

Before the Central Information Commission

2nd Floor, 'B' Wing, August Kranti Bhawan, Bhikaiji Cama Place, New Delhi- 110 066

Complaint submitted under Section 18(1)(c), (e) and (f)
of the *Right to Information Act, 2005*

In the matter of

Venkatesh Nayak

vs

Prime Ministers' Office

&

Venkatesh Nayak

vs

Ministry of Home Affairs

Date of submission: 29/11/2015

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S.S. Venkatesh Nayak

Before the Central Information Commission

2nd Floor, 'B' Wing, August Kranti Bhawan, Bhikaiji Cama Place, New Delhi- 110 066

Complaint submitted under Section 18(1)(c), (e) and (f)
of the *Right to Information Act, 2005*

Date: 29/11/2015

- 1) Name and address of the Complainant** : Venkatesh Nayak
#55A, 3rd Floor
Siddharth Chambers-1
Kalu Sarai
New Delhi-110016
- 2) Name and address of the Public Information Officer to whom the RTI application was submitted** : The Central Public Information Officer
Prime Minister's Office
Government of India
South Block
New Delhi- 110 001
- 3) Name and address of the officer who replied to the RTI application** : **1)** Shri P K Sharma
CPIO & Under Secretary
Prime Minister's Office
South Block
New Delhi- 110 011
- 2)** Shri S Samanta
Under Secretary
Ministry of Home Affairs
Government of India
North Block
New Delhi- 110 001
- 4) Particulars of the order complained against** : **1)** Communication No. RTI/10617/2015-
PMR dated 28/10/2015
- 2)** Communication No. A-430020/01/2015-
RT dated 08/10/2015

5) Brief facts leading to the complaint :

5.1) On 23/9/2015, this Complainant despatched by Speed Post a written request for information under *The Right to Information Act, 2005* (RTI Act), to the CPIO of the Prime Minister's Office (1st Respondent Public Authority) stating as follows (**Annexe 1**):

"Apropos of the news release dated 03/08/2015 caused to be published by your public authority on the website of the Press Information Bureau (PIB) relating to the signing of the "framework agreement", between the Government of India and the representatives of the National Socialist Council of Nagaland (NSCN), I would like to obtain the following information under the RTI Act:

S-S Venkatesh Nayak

- 1) A clear photocopy of the said framework agreement along with Annexures, if any;
- 2) A list of all files including electronic files and emails indicating the subject matter, and date of opening of each file in relation to the said framework agreement held by your office along with the total number of pages in each file;
- 3) A clear copy of all emails and records and documents included in the files referred to at para #2 above;
- 4) A clear photocopy of all communication received from every source in hard copy or electronic form till date, in relation to the said framework agreement;
- 5) Details of the compensation package along with the monthly remuneration paid till date to the Government Interlocutor mentioned in the said PIB news release and all other persons providing him assistance;
- 6) Item-wise details of the expenditure incurred by the Government of India for negotiating the framework agreement since 01/01/2015; and
- 7) Item-wise details of the funds spent on the travel and accommodation of the representatives of NSCN in New Delhi for participation in the ceremony of signing the framework agreement.

I am a citizen of India. I have attached an IPO (bearing #32F 044910) for Rs. 10/- towards payment of the prescribed application fee. I would like to point out that the information specified above is in the nature of information that is required to be proactively disclosed by your public authority under the terms of Section 4(1)(b) and (c) of the RTI Act. As I am unable to find the said information on your website, I am constrained to submit this formal request. Kindly inform me of the additional fee payable for obtaining the information described above."

5.2) On 06/10/2015, this Complainant received a response from the CPIO specified at para # 3(1) above of the 1st Respondent Public Authority stating that the original RTI application had been transferred to the Ministry of Home Affairs (2nd Respondent Public Authority) under Section 6(3) of the RTI Act (**Annexe 2**).

5.3) Subsequently on 08/10/2015 the officer specified at para #3(2) above of the 2nd Respondent Public Authority confirmed receipt of the original RTI application transferred to him by the 1st Respondent Public Authority and stated that the said RTI application had been forwarded to the Director (NE-I) in the Ministry of Home Affairs (**Annexe 3**). **This Complainant has not received any further communication from the 2nd Respondent Public Authority, namely, the MHA till date.**

5.4) Subsequently, on 30/10/2015, this Complainant received a further reply from the CPIO specified at para #3(1) above of the 1st Respondent Public Authority stating as follows (**Annexe 4**):

"In continuation of this office's OM of even no. dated 1.10.2015, transferring your application to the Ministry of Home Affairs and also referring the matter to the

S.S. Ramesh Nayak

office for providing inputs, it is informed in respect of this office that no such information is available in records."

5.5) This Complainant is aggrieved by the actions and responses of the two Respondent Public Authorities for reasons described at para #7 below.

6) Prayers of relief sought :

This Complainant humbly prays that this Hon'ble Commission be pleased to:

- 1) to receive and inquire into this Complaint under Section 18(1)(c),(e) and (f) read with Section 18(3) of the RTI Act;
- 2) to invoke its powers under Section 18(3) of the RTI Act to make a determination as to which of the two Respondent Public Authorities actually holds or controls the information requested in the original RTI application;
- 3) upon making a determination as prayed for under para #6(2) above direct the concerned Respondent Public Authority that holds or controls the information to make a decision regarding the information sought in the original RTI application; and
- 4) issue a direction to the two Respondent Public Authorities to require their CPIOs to undergo rigorous training to properly understand and implement the provisions of the RTI Act at a reputable training institutions such as the Institute of Secretariat Training and Management, New Delhi.

7) Grounds for the prayers or relief sought :

7.1) According to Section 18(1)(c) of the RTI Act, any person who has not been given a response to a request for or access to information within the time limits specified under the RTI Act, may submit a complaint to this Hon'ble Commission. The 2nd Respondent Public Authority, namely the MHA has not bothered to respond to the original RTI application after it was forwarded to the Director (NE-I). More than 30 days have lapsed since the forwarding of the said RTI application to the said Director. This Complainant believes that the 2nd Respondent Public Authority has only two options while dealing with an RTIO application. Under Section 7(1) the CPIO is required to either provide the information on payment of such additional fee as may be determined by him or her in accordance with the RTI Rules, 2012 or reject the request for any of the reasons specified in Sections 8 or 9 of the RTI Act. It is not open for the CPIO to maintain silence indefinitely in relation to an RTI application. This Complainant believes that the 2nd Respondent Public Authority has neither supplied the requested information nor rejected it by invoking any of the permissible provisions of the RTI Act. This Complainant is aggrieved by this inexplicable silence maintained by the 1st Respondent Public Authority. **Hence the submission of this Complaint to this Hon'ble Commission.**

7.2) Further, this Complainant believes that it is a fit case for submitting this complaint to this Hon'ble Commission as the 2nd Respondent Public Authority did acknowledge receipt of the original RTI application transferred to it by the 1st Respondent Public Authority. So the terms of Section 19(1) of the RTI Act will not apply to this case wherein a person may approach the first appellate authority after 30 days for reasons of non-receipt of a response. This Complainant did receive an initial response from the 2nd Respondent Public Authority about the receipt of the RTIO application. However subsequently, no substantive response has been forthcoming from the said Public Authority. This Complainant is not aware as to

S-S. Ramesh Nayak

whether the Director (NE-I) is a designated CPIO of the 2nd Respondent Public Authority or not. Further, this Complainant has elected to invoke the complaints procedure under the RTI Act for redress as the identity of the first appellate authority before whom a first appeal may be filed is not clear. *Hence the submission of this Complaint to this Hon'ble Commission.*

7.3) According to Section 18(1)(e) of the RTI Act, any person may submit a complaint to this Hon'ble Commission if he/she **believes that he/she has been given misleading or false information under the RTI Act. This Complainant believes that the reply sent by the CPIO specified at para #3(1) on behalf of the 1st Respondent Public Authority, namely, the PMO is false and misleading.** A perusal of the website of the PMO reveals the following news update relating to the signing of the Framework Naga Agreement (**Annexe 5**):

"PM witnesses signing of historic peace accord between Govt of India and NSCN

The Government of India and the National Socialist Council of Nagaland (NSCN) successfully concluded the dialogue on Naga political issue, which has existed for six decades, and signed an agreement today in the presence of the Hon'ble Prime Minister Shri Narendra Modi.

Government's Interlocutor for Naga Peace Talks, Shri R. N. Ravi, signed the Agreement on behalf of the Government of India. Shri Isak Chishi Swu, Chairman and Shri Th. Muivah, General Secretary were the signatories on behalf of the NSCN. The entire top leadership of the NSCN (IM), including all members of the "collective leadership", has fully endorsed the agreement and was present during the ceremony.

This agreement will end the oldest insurgency in the country. It will restore peace and pave the way for prosperity in the North East. It will advance a life of dignity, opportunity and equity for the Naga people, based on their genius and consistent with the uniqueness of the Naga people and their culture and traditions.

Attempts were made from time to time to resolve the issue through discussion with representatives of the Naga people. A fresh attempt for a comprehensive resolution was initiated with the NSCN in 1997.

The new Government on assuming power in May 2014 accorded highest priority to this lingering problem. Prime Minister Shri Narendra Modi has on a number of occasions, including during visits to the Northeast region, articulated his vision for transforming the Northeast and has attached the highest priority to peace, security, connectivity and economic development in the region. This has also been at the heart of the Government's foreign policy, especially 'Act East' Policy.

The sustained dialogue between the two sides, conducted in a spirit of equality, respect and trust, deepened their mutual understanding and confidence, and enabled the two sides to reach an equitable agreement. The Government of India recognized the unique history, culture and position of the Nagas and their sentiments and aspirations. The NSCN understood and appreciated the Indian political system and governance.

The Government interlocutor also held frequent consultations with broad spectrum of Naga leaders, including those from the traditional tribal bodies, civil society, youth and students' bodies, women's groups, elected representatives and other

stakeholders. These consultations helped in distilling the popular aspirations of the Naga people and in enhancing a healthy atmosphere of trust and understanding.

In his statement at the signing ceremony, the Hon'ble Prime Minister lauded the courage and wisdom of the Naga leaders and civil society and thanked them for their co-operation in reaching the agreement. He also praised the Naga people for their support and the NSCN for maintaining the ceasefire for nearly two decades that enabled the dialogue to succeed. Prime Minister spoke of his vision for the transformation of the Northeast region. He also expressed confidence that the agreement will open a glorious new chapter for the Naga people to build a bright future for Nagaland and also contribute to the nation with a sense of pride and confidence.

Shri Th. Muivah, General Secretary, NSCN, narrated the history of Nagas' struggle and thanked the Hon'ble Prime Minister for his vision and resolve, which made it possible for the Government of India and the NSCN to reach an honourable settlement.

Within this framework agreement, details and execution plan will be released shortly.

Hon'ble Home Minister, Shri Rajnath Singh, National Security Adviser, Shri Ajit Doval and other high dignitaries of the Government of India were present.

The NSCN was represented by its entire collective leadership and senior leaders of various Naga tribes."

The text of the news update cited above and the photographs recording the occasion of signing the Framework Naga Agreement are publicly accessible at the following URL: http://pmindia.gov.in/en/news_updates/pm-witnesses-the-signing-of-historic-peace-agreement-between-government-of-india-and-nationalist-socialist-council-of-nagaland-nscn/. In his tweets relating to this Naga Framework Agreement the Hon'ble Prime Minister has tweeted that he personally supervised the negotiations leading to the signing of the agreement. A copy of this and related tweets of the Hon'ble Prime Minister are in **Annexe 5**.

Given these incontrovertible facts, the reply of the CPIO specified at para #3(1) above stating that no records relating to any of the information sought in the RTI application are available with the 1st Respondent Public Authority is patently false and misleading. It is inconceivable that the 1st Respondent Public Authority will not have any information relating to the signing of this historic agreement with the Naga leaders in its records, when the entire ceremony was organised in the presence of the Hon'ble Prime Minister, other Ministers of his Cabinet and senior officers of the Government of India. An official news update with photographs have been uploaded on the website of the 1st Respondent Public Authority. The said CPIO for reasons best known to him has elected to deny the existence of any and all information about this historic event in the 1st Respondent Public Authority's records. This Complainant is aggrieved by this false and misleading reply provided by the said CPIO. **Hence the submission of this Complaint to this Hon'ble Commission.**

7.4) Further, according to Section 18(1)(f) of the RTI Act, any person may submit a complaint "in respect of any other matter relating to requesting or obtaining access to records under this Act.". This Complainant is before this Hon'ble Commission in more than one case where the CPIO of the 1st Respondent Public Authority have wilfully contravened the provisions of the RTI Act. Their actions stand in stark contrast to the promise of enhanced transparency

S. S. Venkatesh Nayak

in the working of the Government of India made repeatedly by the Hon'ble Prime Minister. This promise of enhanced transparency is recorded on the official website of the 1st Respondent Public Authority at the following URL: <http://www.cpiio.gov.in/en/quest-for-transparency/> in the following words:

"Quest for Transparency

Prime Minister Narendra Modi firmly believes that transparency and accountability are the two cornerstones of any pro-people government. Transparency and accountability not only connect the people closer to the government but also make them equal and integral part of the decision making process.

During his record 4 terms as Chief Minister Narendra Modi demonstrated strong commitment to an open and transparent government. Rules and policies were not framed in AC Chambers but among the people. Draft policies were put online for people to give their feedback and suggestions. At the same time, initiatives such as Garib Kalyan Melas ensured that fruits of development directly reach the poor without any red tape. Another example is model of 'One Day Governance' that focuses on providing time bound services to the citizens by leveraging the e-governance infrastructure. The main objective of this was to ensure provision of all Government-to-citizen services covered under the Citizens' Charter.

His strong resolve to transparency backed by the manner in which he put this commitment to practice indicates an era of open, transparent and people-centric government for the people of India."

Despite this clear enunciation of the policy of transparency which echoes the objectives of the RTI Act as spelt out in its Preamble, the actions of the CPIOs of the 1st Respondent Public Authority are only damaging the reputation of the Hon'ble Prime Minister by showing him as making promises which his own subordinate officers do not intend to abide by. This is conduct unbecoming of a civil servant and deserves to be inquired into by this Hon'ble Commission using its statutory powers in the interest of preserving the regime of transparency fostered by the RTI Act to which the Hon'ble Prime Minister has made commitments time and again publicly. **Hence the submission of this Complaint to this Hon'ble Commission.**

7.5) Further, in his inaugural address at the Annual Convention of the Central Information Commission titled- "RTI: Outlook for the Future- Trust through Transparency", held in October, 2015, the Hon'ble Prime Minister said that every citizen has the right to question the administration about its actions as that is the foundation of democracy. He expressed his desire that the administration move in this direction of becoming more accountable in order to enhance people's confidence in the administration. A copy of the text of the said speech as uploaded on the website of the Press Information Bureau is enclosed at **Annexe 6**. This being the avowed policy statement of the Hon'ble Prime Minister made at a public forum, this Complainant believes that he is entitled to receive all the information sought at in the original RTI. **Hence the submission of this Complaint before this Hon'ble Commission.**

7.6) Further, in the matter of *Union of India vs. Vishwas Bhamburkar*, [2013 (297) ELT 500 (Del.)] the Hon'ble Delhi High Court was pleased to explain the scope and ambit of this Hon'ble Commission's powers under the RTI Act in relation to launching inquiries into missing records/information as follows:

7... It is not uncommon in the government departments to evade disclosure of the information taking the standard plea that the information sought by the applicant is not available. Ordinarily, the information which at some point of time or the other was available in the records of the government, should continue to be available with the concerned department unless it has been destroyed in accordance with the rules framed by that department for destruction of old record. Therefore, whenever an information is sought and it is not readily available, a thorough attempt needs to be made to search and locate the information wherever it may be available. It is only in a case where despite a thorough search and inquiry made by the responsible officer, it is concluded that the information sought by the applicant cannot be traced or was never available with the government or has been destroyed in accordance with the rules of the concerned department that the CPIO/PIO would be justified in expressing his inability to provide the desired information. Even in the case where it is found that the desired information though available in the record of the government at some point of time, cannot be traced despite best efforts made in this regard, the department concerned must necessarily fix the responsibility for the loss of the record and take appropriate departmental action against the officers/ officials responsible for loss of the record. Unless such a course of action is adopted, it would be possible for any department/ office, to deny the information which otherwise is not exempted from disclosure, wherever the said department/ office finds it inconvenient to bring such information into public domain, and that in turn, would necessarily defeat the very objective behind enactment of the Right to Information Act.

8. Since the Commission has the power to direct disclosure of information provided, it is not exempted from such disclosure, it would also have the jurisdiction to direct an inquiry into the matter wherever it is claimed by the PIO/CPIO that the information sought by the applicant is not traceable/ readily traceable/ currently traceable. Even in a case where the PIO/CPIO takes a plea that the information sought by the applicant was never available with the government but, the Commission on the basis of the material available to it forms a prima facie opinion that the said information was in fact available with the government, it would be justified in directing an inquiry by a responsible officer of the department/ office concerned, to again look into the matter rather deeply and verify whether such an information was actually available in the records of the government at some point of time or not. After all, it is quite possible that the required information may be located if a thorough search is made in which event, it could be possible to supply it to the applicant. Fear of disciplinary action, against the person responsible for loss of the information, will also work as a deterrence against the willful suppression of the information, by vested interests. It would also be open to the Commission, to make an inquiry itself instead of directing an inquiry by the department/ office concerned. Whether in a particular case, an inquiry ought to be made by the Commission or by the officer of the department/ office concerned is a matter to be decided by the Commission in the facts and circumstances of each such case."

Although the Hon'ble Delhi High Court arrived at this finding while inquiring into its powers under Section 19(8) of the RTI Act, this Complainant believes that this Hon'ble Commission can exercise similar powers under Section 18(3) of the RTI Act. This Complainant would like to point out that this Complaint is not being submitted for the purpose of seeking this Hon'ble Commission's intervention to direct the Respondent Public Authorities to disclose the information sought in the original RTI application. This Complaint is being submitted to

seek this Hon'ble Commission's intervention to invoke the powers of a Civil Court as are vested in it by virtue of Section 18(3) of the RTI Act for the purpose of conducting a search for the records whose existence is being denied by the CPIO specified at para #3(1) above on behalf of the 1st Respondent Public Authority. If on the other hand this Hon'ble Commission finds in the course of its inquiry that the 2nd Respondent Public Authority and not the 1st Respondent Public Authority has the records that form the subject matter of the original RTI application that Public Authority may please be directed to make a decision on the contents of the original RTI application by its designated CPIO. This Complaint is being submitted with the limited objective of ascertaining the physical location of the records that relate to the subject matter of the original RTI application. Therefore this Complainant firmly believes that the subject matter and the prayers made in this Complaint do not fall within the scope and ambit of the issues determined by the Hon'ble Supreme Court in the matter of *Chief Information Commissioner & Anr. Vs State of Manipur & Anr.* [AIR 2012 SC 864] with regard to the difference between the appeals procedures under Section 19 and the complaint procedure under Section 18 of the RTI Act. As the issue is one of making a determination about the physical location of the records in question this Complainant has deemed it fit to pray for invoking this Hon'ble Commission's powers and jurisdiction under Section 18(1) of the RTI Act. **Hence the submission of this Complaint before this Hon'ble Commission.**

7.7) Further, this Complainant has deemed it fit to submit a single complaint against both Respondent Public Authorities in order to avoid multiplicity of proceedings before this Hon'ble Commission and save its precious time. The subject matter of this Complaint is occasioned by a single RTI application and the subsequent manner of its handling by the two Respondent Public Authorities. For reasons described above, this Complainant believes that this is a fit case where this Hon'ble Commission is mandated by the RTI Act to launch an inquiry and make a determination and issue such directions as prayed for at para #6 above. **Hence the submission of this Complaint before this Hon'ble Commission.**

7.8) Further, this Complainant wishes to point out that there is no time limit specified in Section 18(1) the RTI Act for the purpose of submitting a complaint against a Public Authority. However this complaint is being submitted within 30 days of receipt of the most recent communication from the 1st Respondent Public Authority. Hence this Complainant submits that there is no undue delay in the submission of this complaint.

8) I hereby verify that the aforementioned facts are true to the best of my knowledge. I also declare that I have authenticated the Annexures to this complaint. I also affirm that I have transmitted a copy of this Complaint along with the Annexures to the Respondent Public Authorities.

Signature of the Complainant:

S.S. Venkatesh Nayak

(Venkatesh Nayak)

29/11/15

No. A- 43020/ 01 /2015-RTI
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya


New Delhi, Dated the 8th December, 2015.

OFFICE MEMORANDUM

Subject: Complaint filed under Section 18 (1) of the RTI Act, 2005 by Shri Venkatesh Nayak before CIC.

This Ministry has received a copy of the complaint dated 29/11/2015 (received on 02/12/2015) filed under Section 18 (1) of the RTI Act, 2005 by Shri Venkatesh Nayak before the Central Information Commission with reference to his RTI application dated 23/09/2015.

2. Since the application of Shri Venkatesh Nayak was forwarded to the NE Division vide RTI Section's O.M. dated 08/10/2015 (copy enclosed), copy of the complaint is being forwarded to that Division for information/necessary action.


(V.K. Rajan)
Deputy Secretary (E) & CPIO

Encl: As above

To

Director (NE-I),
Ministry of Home Affairs,
North Block
New Delhi

Copy for information to:

✓ Shri Venkatesh Nayak,
No. 55 A, 3rd Floor
Siddharth Chambers-I
Kalu Sarai
New Delhi-110 016.

No. RTI/GoI/PMO/2015/3

From,
Venkatesh Nayak
#55A, 3rd Floor
Siddharth Chambers-1
Kalu Sarai
New Delhi- 110 016

To,
The Central Public Information Officer
Prime Minister's Office
Government of India
South Block
New Delhi- 110 001

Dear sir,

Sub: Request for information under *The Right to Information Act, 2006*

Apropos of the news release dated 03/08/2015 caused to be published by your public authority on the website of the Press Information Bureau (PIB) relating to the signing of the "framework agreement", between the Government of India and the representatives of the National Socialist Council of Nagaland (NSCN), I would like to obtain the following information under the RTI Act:

- 1) A clear photocopy of the said framework agreement along with Annexures, if any;
- 2) A list of all files including electronic files and emails indicating the subject matter, and date of opening of each file in relation to the said framework agreement held by your office along with the total number of pages in each file;
- 3) A clear copy of all emails and records and documents included in the files referred to at para #2 above;
- 4) A clear photocopy of all communication received from every source in hard copy or electronic form till date, in relation to the said framework agreement;
- 5) Details of the compensation package along with the monthly remuneration paid till date to the Government Interlocutor mentioned in the said PIB news release and all other persons providing him assistance;
- 6) Item-wise details of the expenditure incurred by the Government of India for negotiating the framework agreement since 01/01/2015; and
- 7) Item-wise details of the funds spent on the travel and accommodation of the representatives of NSCN in New Delhi for participation in the ceremony of signing the framework agreement.

I am a citizen of India. I have attached an IPO (bearing #32F 044910) for Rs. 10/- towards payment of the prescribed application fee. I would like to point out that the information specified above is in the nature of information that is required to be proactively disclosed by

अधपत्रा COUNTERFOIL
इसे फाड़कर प्रेषक अपने पास रख ले।
To be detached and kept
by the Sender.

पोस्टल आर्डर
₹ 10
POSTAL ORDER

किसे अदा करना
To whom payable Afo
PMO

किस डाकघर में
At what Office GPO, N. Delhi

क्या इसे क्रॉस किया है
Whether crossed NO

भेजने की तारीख
Date sent 23/09/15

32F | 044910

Date: 23/09/2015

your public authority under the terms of Section 4(1)(b) and (c) of the RTI Act. As I am unable to find the said information on your website, I am constrained to submit this formal request. Kindly inform me of the additional fee payable for obtaining the information described above.

Thanking you,
Yours sincerely,

S. S. Venkatesh Nayak
23/9/15
Venkatesh Nayak



SP HAUZ KHAS <110016>
ED708966460 IN
Counter No:1,DF-Code:KY1
To:THE DENTAL,
NEW DELHI, PIN:110001
From:VENKATESH NAYAK , ND
Wt:20grams,
Amt:17.00 , 24/09/2015 , 12:59
Taxes:Rs.2.00<<Track on www.indiapost.gov.in>>

PRIME MINISTER'S OFFICE

South Block
New Delhi-110 011

No. RTI/10617/2015-PMR

Dated: 01/10/2015 ✓

OFFICE MEMORANDUM

Subject : Application under Right to Information Act, 2005.

An application dated 23/09/2015 received on 28/09/2015 from Shri Venkatesh Nayak on the above noted subject is transferred under section 6(3) (ii) of the Right to Information Act, 2005, for action as appropriate.

Application fee has been received.



(P. K. Sharma)
Under Secretary and
CPIO
Phone: 2338 2590

Home Secretary
Ministry of Home Affairs
North Block, New Delhi – 110 001

Copy by Registered AD to:

✓ Shri Venkatesh Nayak
55A, 3rd Floor
Siddharth Chambers-1, Kalu Sarai
New Delhi - 110 016

You are advised to approach the above public authority for further information regarding the matter and for any grievance regarding non-receipt of information from above cited transferee public authority.

No. A-430020/01/2015-RT
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

New Delhi, dated the

08/10/2015

OFFICE MEMORANDUM

Subject: Application of Shri/Smt/Kum Venkatesh Nayak
..... under the Right to Information Act, 2005.

The undersigned is directed to inform you that your application dated 23/9/15 received in this Ministry on 28/9 /2015 by way of transfer from PMO has been forwarded online (under Registration No. 01599) to Dir (NE-I) Division(s) for providing information, as the requested information pertains to/more closely related to the functions of the said Division(s). Details of address of CPIO are available in MHA website www.mha.nic.in.

2. The receipt of application fee of Rs.10/- (No. in PMO dated NE) is enclosed herewith.


(S. SAMANTA)

Under Secretary to the Government of India

Encl: As above
To

✓ Shri/Smt/Ms. Venkatesh Nayak
55A, 3rd floor,
Siddharth Chambers-1, Kailash Sarai,
New Delhi-110016.

He/she is requested to contact the above-mentioned CPIO(s) for further information in the matter.

(P.T.O.)

PRIME MINISTER'S OFFICE

South Block
New Delhi - 110 011

No. RTI/10617/2015-PMR

Dated: 28 October-2015

To

Shri Venkatesh Nayak,
55A, 3rd Floor,
Siddharth Chambers-1, Kalu Sarai,
New Delhi - 110 016.

Subject: Application under the Right to Information Act, 2005

Sir,

In continuation of this office's OM of even no. dated 1.10.2015, transferring your application to the Ministry of Home Affairs and also referring the matter to the office for providing inputs, it is informed in respect of this office that no such information is available *in records*.

2. For the purpose of Section 19 of the Right to Information Act, 2005, Shri Syed Ekram Rizwi, Director, Prime Minister's Office, South Block, New Delhi is the appellate authority in respect of this office.

Yours faithfully,



(P.K. Sharma)
Under Secretary and
Central Public Information Officer
☎ : 2338 2590



News Updates

PM witnesses signing of historic peace accord between Govt of India and NSCN

03 Aug, 2015



PM at signing ceremony of pe...  



027094611
891120820
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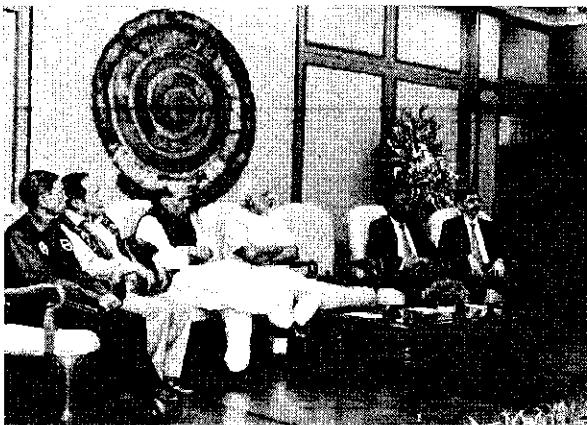


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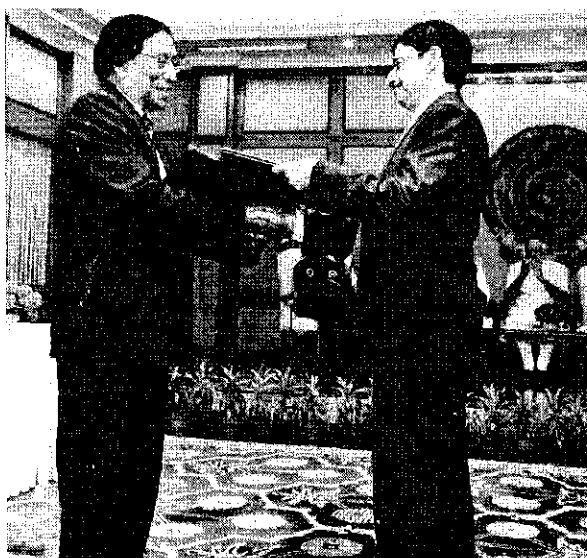
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The Government of India and the National Socialist Council of Nagaland (NSCN) successfully concluded the dialogue on Naga political issue, which has existed for six decades, and signed an agreement today in the presence of the Hon'ble Prime Minister Shri Narendra Modi.

Government's Interlocutor for Naga Peace Talks, Shri R. N. Ravi, signed the Agreement on behalf of the Government of India. Shri Isak Chishi Swu, Chairman and Shri Th. Muivah, General Secretary were the signatories on behalf of the NSCN. The entire top leadership of the NSCN (IM), including all members of the "collective leadership", has fully endorsed the agreement and was present during the ceremony.

This agreement will end the oldest insurgency in the country. It will restore peace and pave the way for prosperity in the North East. It will advance a life of dignity, opportunity and equity for the Naga people, based on their genius and consistent with the uniqueness of the Naga people and their culture and traditions.

Attempts were made from time to time to resolve the issue through discussion with representatives of the Naga people. A fresh attempt for a comprehensive resolution was initiated with the NSCN in 1997.

The new Government on assuming power in May 2014 accorded highest priority to this lingering problem. Prime Minister Shri Narendra Modi has on a number of occasions, including during visits to the Northeast region, articulated his vision for transforming the Northeast and has attached the highest priority to peace, security, connectivity and economic development in the region. This has also been at the heart of the Government's foreign policy, especially 'Act East' Policy.

The sustained dialogue between the two sides,

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conducted in a spirit of equality, respect and trust, deepened their mutual understanding and confidence, and enabled the two sides to reach an equitable agreement. The Government of India recognized the unique history, culture and position of the Nagas and their sentiments and aspirations. The NSCN understood and appreciated the Indian political system and governance.

The Government interlocutor also held frequent consultations with broad spectrum of Naga leaders, including those from the traditional tribal bodies, civil society, youth and students' bodies, women's groups, elected representatives and other stakeholders. These consultations helped in distilling the popular aspirations of the Naga people and in enhancing a healthy atmosphere of trust and understanding.

In his statement at the signing ceremony, the Hon'ble Prime Minister lauded the courage and wisdom of the Naga leaders and civil society and thanked them for their co-operation in reaching the agreement. He also praised the Naga people for their support and the NSCN for maintaining the ceasefire for nearly two decades that enabled the dialogue to succeed. Prime Minister spoke of his vision for the transformation of the Northeast region. He also expressed confidence that the agreement will open a glorious new chapter for the Naga people to build a bright future for Nagaland and also contribute to the nation with a sense of pride and confidence.

Shri Th. Muivah, General Secretary, NSCN, narrated the history of Nagas' struggle and thanked the Hon'ble Prime Minister for his vision and resolve, which made it possible for the Government of India and the NSCN to reach an honourable settlement.

Within this framework agreement, details and execution plan will be released shortly.

(18)

Hon'ble Home Minister, Shri Rajnath Singh, National Security Adviser, Shri Ajit Doval and other high dignitaries of the Government of India were present.

The NSCN was represented by its entire collective leadership and senior leaders of various Naga tribes.



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My warm greetings to all those present here today on this historic occasion: PM @narendramodi youtube.com/watch?v=yStvZI...

6:51 PM - 3 Aug 2015

YouTube @YouTube

PM at signing ceremony of ...



212

339

19



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Follow

I wish that Shri Isak Swu, who played a leading role in reaching this agreement, was present today: PM @narendramodi

6:52 PM - 3 Aug 2015

222 327



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The Naga political issue had lingered for six decades, taking a huge toll on generations of our people: PM @narendramodi

6:52 PM - 3 Aug 2015

286 363



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I sincerely thank Shri Isak Swu, Shri Muivah and other Naga leaders for their wisdom and courage: PM @narendramodi

6:53 PM - 3 Aug 2015

261 375



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@PMOIndia

Follow

I have the deepest admiration for the great Naga people for their extraordinary support to the peace efforts: PM @narendramodi

6:53 PM - 3 Aug 2015

250 385

20



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Follow

My relationship with the North East has been deep. I have travelled to Nagaland on many occasions: PM [youtube.com/watch?v=yStvZL...](https://www.youtube.com/watch?v=yStvZL...)

6:54 PM - 3 Aug 2015



YouTube @YouTube

PM at signing ceremony of ...  



234

341



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I have been deeply impressed by the rich and diverse culture and the unique way of life of the Naga people: PM @narendramodi

6:54 PM - 3 Aug 2015

270

408

(21)



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The Naga courage and commitment are legendary. Equally, they represent the highest levels of humanism: PM @narendramodi

6:55 PM - 3 Aug 2015

247 382



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@PMOIndia

Follow

Unfortunately, the Naga problem has taken so long to resolve because we did not understand each other: PM @narendramodi

6:55 PM - 3 Aug 2015

308 479



PMO India
@PMOIndia

Follow

Since becoming Prime Minister last year, peace, security & economic transformation of North East has been amongst my highest priorities: PM

6:57 PM - 3 Aug 2015

498 590



PMO India
@PMOIndia

Follow

I asked my office to supervise these talks and I personally kept in touch with the progress:

PM @narendramodi

6:58 PM - 3 Aug 2015

247 426

22



PMO India

@PMOIndia

Follow

I want to especially thank my senior colleague Home Minister Shri @BJPRajnathSingh whose support and advice was invaluable: PM

6:58 PM - 3 Aug 2015

308 520



PMO India

@PMOIndia

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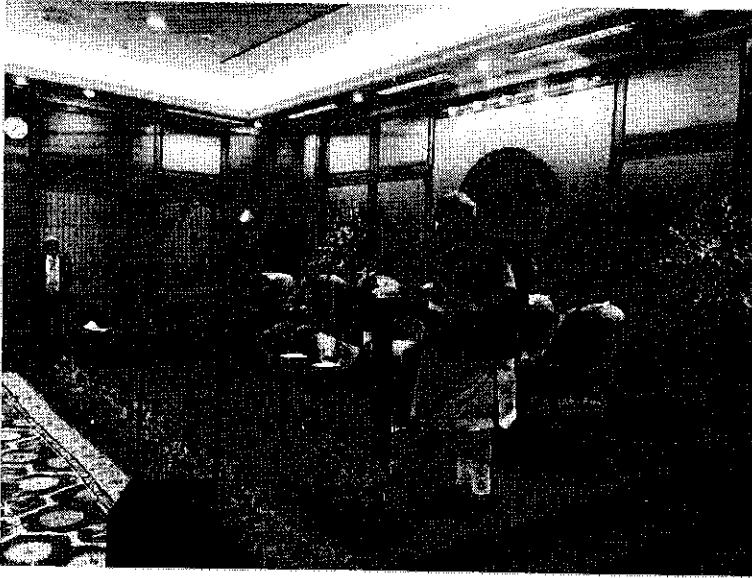
I join the nation in saluting you and conveying our good wishes to the Naga people: PM

@narendramodi

7:00 PM - 3 Aug 2015

407 628

23



PMO India
@PMOIndia

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Violence has never solved any problem : PM

@narendramodi

7:08 PM - 3 Aug 2015

589 987

24



Narendra Modi
@narendramodi

Follow

Today, we mark not merely the end of a problem but the beginning of a new future.

#Nagaland nm4.in/1g0sUvP

8:17 PM - 3 Aug 2015

4,381

6,694

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25

**Press Information Bureau
Government of India
Prime Minister's Office**

16-October-2015 14:23 IST

Text of PM's address at the inauguration ceremony of 10th Annual Convention of Central Information Commission

उपस्थित सभी महानुभव,

आज हम सूचना के अधिकार के संबंध में आज 10 वर्ष पूर्ण कर रहे हैं। इस व्यवस्था में विश्वास पैदा करने के लिए इस व्यवस्था को आगे बढ़ाने में जिन-जिन लोगों ने योगदान दिया है, उन सबको मैं धन्यवाद करता हूँ और बहुत-बहुत शुभकामनाएं देता हूँ।

यह बात सही है कि सूचना के अधिकार से सबसे पहली बात सामान्य से सामान्य व्यक्ति को जानने का अधिकार हो, लेकिन वहां सीमित न हो। उसे सत्ता को question करने का भी अधिकार हो। और यही लोकतंत्र की बुनियाद है। और हम उस दिशा में जितनी तेज गति से काम करेंगे, उतना लोकतंत्र के प्रति लोगों का विश्वास और बढ़ेगा। लोगों की जागरूकता, एक प्रकार से शासन को भी ताकत देती है और न सिर्फ शासन को राष्ट्र की भी एक बहुत बड़ी अमानत बनती है, जागरूक समाज का होना। ऐसी कुछ व्यवस्था होती है, जो इन व्यवस्थाओं को पनपाती है, पुरस्कृत करती है, प्रोत्साहित करती है और परिणाम तक पहुंचाती है।

जो जानकारी मिलती है उस हिसाब से कहते हैं कि 1766 में सबसे पहले स्वीडन में इसका प्रारंभ हुआ। लिखित रूप में प्रारंभ हुआ। Informally तो शायद कई व्यवस्थाओं में यह चलता होगा। लेकिन यही व्यवस्था अमेरिका में आते-आते 1966 हो गया। दो सौ साल लगे। कुछ देशों ने कानून पारित किए। लेकिन पारित करने के लागू करने के बीच दो साल का फासला रखा, ताकि लोगों को educate कर पाएं। शासन व्यवस्था को aware कर सके। और एक mature way में व्यवस्था विकसित हो। हमारे देश का अनुभव अलग है। हम लोगों ने निर्णय किया और काम करते-करते उसको सुधारते गए, ठीक करते गए और empower करते गए। और यह प्रक्रिया निरंतर चलती रहेगी तभी जा करके institution और अधिक strengthen होती है और आने वाले दिनों में इसके लिए निरंतर प्रयास होता है।

एक बात निश्चित है कि जो Digital India का सपना है वो एक प्रकार से आरटीआई की जो भावना है उसके साथ पूरक है। क्योंकि जब चीजें online होने लगती हैं, तो अपने आप transparency आती है। और शासन और जनता के बीच trust होना चाहिए और trust through transparency होता है। अगर transparency है तो trust आता ही है। और इसलिए Digital India का जो सपना है, वो चीजों को जितना online करते जाएंगे, जितना open करते जाएंगे, सवालिया निशान कम होते जाएंगे। अब अभी पिछले दिनों coal का auction हुआ।

अब हमें मालूम है कि पहले कोयले को ले करके कितना बड़ा तूफान मच गया। कितने बड़े सवाल खड़े हुए। सुप्रीम कोर्ट तक को उसमें involve होना पड़ा। RTI से जुड़े हुए लोग भी इसमें काफी मेहनत करते रहे। अभी इस सरकार के सामने विषय आया, तो हमने सारी चीजें online की, online की इतना ही नहीं, एक बड़े screen पर, एक public place पर जहां कोई भी आसकता है देख सकता है, सारी process देख रहा था। हर शाम को कहां पहुंच इसका पता करता था। मीडिया के लोग भी आ करके बैठते थे। अब इस व्यवस्था में मैं नहीं मानता हूँ कि फिर कभी किसी को RTI की जरूरत पड़ेगी, क्योंकि मैं मानता हूँ कि जो RTI से मिलने वाला था वो पहले उसके सामने था। अभी हमने FM Radio का Auction किया, वो भी उसी प्रकार से online किया। spectrum का auction किया वो भी उसी प्रकार से किया। और जब auction चल रहा था, online सब लोग आते थे। हफ्ते, दस दिन तक चलता था। मीडिया के लोग भी बैठते थे। और भी लोग बैठते थे। कोई भी व्यक्ति उसको कर सकता था।

क्यों न हम transparency proactively क्यों न करें। किसी को जानने के लिए प्रयास करना पड़े कि किसी को जानकारी सहज रूप से मिले। शासन लोकतंत्र में उसका प्रयास हो रहना चाहिए कि सहज रूप से उसको जानकारी मिलनी चाहिए। हमारे यहां कुछ चीजें तो ऐसी पुरानी घर कर गई थी। धीरे-धीरे उसको बदलने में समय लगता है। अब जैसे आपको कहीं apply करना है और अपने certificate का Xerox देते हैं तो वो मंजूर नहीं होता है। किसी gazetted officer या किसी political leader से जब तक ठप्पा नहीं मरवाते तो उसको मान्यता नहीं मिलती है। अब यह सालों से चल रहा था। हमने आ करके निर्णय किया कि भई नागरिक पर हम भरोसा करें। वो एक बार कहता तो सच मान ले और जब final उसका होगा, तब original certificate ले करके आ जाएगा, देख लेना। और आज वो व्यवस्था लागू हो गई। कहने का तात्पर्य यह है कि हम नागरिक पर भरोसा करके व्यवस्थाओं को चलाए। नागरिकों पर शक करके हम चीजों को चलाएंगे, तो फिर हम भी अपने आप को कहीं न कहीं छुपाने की कोशिश करते रहेंगे। एक openness, governance में जितना openness आएगा, उतना परिणाम सामान्य नागरिक को भी ताकतवर बनाता है।

सरकार का और भी स्वभाव बना हुआ है। साइलो में भी काम करना और इतना ही नहीं एक ही कमरे में चार अफसर बैठे हो, बड़ी कोशिश करता है कि बगल वाला फाइल देखे नहीं। अब यह जो secrecy की मानसिकता किसी जमाने में रही होगी, उस समय के कुछ कारण होंगे, लेकिन आज मैं यह नहीं मानता हूँ कि इस प्रकार की अवस्था रहेगी। अगर खुलापन है, खुली बात है, भई यह चार काम करने है, चर्चा करके करने है। तो मैं समझता हूँ कि उसके कारण एक सरलता भी आती है और speed भी आती है। एक-आध चीज की कमी रहती है, तो अपना साथी बताता है कि अरे भई तुम देखो यह पहलू जरा देख लो। तो एकदम से काम में.. कोई जरूर नहीं कि वो फाइल पर लिख करके कहता है, ऐसे बातों में कहता है कि देखो भई यह पहलू देखना पड़ेगा। तो अपने आप सुधार हो जाता है। तो सुधार करने के लिए हमारे मूलभूत स्वभाव में भी शासन थे। यह बहुत अपेक्षा रहती है कि उसमें यह बदलाव लाना चाहिए और हम उस दिशा में प्रयास कर रहे हैं। मुझे विश्वास है कि यह प्रयास परिणामकारी होगा।

आज मैं समझता हूँ कि RTI की एक सीमा है। वो सीमा यह है कि जिसको जानकारी चाहिए, जानकारी तो मिलती है। कुछ बातें मीडिया को काम आ जाती है। कुछ बातें किसी को न्याय तक सीमित रह जाती है। process का पता चलता है। लेकिन अभी भी product का पता नहीं चलता। मैं इस रूप में कह रहा हूँ कि मान लीजिए एक Bridge का contract दिया गया, तो RTI वाला पूछेगा तो उसको पता चलेगा फाइल कैसे शुरू हुई, tendering कैसे हुआ, noting क्या था, साइट कैसे select हुआ, यह सब चीजें मिलेगी। लेकिन वो Bridge कैसे बना, ठीक बना कि नहीं बना। उसमें कमियाँ हैं कि ठीक हुआ, समय पर हुआ कि नहीं हुआ। इन चीजों की तरफ अब ध्यान देने का समय आया है। तो हम process पर जितना ध्यान देते हैं RTI के द्वारा एक समय वो भी चाहिए कि जब product पर भी उतना ही transparency लाए, तब जा करके बदलाव आता है। वरना वो जानकारियाँ सिर्फ एक संतोष के लिए होती हैं। आखिरकर RTI का उपयोग Governance में बदलाव लाने के लिए सबसे पहले होना चाहिए।

और इसलिए जब विजय जी मुझे मिले थे, तो मैंने बातों-बातों में उनको कहा था कि जो लोग हमें सवाल पूछते हैं क्या हमने उसका Analysis किया है कि भई रेलवे के संबंध में कितने सवाल आते हैं? Home के संबंध में कितने सवाल आते हैं। फलाने विषय में कितने सवाल आते हैं। Analysis वो department है जहाँ हजारों की तादाद में सवाल आते हैं। यह department जहाँ सौ से ज्यादा नहीं आते हैं। फिर हमने उसका analysis करना चाहिए यह जो सवाल आते हैं, उसके मूल में कोई policy paralyse तो नहीं है। हम identify कर सकते हैं। अगर हम इस RTI को सिर्फ जवाब देने तक सीमित रखे तो शासन व्यवस्था को लाभ नहीं होता है। उस नागरिक ने सवाल पूछा है मतलब शासन व्यवस्था में कहीं न कहीं कोई बात है, जो पूछने की जरूरत पड़ी है। अगर व्यवस्था इतनी sensitive होती है। और जो सवाल आए उनका हम analysis करते हैं, तो हमें पता चलेगा कि policy matter के कारण यह समस्या बार-बार उठ रही है, लोग सवाल पूछ रहे हैं। तो Government को High level पर सोचना चाहिए कि policy matter में क्या फर्क लाना चाहिए। एक RTI क्या छोटा सा सवाल भी आपको policy बदलने के लिए मजबूर कर सकता है और कभी-कभार वो इतना सटीक बात पूछता है कि ध्यान में आता है कि यह तरफ हमारा ध्यान नहीं गया। इसलिए Good Governance के लिए RTI कैसे उपयोग में आए, सिर्फ जवाब देने से RTI Good Governance नहीं ला सकता है। वो सिर्फ विवादों के लिए काम आ सकता है। परिस्थिति पलटने के लिए नहीं काम आ सकता है।

दूसरा मैंने सुझाव दिया कि एक तो part यह होता है कि भई policy के कारण, दूसरा होता है person के कारण, कि भई जो व्यक्ति वहाँ बैठा है उसके nature में ही है। इसलिए ऐसी स्थिति पैदा होती है वो जवाब नहीं देता है, ठीलापन रखता है, ऐसे ही चलता है। तो फिर person पर सोचने का सवाल आएगा भई। एक ही person से संबंधित इतने सारे issue क्यों खड़े होते हैं, तो कहीं न कहीं कोई कमी होगी, उसको ठीक कैसे किया जाए? उस पर सोचना चाहिए। कहीं पर ऐसा होगा कि जिसे पता चलेगा कि भई लोगों ने सवाल पूछे हैं लेकिन finance के resource crunch के कारण वो नहीं हो पा रहा है। या कोई काम ऐसा होगा कि जिसके कारण लोकल कोई न कोई व्यवस्था होगी, जो रूकावटें डाल रही है। जब हम इन सवालों का perfect analysis करें और उसमें से सरकार की कमियाँ ढूँढे नागरिकों के सवालों में से ही सरकार की कमियाँ उजागर हो सकती हैं, व्यवस्था की कमियाँ उजागर हो सकती हैं, process की कमियाँ उजागर हो सकती हैं। और उसको ठीक करने के लिए उसमें से हमें एक रास्ता भी मिल सकता है। और इसलिए मैं चाहूँगा कि आप जब इस पर डिबेट करने वाले हैं हम RTI को एक Good Governance की ओर जाने का एक साधन के रूप में कैसे इस्तेमाल करें? और यह हो सकता है।

मैं इन दिनों एक कार्यक्रम करता हूँ भारत सरकार में आने के बाद - प्रगति। एक साथ सभी chief secretaries और सभी secretaries भारत सरकार के और मैं 12-15 issue लेता हूँ। और उससे ध्यान में आता है। सवाल तो मैं वो लेता हूँ किसी नागरिक की चिट्ठी के आधार पर पकड़ता हूँ। किसी ने मुझे लिखा कि भई फौजियों को pension में problem है। तो मैंने उस विषय को उठाया। सबको बुलाया, बिठाया, सब वीडियो पर होते हैं मीटिंग नहीं करते हैं। मैं तो एक छोटे कमरे में बैठता हूँ। लेकिन उसका कारण बनता है, परिस्थिति आती है तुरंत ध्यान में आता है कि भई इस विषय को हैंडल करना पड़ेगा। किसी ने मुझे लिखा भी था post office में 15 दिन बीत गए, 20 दिन बीत गए टपाल नहीं आई थी। मैंने प्रगति में ले लिया, तुरंत पता चला क्या कारण था उनका। कहां पर यह slow process चल रहा था।

कहने का तात्पर्य यह है कि हम नागरिकों की आवाज को अगर हम महत्व दें। जब मैं गुजरात में था तो मैंने एक पद्धति बनाई थी। जो MLA सवाल पूछते हैं, मेरा अनुभव है कि MLA यानी जनप्रतिनिधि किसी भी दल का क्यों न हो, लेकिन उसकी हर बात को तत्वजु देनी चाहिए, महत्व देना चाहिए। किसी भी दल का क्यों न हो। क्योंकि वो अपने क्षेत्र के संबंध में कोई बात बताता है मतलब वो जनहित के लिए ही बताता है, मान करके चलना चाहिए। लेकिन जब House के अंदर जवाब देते हैं, तो by and large मीडिया centric process चलता है। एक प्रकार से House में, कल मीडिया में क्या छपेगा, टीवी पर क्या दिखेगा, वही dominate करने लग गया है। और इसलिए House में तो हर कोई अपना score settle करने वाला जवाब देता है। अब क्या करे मजबूरी हो गई है राजनीति की कि भई दूसरे दिन मीडिया में खबर खराब न आए। तो वो अपना.... और वो कर भी लेता और जीत भी जाता है। वो बात अलग है। लेकिन मैंने एक process शुरू किया था। Assembly सत्र पूरा होने के बाद जितने भी question आते थे। हर department को कहता था हर question का Analysis करो और मुझे action taken रिपोर्ट दो। भले किसी का भी सवाल हो, House में आपने जो भी जवाब दिया ठीक है। अगर उसने कहा है कि भई वहाँ road नहीं बना है मुझे result चाहिए। और उसके कारण शासन में electives के प्रति एक sensitivity पैदा हुई थी। मैं मानता हूँ ऐसी sensitivity RTI के सवालों के साथ हमको जोड़ती है। अगर यह पूरे देश में शासकीय व्यवस्था में प्रगति में बहुत कुछ कर सकते हैं। और उस दिशा में हम प्रयास कर रहे हैं।

एक यह भी बात है कि जब हम RTI की बात करते हैं तो यह मत है कि यह सारा communication जो है, information access करने की जो प्रक्रिया है। वो एक तो transparent होनी चाहिए, Timely होनी चाहिए and Trouble free होनी चाहिए। यह हम जितना.. क्योंकि समय बीतने के बाद अगर हम जानकारी देते हैं तो न वो शासन को सुधारती है और न शासन को accountable बनाती है। फिर स्थिति कि अब क्या करे भई, वहाँ तो भवन बन गया अब वो भवन कैसे तोड़ सकते हैं। क्या करे भई वहाँ तो लोग रहने के लिए आए गए। उनको कैसे

काल सकते हैं। अगर Timely information देते तो हो सकता है कि गलत निर्णय रूक जाता, तुरंत हम ध्यान में आते। और इसलिए transparency भी हो, Timely भी हो, Trouble free भी हो। यह हम बल देंगे, तो हम इस कानून बनाए लेकिन उस कानून का ज्यादा अच्छे से उपयोग कर सकते। ज्यादा अच्छा परिणाम ला सकते हैं।

आज मैंने देखा है कि गांव के अंदर.. यह ठीक है हर बात में कुछ मात्रा में कोई न कोई शंका को अशंका का कारण रहता होगा लेकिन larger interest में यह बहुत उपकारक है, बहुत उपयोगी है। मैंने राज्य का शासन चलाया इसलिए मुझे मालूम है कि गरीब व्यक्ति RTI का कैसे उपयोग करता है। अगर गांव के अंदर किसी ने गलत encroachment कर दिया है और वो बड़ा दबदबा वाला इंसान है तो शासन कुछ कर नहीं पाता है। और एक गरीब आदमी RTI को एक सवाल पूछ देता है, आ जाता है, तो शासन को मजबूर हो करके encroachment हटाना पड़ता है। और जनता की या शासन की जो जमीन है वो खुली करवानी पड़ती है। ऐसे कई उदाहरण मैंने देखे हैं। गांव का भी एक छोटा व्यक्ति..।

हम जब गुजरात में थे तो एक प्रयोग किया था। और वो गुजरात मॉडल के रूप में जाना जाता था tribal के लिए। हम tribal को सीधे पैसा दे देते थे। और tribal को कहते थे तुम अपनी requirement के अनुसार एक कमिटी योजना बनाए और वो अपना काम हो, क्योंकि सरकार योजना बनाती गांधी नगर में बैठके। वो चाहती कि कुआ खोदेंगे। गांवा वाला कहता है कि मुझे कुआ नहीं चाहिए, मुझे स्कूल चाहिए और हम कुएं के लिए पैसा देते हैं, उसे स्कूल चाहिए उसके बजाय हमने गांव वालों को दिया। लेकिन गांव में ग्राम सभा के अंदर उनको सारा ब्योरा देना पड़ता था और बोर्ड पर लिखकर रखना पड़ता था कि हमने इस काम के लिए इतना पैसा लगाया। गांव का सामान्य व्यक्ति भी पूछ लेता था पंच के प्रधान को कि भई तुम कह रहे हो दो सौ रुपया यहां लगाया, वो चीज तो दिखती नहीं, बताओ। और Transparency आती थी। हम जितना openness लाते हैं, उतनी Transparency की गारंटी बनती है। और इसलिए RTI एक माध्यम है Transparency की ओर जाने का, लेकिन At the same time RTI से सीख करके हमने शासन व्यवस्था में Transparency लाने की आवश्यकता है। और मुझे विश्वास है कि अगर गलत इरादे से कोई काम नहीं है तो कभी कोई तकलीफ नहीं होती है, कोई दिक्कत नहीं होती है। सही काम सही परिणाम भी देते हैं। और जैसा मैंने कहा सिर्फ process नहीं। हमें आने वाले दिनों में product की quality पर भी ध्यान देना पड़ेगा। उसको भी हम किस प्रकार से सोंचे। ताकि हर चीज का हिसाब-किताब देना पड़े। क्योंकि जनता के पैसा से चलती है सरकार। सारे निर्माण कार्य होते हैं जनता के पैसों से होते हैं। और जनता सर्वपरि होती है लोकतंत्र में। उसके हितों की चिंता और उस व्यवस्था को मजबूत करने की दिशा में हम प्रयास करते रहेंगे। तो मैं समझता हूं कि बहुत ही उपकारक होगा।

आज पूरा दिनभर आप लोग बैठने वाले हैं। मुझे विश्वास है कि इस बंधन में राज्य के भी सभी अधिकारी यहां पर आए हुए हैं। तो उस मंथन में से जो भी अच्छे सुझाव आएंगे वो सरकार के ध्यान में आएंगे। उसमें से कितना अच्छा कर सकते हैं प्रयास जरूर रहेगा, लेकिन हम चाहेंगे कि जनता जितनी ताकतवर बनती है, नागरिक जितना ताकतवर बनता है वो ताकत सचमुच में देश की ही ताकत होती है। उसी को हम बल दें। इसी एक अपेक्षा के साथ बहुत-बहुत शुभकामनाएं। धन्यवाद।

AKT/AK