

## **Amend RTI Act, Azad told**

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The Central Information Commission (CIC) has advised the Jammu and Kashmir Chief Minister to bring an amendment to the State Right to Information Act, 2004, and bring it in conformity with the RTI Act, 2005.

The CIC's decision has come on an application made by R.C. Pandita, a resident of Roop Nagar, Jammu.

Pandita moved an application to the President's Secretariat in July last year, seeking information on Jammu and Kashmir's ranking as the second most corrupt state in India.

When he did not hear from the President's office, he moved the Central Information Commission.

In response to a notice issued by the CIC to the President's Secretariat, central public information officer Nitin Wakankar described Pandita's complaint to the CIC "premature" and said that the complaint is liable to be dismissed and the notice sent to him be withdrawn.

At the same time, the CPIO attributed the delay in reply within the stipulated time under the RTI Act to a clerical error.

Regretting the error, the CPIO explained that Pandita's letter was put on file without realising that it was in pursuance of the RTI Act, 2005. The said clerical error occurred since the earlier letter from Pandita addressed to the President of India had already been sent to the state government concerned for appropriate action.

The chief information commissioner Wajahat Habibullah has observed that although J&K has a Right to Information Act, 2004, it is regrettable that citizens in that part of India are denied the benefits of the Central Right to Information Act, 2005, available to their fellow citizens.

Habibullah's decision reads, "The Chief Minister of Jammu and Kashmir would be well advised to bring an amendment to the J&K RTI Act 2004 bring it in conformity with the RTI Act, 2005, guaranteeing to all citizens residing in J&K the basic liberties to which all Indians except those dealing with the state government of J&K have come to acquire the right."

In his decision, the chief information commissioner has directed the CPIO in the President's Office to inquire into the failure, fix responsibility and initiate action under Section 20(2) of the Act against the delinquent and intimate to the CIC within 20 working days.

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