Act provides that all Public Authorities should make a *suo motu* disclosure of various matters concerning their organizations within a period of 120 days of the enactment. This includes detailed information under 16 different heads about the organizations which needs to be published and also updated periodically. Section 4(2) of the Act provides that each Public Authority shall take steps to provide as much information as possible *suo motu* to the public at regular intervals through various means of communication including Internet so that the public have minimum occasions to resort to the use of the Act to obtain information. A careful reading of this section makes it clear that it is one of the most important and fundamental provisions of the Act and correctly referred to as the very soul of the Act. A proper and faithful implementation of this section will ensure that maximum information is placed

in the public domain and over a period of time there will be very little occasion for the citizens to take recourse to the Act to obtain information. Every Public Authority was expected to make this information available w.e.f. 12.10.2005 but very few Public Authorities have attempted this exercise so far. It has to be admitted that this requires an attitudinal change on the part of the Public Authorities. Once the system is in place it will make the implementation of the Act much more easier for the Public Authorities. They have to devise ways and make judicious use of the resources available to them to ensure maximum disclosure under the Act. The Commission therefore makes the following recommendations:—

For a satisfactory compliance of Section 4 of the Act all the Public Authorities need to review the manner in which the decision making process takes place in the organization as well as their channels of supervision and accountability to ensure maximum disclosure under Section 4 (1) (b) (iii) of the Act. A time bound programme should be chalked out with regard to compliance of this section which has already been delayed.

8.10 Effective Management of Records in Public Authorities

It has been observed that the standard of record keeping is in a very poor shape in the offices of most of the Public Authorities. Access to information is denied in many cases on the pretext that record is irretrievable or misplaced. An exercise at the State level needs to be carried out to review and update the record retention procedures so that it fully conforms to the provision of Section 4 (1) (a) of the Act. Each Public Authority should earmark some percentage of its budget for implementing the provisions of Section 4 particularly with respect to computerization of records. Sub-sections 4(1)(c) and (d) are designed to draw public participation in governance and Public Authorities should therefore ensure that these provisions are implemented to ensure complete transparency and openness in administration.

8.11 Listing of Public Authorities under Ministries & Departments

Certain Authorities and organizations substantially funded or controlled by the Government of Haryana have been taking the plea that they are not covered under the

Act. Clarifications are also being sought from the Commission on this matter from time to time. It is therefore recommended that all the Ministries & Departments should clearly notify all the Public Authorities under their jurisdiction formally under Section - 2 (h) of the Act.

8.12 Listing of Public Information Officers and First Appellate Authorities

There are frequent queries addressed to the Commission about the designations and addresses of various SPIOs and First Appellate Authorities notified by various Public Authorities in the State. Even though most of them have notified its officers updated information about them is not always available on the website. Full information is also not available with the Commission, even though repeated requests have been made in this regard. A list of the designated officers under each Public Authority should be placed on website or published. This list should be updated as and when the occasion arises.

8.13 Notification of Senior level Officers as SPIOs

The Commission has observed that some Public Authorities tend to appoint junior level functionaries as State Public Information Officers. This seriously affects their ability to get information from their senior functionaries in the same department and thereby are unable to discharge their responsibilities under the Act within the time frame provided in the Act. The Commission therefore recommends that persons of suitable seniority should be designated as Public Information Officers, to ensure the effective implementation of the Act.

8.14 Streamlining the Procedure for accepting applications under the Act

In spite of repeated instructions issued by the State Government many Public Authorities have not displayed information about SPIOs and First Appellate Authorities in the notice boards of their offices. There are still complaints of harassment caused due to reluctance in accepting applications. The Commission on its part has been intervening periodically and has also been issuing directions with regard to display of this information. It is strongly recommended that each Public Authority should streamline

its procedure on this subject and issue clear cut instructions to its functionaries about acceptance of applications, mode of payment of fees, as well as display of information outside their offices and ensure that these are implemented.

8.15 Chapter on RTI under Annual Reports of Public Authorities

All Public Authorities including Government Departments, Boards and Corporations under the administrative control of the State Government normally bring out an annual administrative report detailing the various activities undertaken by them during the year. A specific chapter on the subject of implementation of the RTI Act during the year in question should be an essential ingredient of this report before it is approved by the competent authority and published.

PROFORMA

Register of requests for information & disposal of requests under RTI Act, 2005.

[illegible]

ANNEXURE-B

Register of requests for information & disposal of requests under RTI Act, 2005.

Name of Public Authority	Number of requests received	Number of requests rejected (reasons in brief) as per provisions of the Act	Number of complaints/appeals referred to the State Information Commission		Particulars of any disciplinary action taken against any official on account of violation of RTI Act.	The amount of charges collected	Factual report of the efforts made by the Public Authorities to administer and implement the spirit and intention of this Act.	Recommendations, if any, received for the development/modernization/reform or amendment to this Act or other legislation or common law or any other matter relevant to RTI Act and action taken thereon.
			(a)	(b)		(a)		
1	2	3	4	5	6	7	8	
		s(a)	(a)	(b)	(a)	(b)		
		U/s 8	U/s 9	U/s 18	U/s 19	On the recommendations of the Commission	Application charges under section 6(1) in Rs.	Document- action charges under section 7(3) in Rs.
HEADS OF DEPARTMENTS								
1. Animal Husbandry & Dairying Department, Haryana.	8	0	0	0	0	0	900	0
2. Archaeology & Museums	0	0	0	0	0	0	0	0
3. Agriculture Department	29	4	0	0	0	0	880	3675
								Every effort has been made for the implementation of this act
4. Archives Department	0	0	0	0	0	0	0	0
5. Ayush Department, Haryana	7	0	0	0	0	0	350	440
6. Civil Aviation	0	0	0	0	0	0	0	0
7. Consolidation	5	0	0	0	0	0	250	0
8. Cooperation, Haryana.	96	10	0	0	0	0	4130	5965
9. Chief Electrical Inspector,	0	0	0	0	0	0	0	0

1	2	3		4		5		6		7	8
		(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
10. Development	18	0	0	0	0	0	0	819	1135	A Public notice has been displayed on the room of the public authority of this department, for facilitation/guidance of the public. A register has been maintained in which all relevant information such as requests made for information, fee deposited and information supplied to the applicant are entered in it.	
11. Economic & Statistical Organisation	8	0	0	0	0	0	0	350	650	All the concerned officers have been sensitized about the application of RTI Act, 2005. * Necessary instructions have been issued to concerned officers at head office level as well as at field offices level for displaying on the Notice boards all necessary information and formats as required under the act	
12. Elections	49	0	0	0	0	0	0	370	695	3. The concerned functionaries have also been instructed to refer the Hr. Govt websites. www.haryanagov.in. & www.rti.gov.in from time to time	Implemented
13. Elementary Education, Haryana	20	0	0	0	0	0	0	600	360		

1	2	3		4		5		6		7	8
		s(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
14. Environment	3	0	0	0	0	0	0	100	0		
15. Employment	60	0	0	0	0	0	0	2750	2509		
16. Excise & Taxation, Department, Haryana	71	18	0	3	1	0	0	2300	13020		
17. Fisheries	2	0	0	0	0	0	0	550	0		
										1st appellate authority-SPIO-ASPIO at Dist. Level-All per- formas circulated in the field- Manual prepared by the department.	
18. Food and Supplies	105	0	0	0	0	0	0	8495	2480		
19. Forests Department, Haryana	157	0	0	2	3	0	0	3850	2355		

Copy of RTI Act, 2005 notification circulated to all officers with the direction to make the officials and public aware about the act.
 * Public information officers attended seminars/workshops etc. organised from time to time. * RTI information regarding department put on website www.haryantforest.org.
 Information boards installed. * All letters regarding RTI Act sent to field offices marked as Urgent RTI, 2005. * Status of action being taken on information being sought by applicants informed to concerned applicants

1. Some applicants seek information which is not available with the SPIO and needs to be collected. It takes time and can lead to delay because of collection of information.
 The Hon'ble Information Commission should kindly view these cases.

2. Some applicants seek information and when it is identified by the SPIO and the applicant informed to deposit the required fee, as per rules, the applicant does not deposit fee or respond. There have been a number of such cases.

3. The SPIO or ASPIO should be given some powers so that he/she

1	2	3	4	5	6	7	8
		(a)	(b)	(a)	(b)		
can deal with Public persons from whom he/she is seeking information and that person is not supplying it.							
4. All letters regarding RTI Act sent to field offices marked as "Urgent" Right to Information Act, 2005.							
5. Status of action being taken on information being sought by applicants informed to concerned applicants.							
20. Gen. & Official Trustee & Treasurer Charitable Endowments	1	0	0	0	0	Designated 1st App. Auth. & SPIO	0
21. Haryana Institute of Public Administration (HIPA)	4	0	0	0	50		0
22. Haryana State Legal Services Authority	0	0	0	0	0	As per requirement of the Act, all the efforts have been made by the authority to implement the act.	0
23. Health Services	141	4	0	0	6580	The department has made sincere efforts to implement the spirit of the Act by designating the office in charge at the PHC/CHC level as the P/O and Civil Surgeon as the appellate authority. Thus making the system reachable to the Lowest Level to avoid hard-ship to the Public.	4400
24. Haryana Aids Control Society	3	0	0	0	150		30

1	2	3		4		5		6		7	8
		s(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
25. Higher Education, Haryana	174	0	0	1	2	0	0	7270	5717	<p>After receipt of the circular letter No. 54/2002-1AR dated 30-9-2005 from the office of Administrative Reforms Department, Haryana. The department had appointed Mrs. Asha Gupta as SPIO and the Sh. Bhooop Singh Bishnoi, HCS as 1st appellate authority. Now Shri Ishwar Singh Sheokand, Dy Director has been appointed as PIO due to retirement of Mrs. Asha Gupta.</p> <p>1. Since the Act provides for severe penalties for the regular PIO there must be a provision of a reasonable but handsome tax free honorarium for the PIO, APIO, 1st appellate authority and the receipt officer/ Cashier. They have to face many practical difficulties in dealing with the in house system to produce correct and complete information within the limitation period and in the process even incur the wrath of their colleagues. As a result, no officer comes forward to take up these assignments.</p> <p>2. The 1st Appellate Authority too should be given some powers as 20 of the Act.</p> <p>3. The department is Committed to implement the RTI Act, 2005 in its true spirit and take all possible measures to disseminate information relating to it thereby create awareness among general public about the aims and objects sought to be achieved by it.</p>	

1	2	3		4		5		6		7	8
		(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
26. Home Guards & Civil Defence	4	0	0	1	0	0	0	200	170	SPIO & ASPIO have been appointed in every District. They are directed to strictly comply the provisions of the Act.	
27. Horticulture, Sericulture Complex, Sector-21, Panchkula	7	3	0	0	0	0	0	300	292		
28. Industrial Training & Vocational Education	15	0	0	0	0	0	0	750	1409	Website of the Department has been launched wherein information regarding department is available (www.itharyana.org.in) (ii) some of the PIO's, APIOs of the department have been given training regarding RTI Act by HIPA	
29. Institutional Finance & Credit Control	1	0	0	0	0	0	0	0	0		
30. Irrigation	46	0	0	2	2	0	0	1750	840	SPIOs are being appointed at every District level and Additional SPIO is being appointed at Head Quarter, PKL.	
31. Labour	7	1	0	0	0	0	0	350	1930	All steps required under the <i>ibid</i> act and rules made their under have since been taken by all the offices of the labour department in the state. The labour commissioner, all heads of offices PIO's	

1	2	3	4	5	6	7	8	9	10	11	12
										<p>APNO's and appellate authorities have been sensitized about the application of RTI Act.</p> <p>* All necessary information and formats as required under the act and the rules made there-under have been displayed on the notice board of their respective offices.</p> <p>* All the concerned functionaries of the Labour department have downloaded the RTI Rules 2005 from the State Website www.RTI.govt.in or thereof otherwise and kept this copy handy for the convenience of the public at large.</p>	
32. Land Records	5	0	0	0	1	0	0	250	100		
33. Law and Legislative	8	0	0	0	0	0	0	2385	0		
34. Local Audit	3	0	0	0	0	0	0	150	160		
35. Panchayats	266	4	0	0	0	0	0	8993	136334		
36. Police Headquarter, Sector-6, Panchkula	858	28	0	10	5	0	0	38890	38485	<p>Seminars are regularly being organized by the Haryana Police Academy Madhuban to educate the Police personnel. This act has also been included in various courses run by the academy for initial as well as in service training.</p> <p>Since the information will have to be derived/collected from different corners which is a time consuming factor, hence it is suggested that maximum time may be extended from 30 days to 45 days or like this.</p>	

1	2	3		4		5		6		7	8
		s(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
37. Printing and Stationery, Department, Haryana	4	0	0	2	0	0	0	0	0		
38. Prisons, Haryana	14	1	0	0	0	0	0	400	55	The RTI Act, 2005 has been implemented in head office as well as in all field offices in full letter and spirit.	
39. Prosecution	3	0	0	0	0	0	0	100	420		
40. PWD (Public Health), Department, Haryana	25	0	0	0	0	0	1	1175	900	Every effort is made by this office to administer and implement the spirit and intention of this act.	
41. Public Relations & Cultural Affairs	9	0	0	0	0	0	0	400	390		
42. Rehabilitation	27	0	0	1	0	0	0	615	910		
43. Renewable Energy	4	0	0	0	0	0	0	0	0	SPIO/SAPMO has been declared and all other formalities as required under the act have been completed.	
44. Revenue Training Institute	0	0	0	0	0	0	0	0	0		
45. Rural Development, Haryana	23	0	4	0	4	0	0	400	200		
46. Science & Technology	1	0	0	0	0	0	0	50	0		
47. Small Saving	0	0	0	0	0	0	0	0	0		
48. Social Justice & Empowerment	24	0	0	0	0	0	0	1000	2930		
49. Sports & Youth Affairs	18	0	0	0	1	0	4	600	285	1. Document mentioned under section 4(b) (i) to (vii) of RTI, 2005 have been the date fixed for	

1	2	3	4	5	6	7	8
		(a)	(b)	(a)	(b)		
						published on the Website of this department. Website is :- www.haryanasports.gov.in	hearing what course of action is required by appellant authority?
						2. Copy of act/rules have been circulated to the SPIO's and SAPHO's of this department	2. Is a professional or law degree holder advocate permissible to appear before appellate authority to represent his client (applicant), as the appellant authority is not a law degree holder. 3. If prescribed fee of Rs. 50/- required alongwith an application is not deposited with the concerned SPIO/ASPHO and the prescribed period of information i.e. 30 days expires and the applicant appeals or lodges a complaint against the particular SPIO in these circumstances what would be the course of action on the part of 1st Appellate Authority.
						3. Notification regarding the appointment of 1st appellate authority, SPIO's and SAPHO's have been circulated to the concerned.	(i) whether 1st appellate authority is bound to hear the appeal?
						4. Instructions have been circulated to all the subordinate officers to strictly comply with the provisions of the act/rules.	(ii) Whether 1st appellate authority can reject the appeal on the ground that the fee has not been deposited with SPIO?
						5. All concerned have been directed to comply with the provisions of this act during the departmental meetings. All relevant information and circulars issued from time to time and news items related to RTI are displayed.	(iii) Whether 1st Appellate Authority is

1	2	3		4		5		6		7	8
		(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
50. State Vigilance Bureau	12	0	0	0	0	0	0	0	50		
51. School Education, Haryana	206	0	0	0	3	12	0	7970	13486		
52. Supplies & Disposals	2	0	0	0	1	0	0	150	0	Being implemented in letter and spirit.	
53. Technical Education	79	0	0	3	3	0	0	3660	2500		
54. Town & Country Planning	219	0	4	0	10	2	1	5760	51595		
55. Transport Commissioner, Haryana	58	4	2	1	0	0	0	2240	990		
56. Tourism, Department	6	0	0	0	0	0	0	0	0		
57. Wel. of Scheduled Castes & Backward Classes	3	0	0	0	0	0	0	50	0		
58. Women & Child Development	46	5	0	0	0	0	0	2250	4197		
TOTAL	2964	82	10	27	37	16	6	121582	302059		

BOARDS AND CORPORATIONS

1. Agriculture Marketing Board	29	0	0	0	0	0	0	1160	3845
2. Agro Industries Corporation Ltd.	2	0	0	0	0	0	0	100	210
3. B.P. Singh, University for Women, Khanpur Kalan	2	0	0	0	0	0	0	0	2980
4. Backward Classes & Eco. Weaker Section Kalyan. Ngm.	0	0	0	0	0	0	0	0	0

bound to supply the required information, (iv) if the appellant is not present on the date fixed for hearing, in that event can 1st Appellate Authority decide appeal Ex parte.

1	2	3		4		5		6		7	8
		s(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
5. Board of Ayurvedic & Unani Systems of Medicine	4	0	0	0	0	0	0	200	200		
6. C.R. State College of Engineering, Murthal Sonapat	32	0	0	1	2	0	0	1500	1240		
7. CCS (HR) Agriculture University	45	1	0	1	1	0	0	1970	3102		
8. Command Area Development Authority (CADA)	0	0	0	0	0	0	0	0	0		
9. Commission for Women	0	0	0	0	0	0	0	0	0		
10. Coop. Housing Federation. Ltd.	2	0	0	0	0	0	0	100	20		
11. Coop-Apex Bank Ltd.	0	0	0	0	0	0	0	0	0		
12. Coop. Supply & Marketing Fed. Ltd. (Hafed)	17	1	0	0	1	0	0	850	1330		
13. Cooperative Development Federation Ltd.	1	0	0	0	0	0	0	50	0		
14. Council for Science & Technology	1	0	0	0	0	0	0	50	0		
15. Chaudhary Devi Lal University, Sirsa	20	0	0	0	1	0	0	950	1710		
16. Council of Homoeopathic System of Medicine	2	0	0	0	0	0	0	100	0		
17. Dairy Dev. Coop. Fed. Ltd.	9	0	2	0	0	0	0	200	0		
18. Dakshin Haryana Bijli Vitran Nigam	54	0	0	2	0	0	0	1860	3132		

1. All field officers sensitized about the provisions and objects of the act.

2. Orders made to pass on the information in cases where office was either slow or holding different views.

Efforts being made to deploy officers for a capsule course on the Right to Information.

1	2	3		4		5		6		7	8
		(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
19. Electricity Regulatory Commission	13	0	0	0	0	0	0	260	338	The information regarding all the relevant documents including orders passed by the HERC on the ABR is already on the website. However, the information sought by the Public person have been supplied within the stipulated period mentioned in the RTI Act, 2005.	
20. Electronics Dev. Corporation. Ltd. (HARTRON)	4	0	0	0	0	0	0	150	0	Best efforts are being made for implementation of the Act.	
21. Fed. of Consumers Coop. Wholesale Stores Ltd.	18	0	0	1	0	0	0	310	280		
22. Financial Corporation(HFC)	83	1	0	1	4	0	0	2120	17475	Action w.r.t. publishing documents mentioned u/s 4(1) (b) (i) to (XVII) of RTI Act 2005 already complied with. The information is available on corporation's website http://www.hfcindia.org .	
23. Fed. of Coop. Sugar Mills. Ltd.	2	0	0	0	0	0	0	0	445		
24. Forests Dev. Corporation. Ltd.	3	0	0	0	2	0	0	150	0		
25. GJU, of Science & Tech. Hisar	21	1	0	0	1	0	0	1060	440	Lectures delivered and guidelines circulated.	
26. Haryana Vidyut Prasaran Nigam Limited	50	5	0	0	0	0	0	2150	1921	All out efforts are made to furnish the separate section to information within handle the RTI cases as time frame. Efforts the organisation is	

1	2	3		4		5		6		7	8
		s(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
										<p>were made to educate quite big as compared to other offices giving importance of the act to officers and officials of the related offices.</p> <p>2. There should be a condition on the applicants that they should ask for very specific information which they can use to their benefit or in the interest of public at large.</p> <p>3. The quantum of information asked should also be fixed in the Act as applicants asking huge information (Like Sh. Range Lal Gupta), should be avoided as the labour and time put in by the officers/officials is not commensurate with the result.</p> <p>4. Officer/department-wise SPIO's /APOs be appointed for faster supply of information as they will be responsible for their own offices.</p>	
27. Handloom & Handicrafts Corporation Ltd.	0	0	0	0	0	0	0	0	0		
28. Haryana Board of School Education Bhiwani.	19	0	0	0	0	0	0	800	730		
29. Haryana Public Service Commission	12	0	0	0	0	0	0	670	1920		
30. Haryana Tourism Corporation Haryana.	3	0	0	0	0	0	0	100	50		
31. Haryana Staff Selection Commission (HSSC)	92	39	0	0	0	0	0	3315	4660		

1	2	3		4		5		6		7	8
		(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
32. Haryana Warehousing Corporation	6	0	0	0	0	0	0	200	295	Wide Publicity on website & Training by HAPA	
33. Hind Kush Nivaran Sangh	0	0	0	0	0	0	0	0	0		
34. Haryana Urban Development Authority	551	0	0	16	0	0	0	30900	10091		
35. Haryana Sahitya Akademi	0	0	0	0	0	0	0	0	0		
36. Haryana Woman Development Corporation Ltd.	0	0	0	0	0	0	0	0	0		
37. Housing Board	42	0	17	1	3	0	0	890	2225		
38. Indian Red Cross Society	3	0	0	0	0	0	0	10	140		
39. Industrial & Infrastructure Dev. Corporation. Ltd.	147	0	0	1	0	0	0	7350	12685		
40. I.B. College, Panipat	1	0	0	1	1	0	0	0	0		
41. Kurukshetra University, Kurukshetra	38	2	0	0	0	0	0	360	2091	RTI Rules Have been Circulated for wide publicity	
42. Kurukshetra Development Board	4	0	0	0	0	0	0	200	200	The Information Concerning the Kurukshetra Development Board has been placed on Govt. Website.	
43. Land Reclamation & Development Corp. Ltd.	0	0	0	0	0	0	0	0	0		
44. Land Use Board	0	0	0	0	0	0	0	0	0		
45. Live Stock Dev. Board	0	0	0	0	0	0	0	0	0		
46. Maharishi Dayanand University, Rohtak.	125	0	0	1	0	0	0	5170	4317	(1) Since the Act provides for severe penalties for the regular PIO there	

1	2	3		4		5		6		7	8
		s(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
										must be a provision of a reasonable but handsome tax-free honorarium for the PIO, Asstt PIO, 1st Appellate Authority and the Receipt officer. They have to face many practical difficulties in dealing with the in house system to procure correct and complete information within the limitation period and in the process even incur the wrath of their colleagues and do not come forward to takeup these assignments.	
										(ii) The first Appellate Authority too should be given some powers u/s 20 of the Act.	
										Wide Publicity made to the Public to administer the implementation the spirit and intention of this Act.	
47. Medical/ Nurses Registration Council	1	1	0	0	0	0	0	0	0		
48. Police Housing Corporation.	0	0	0	0	0	0	0	0	0		
49. Pollution Control Board Ltd.	23	0	0	0	0	0	0	1150	2320		
50. Power generation Corporation	14	2	1	0	0	0	0	320	220		
51. PT. B.D. Sharma PCT, of Medical Science, Rohtak	12	1	0	0	1	0	0	350	310		

1	2	3		4		5		6		7	8
		s(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
52. Punjabi Sahitya Akademi	2	0	0	0	0	0	0	50	0		
53. Rural Dev. Fund Admn. Board (HRDF)	0	0	0	0	0	0	0	0	0		
54. Scheduled Castes Finance & Dev. Corporation Ltd.	1	0	0	0	0	0	0	50	0		
55. Seed Certification Agency	0	0	0	0	0	0	0	0	0		
56. Seeds Dev. Corporation Ltd.	2	0	0	0	0	0	0	60	0		
57. Shri Mata Mansa Devi Shrine Board.	0	0	0	0	0	0	0	0	0		
58. State Con. Disputes Red. Commission, Haryana	16	0	0	0	0	0	0	400	200		
59. State Information Commission, Haryana	2	0	0	0	0	0	0	100	166		
60. State Election Commission	3	0	0	1	0	0	0	150	140		
61. Swam Jayanti Shehri Rojgar Yojna & Urban Dev.	0	0	0	0	0	0	0	0	0		
62. Urdu Akademi	0	0	0	0	0	0	0	0	0		
63. Uttar Haryana Bijli Vitran Nigam	51	0	0	0	4	0	0	1490	1032		
64. Welfare Society for Hearing & Speech Handicapped	0	0	0	0	0	0	0	0	0		
TOTAL	1584	54	20	27	23	0	0	6925	82460		
ADMINISTRATIVE SECRETARIES											
FINANCIAL COMMISSIONERS AND PRINCIPAL SECRETARIES											
1. Elections Department	1	0	0	0	0	0	0	50	380		
2. Electronics & Information Technology	2	0	0	0	0	0	0	50	0		Best efforts are being made for implementation of the Act.

1	2	3		4		5		6		7	8
		s(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
3. Excise & Taxation Department	71	18	0	3	0	0	0	2300	13020	Efforts are being made to bring more transparency and to provide the information at the door step to the claimant under this Act.	
4. Finance Department	7	0	0	0	0	0	0	100	0		
5. Forests Department	6	0	0	1	0	0	0	360	240	1. Information boards installed. 2. SPIO attended seminar organised by HIPA.	
Management											
6. Health Department	12	0	0	0	0	0	0	520	60	The department has made sincere efforts to implement the spirit of the Act by designating the officer in charge at the PHC/CHC level as the PIO and Civil Surgeon as the appellate authority. Thus making the system reachable to the Lowest Level to avoid hardship to the Public.	
7. Irrigation Department	3	0	0	0	0	0	0	150	0		
8. Labour & Employment Department	60	0	0	0	0	0	0	2750	2509		
9. Rehabilitation Department	8	0	0	0	0	0	0	400	290	RTI Act followed in letter and spirit	
10. Revenue and Disaster	8	0	0	0	0	0	0	450	290	The RTI Act followed in letter & spirit.	
11. Training Department	0	0	0	0	0	0	0	0	0		

1	2	3		4		5		6		7	8
		(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
COMMISSIONER & SECRETARIES											
1. Urban Local Bodies Department	0	0	0	0	0	0	0	0	0	All steps required under the RTI Act, 2005 & rules have been taken by the office	
TOTAL	0	0	0	0	0	0	0	0	0		
COMMISSIONERS OF DIVISION											
1. Ambala	7	0	0	0	0	0	0	270	0	Applications are being disposed immediately under this Act.	
2. Gurgaon	0	0	0	0	0	0	0	0	0		
3. Hisar	3	2	0	0	0	0	0	50	0		
4. Rohtak	5	0	0	5	0	0	0	250	170		
TOTAL	15	2	0	5	0	0	0	570	170		
DEPUTY COMMISSIONERS											
1. Bhiwani	18	0	0	0	0	0	0	950	361	Training by HIPA was organized in this district to assimilate knowledge to the officers of the district they are also being directed in the monthly meetings to take all possible steps to make the public aware regarding the Act.	
2. Fatehabad	23	0	0	0	0	0	0	850	440		
3. Gurgaon	49	0	0	0	1	0	0	1000	750	30 days to provide information is less period as information generally asked are	

1	2	3		4		5		6		7	8
		s(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)		
										being collected from field staff which are generally delayed so this period should be 45 days at least. Public in general asks information, which does not relate to the office, which results in harassment to PIO.	
4. Hisar	32	0	0	0	0	0	0	1750	5210		
5. Jind	39	0	0	0	0	0	0	450	210		
6. Kaithal	13	0	0	0	0	0	0	650	250		
7. Narnaul	15	0	0	0	0	0	0	750	0		
8. Rewari	19	0	0	0	0	0	0	860	0		
9. Rohtak	24	0	0	0	0	0	0	2925	7360	Staff has been sensitized to person visiting office and are being told about utility of this Act & Procedure involved while seeking information under this Act.	
10. Sonapat	12	0	0	0	0	0	0	405	665	From time to time the meeting of PIOs/APIOs is convened to implement the Act in letter and spirit. Also in monthly meetings all the officers are directed / briefed to provide the required information under this Act.	
TOTAL	244	0	0	1	0	0	0	10390	15246		
GRAND TOTAL	4985	156	30	63	61	16	6	209347	416724		

ANNEXURE – C

LIST OF MAJOR PUBLIC AUTHORITIES FROM WHOM INFORMATION HAS NOT BEEN RECEIVED

HEAD OF DEPARTMENTS

1. Advocate General, Haryana
2. Census Operations
3. E.S.I.
4. Grievances
5. Hospitality, Department, Haryana
6. Industries & Commerce
7. Lotteries
8. Mines and Geology
9. NIC-Computer Centre
10. Panchayati Raj
11. Reproductive & Child Health
12. Public Works Department. (B&R)
13. State Transport Controller
14. State TB Association, Haryana
15. State TB Control Society & State Leprosy Society
16. Treasuries & Accounts
17. Urban Development
18. Urban Estates

BOARDS AND CORPORATIONS

1. Bhartiya Grameen Mahila Sangh
2. Blindness Control Society
3. Bureau of Public Enterprises
4. Commission of Inquiry
5. Committee for Fee Structuring of Medical & Tech. Edc.

6. Council for Child Welfare
7. Criminal Investigation Department
8. Coop. Agri. & Rural Dev. Bank Ltd.
9. Genl. Council, Prathmik Shiksha Pariyojna Parishad
10. Gurudwara Election Commission
11. Indl. Coop. Fed. Ltd.
12. Khadi & Village Industries Board
13. Mewat Development Agency
14. Minor Irrigation & Tubewells Corporation.Ltd.
15. Pharmacy Council
16. Rajya Sainik Board
17. Renewable Energy Development Agency
18. Roads & Bridges Dev. Corporation. Ltd.
19. Sakat Council.
20. Sanskrit Akademi
21. Second Backward Classes Commission
22. Shivalik Development Board
23. Slum Clearance Board
24. Small Inds. & Export Corporation. Ltd.
25. Social Welfare Board
26. State Counselling Board
27. Swatantrata Sainik Samman Samiti
28. Third Finance Commission

ADMINISTRATIVE SECRETARIES

FINANCIAL COMMISSIONERS AND PRINCIPAL SECRETARIES

1. Administration of Justice Department
2. Administrative Reforms Department
3. Agriculture Department
4. Architechture Department

5. Consolidation Department
6. Co-ordination Department
7. Development & Panchayats Department
8. Education & Languages Department
9. Fisheries Department
10. Food & Supplies Department
11. General Administration Department
12. Gurdwara Election
13. Haryana Bhawan New Delhi
14. Home Department
15. Industries & Commerce Department
16. Industrial Training & Vocational Education Department
17. Investment Promotion Centre, New Delhi
18. Jails, Criminal Investigation Department
19. Mines & Geology Department
20. Personnel Department
21. Planning Department
22. Power Department
23. PW (B & R), Department
24. Renewable Energy Sources Department
25. Science & Technology Department
26. Technical Education
27. Town & Country Planning and Urban Estates Department
28. Transport and Civil Aviation Department
29. Vigilance Department

COMMISSIONER & SECRETARIES

1. Animal Husbandry & Dairying Department
2. Archaeology and Museum Departments
3. Archives Department

4. Cell for proper Utilization/ Disposal of Govt. Property Department
 5. Cooperation Department
 6. Environment Department
 7. Finance & Credit Control Department
 8. HBPE
 9. Housing Department & M.D. Haryana Warehousing Corporation
 10. Printing & Stationery Department
 11. Public Relations & Cultural Affairs Department
 12. PW (Public Health) Department
 13. Social & Justice & Empowerment Department
 14. Sports & Youth Affairs Department
 15. Urban, Development Department
 16. Welfare of SCs and BCs Department
 17. Women & Child Development Departments
-

ANNEXURE-D**HARYANA INSTITUTE OF PUBLIC ADMINISTRATION**

76, HIPA COMPLEX, SECTOR-18, GURGAON.

**DETAIL OF CAPACITY BUILDING PROGRAMMES / SEMINARS ON
'RIGHT TO INFORMATION ACT'**

Sr. No.	Date of Course	No. of Participants	Venue
1.	May 08-12, 2006	23	HIPA, Gurgaon
2.	June 14-16, 2006	18	HIPA, Gurgaon
3.	22.6.2006	32	DTC, Panchkula
4.	July 24-27, 2006	25	HIPA, Gurgaon
5.	21.08.2006	37	DTC, Panchkula
6.	04.09.2006	55	Narnaul
7.	05.09.2006	60	Rewari
8.	06.09.2006	50	Faridabad
9.	07.09.2006	47	HIPA, Gurgaon
10.	11.09.2006	42	Sirsa
11.	13.09.2006	121	Hisar
12.	14.09.2006	45	DTC, Panchkula
13.	14.09.2006	79	Fatehabad
14.	18.09.2006	96	Jind
15.	19.09.2006	80	Sonepat
16.	19.09.2006	78	Panchkula
17.	20.09.2006	74	Bhiwani
18.	25.09.2006	60	Jhajjar
19.	27.09.2006	56	Karnal
20.	28.09.2006	76	Panipat
21.	29.09.2006	85	Rohtak
22.	04.10.2006	139	Ambala
23.	11.10.2006	125	Yamuna Nagar
24.	18.10.2006	118	Kurukshetra
25.	27.10.2006	138	Kaithal
Total		1759	

ANNEXURE – E

Review of the Implementation of the RTI Act in the field- Meetings conducted at the District level during 1.11.2005 to 31.10.2006

Sr. No.	Date	Name of Distt.	Remarks
1.	17/02/2006	Panipat	These meetings were presided over by the Chief Information Commissioner, where the working of the Act was reviewed and an interactive session was held with the participants.
2.	16/03/2006	Sonepat	
3.	20/03/2006	Rewari	
4.	24/04/2006	Jind	
5.	25/04/2006	Jhajjar	
6.	19/05/2006	Hisar	
7.	19/07/2006	Rohtak	
8.	25/08/2006	Karnal	
9.	15/09/2006	Sirsa	
10.	19/09/2006	Panchkula	These workshops were presided over by the State Information Commissioner who addressed the participants as Guest Faculty of the Divisional Training Centre, Panchkula and took part in an interactive session.
11.	04/10/2006	Ambala	

ANNEXURE – F

Details of Seminars / Workshops held on the RTI Act, 2005 during the period 1-11-2005 to 31-10-2006.

Sr. No.	Date	Venue	Remarks
1	2	3	4
1.	22-06-2006	Divisional Training Centre, Haryana Institute of Public Administration.	The workshop was conducted by Divisional Training Centre wherein the State Information Commissioner addressed the participants as Guest Faculty and took part in an interactive session.
2.	17-07-2006	Panjab University, Chandigarh.	The organization 'Priya' conducted a workshop on the RTI Act, 2005 for their district level functionaries of Haryana State which was addressed by the Chief Information Commissioner.
3.	20-07-2006	All India Radio Rohtak.	A live phone in programme was conducted by the All India Radio Rohtak wherein the Chief Information Commissioner answered telephonic enquires from members of the Public about the various provisions of the RTI Act.
4.	21-08-2006	Divisional Training Centre, Haryana Institute of Public Administration, Panchkula.	The workshop was conducted by Divisional Training Centre wherein the State Information Commissioner addressed the participants as Guest Faculty and took part in an interactive session.

1	2	3	4
5.	14-09-2006	Divisional Training Centre, Haryana Institute of Public Administration, Panchkula.	The workshop was conducted by Divisional Training Centre wherein the State Information Commissioner addressed the participants as Guest Faculty and took part in an interactive session.
6.	19-09-2006	-do-	-do-
7.	19-10-2006	Chaudhary Charan Singh Haryana Agricultural University, Hisar.	A two day workshop was conducted at the Chaudhary Charan Singh Haryana Agri- cultural University Hisar on the various aspects of the RTI Act, 2005 and its implementation. It was attended by the members of the faculty and the officers designated as SPIOs and First Appellate Authorities. The Chief Information Commissioner delivered the key-note address and took part in an interactive session with the participants.