

qualifying marks in any examination or lowering the standards of evaluation, for reservation in the matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State.

(c) There were demands from some Hon'ble Members of Parliament for amendment to the Constitution in the wake of recent judgement of the Supreme Court whereby it has struck down the provision of reservation in promotion in some States on the ground that the States have not complied with the condition *viz.* backwardness, inadequacy of representation and overall administrative efficiency before making provision for reservation as laid down by the Apex Court in M.Nagaraj's case.

#### **Setting information under RTI**

248. SHRI UPENDRA KUSHWAHA: Will the PRIME MINISTER be pleased to state:

(a) whether seeking information under RTI Act, 2005 is the fundamental right of every citizen under Article 19 (1) (a) of the Constitution of India;

(b) if so, the reasons for not initiating disciplinary proceedings against Central Public Information Officer (CPIOs) and Appellate Authorities who are infringing the fundamental right of information seekers and are not furnishing information within the time stipulated in the Act;

(c) the number of second appeals of senior citizens pending with Chief Information Commissioner and other ICs for more than one, two and three years; and

(d) whether there is any proposal to fix a time limit for deciding second appeals to check pendency?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) Section 3 of the Right to Information Act, 2005 empowers all citizens to have right to information.

(b) The RTI Act, 2005 makes a Public Information Officer liable for disciplinary action, who without any reasonable cause and persistently failed to receive an application for information or has not furnished information within the time specified, or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information that was the subject matter of the request or obstructed in any manner in furnishing the information within the prescribed time period.

(c) The Central Information Commission does not maintain category-wise list of pending cases before it.

(d) The RTI Act, 2005 does not prescribe any time limit for disposal of second appeals by the Information Commissions. There is no proposal to amend the RTI Act, 2005.

#### **CVC Guidelines on tenders**

249. PROF. ANIL KUMAR SAHANI: Will the PRIME MINISTER be pleased to state:

(a) the details of Central Vigilance Commission (CVC) guidelines concerning calling and finalization of tenders and limited tenders by the organizations under the purview of CVC;

(b) whether Kendriya Bhandar is purchasing pulses, rice and spices worth crores of rupees fortnightly through limited tender in violation of CVC guidelines;

(c) whether Chief Vigilance Commissioner, CVC has received complaints in this regard from MPs; and

(d) if so, the action taken by CVC against Kendriya Bhandar and the steps taken to ensure that Kendriya Bhandar follow CVC guidelines scrupulously?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) In order to bring transparency and accountability in award of contracts, the Central Vigilance Commission has issued a number of instructions/ guidelines. As regard calling and finalization of limited tenders, the Commission has advised organisations under its purview to invite limited tenders from a panel prepared in a transparent manner clearly publishing the eligibility criteria and such panel being updated regularly.

In line with purchase policy approved by the Board of Directors of Kendriya Bhandar, they are purchasing pulses/rice and spices in bulk quantity through limited tenders invited from registered suppliers, normally on fortnightly and monthly basis, respectively. Registration of suppliers for pulses/rice and spices is a continuous process in Kendriya Bhandar.

(c) and (d) The CVC has informed that it has received one complaint from an MP regarding purchase through limited tender in Kendriya Bhandar and the same has been forwarded to Department of Personnel and Training for necessary action.