

Recommendation for improvement in implementation of RTI Act

254. SHRI HUSAIN DALWAI: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that every State Information Commission (SIC) is required to give recommendations for implementation of RTI to State Governments in its annual report every year;

(b) if so, why has the State Information Commission (SIC) in Maharashtra refused to issue recommendations for improvement in the implementation of the RTI Act in its annual reports of 2014 and 2015; and

(c) whether an inquiry has been made in this regard, if so, what are the findings and if not, the reasons for no inquiry being undertaken?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) Section 25(1) of the RTI Act, 2005 provides that the State Information Commission shall as soon as practicable after the end of each year, prepare a report on the implementation of the provisions of this Act during that year and forward a copy thereof to the appropriate Government.

Further, Section 25(3)(g) of RTI Act, 2005 provides that the report shall state in respect of the year to which the report relates, the recommendations for reform, including recommendations in respect of the particular public authorities, for the development, improvement, modernisation, reform or amendment to this Act or other legislation or common law or any other matter relevant for operationalising the right to access information.

(b) and (c) The RTI act is federal in nature and the State Government is competent authority for the implementation of the RTI Act in their respective States.

No such information is maintained centrally.

Organisation not following CVC guidelines

255. SHRI RAM KUMAR KASHYAP: Will the PRIME MINISTER be pleased to state:

(a) whether an organisation under the purview of Central Vigilance Commission (CVC) is bound to follow CVC guidelines/instructions and advice, if not, the reasons therefor; and

(b) the details of organisation(s) which are under the purview of CVC but are not following CVC guidelines/instructions and advice together with action taken against such organisation(s) by CVC?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) As informed by the Central Vigilance Commission (CVC), the CVC tenders advice in vigilance cases and such matters referred to it by the Ministries/Departments of the Central Government, CPSEs, Public Sector Banks, Public Sector Insurance Companies, Government Companies, Societies and Local Authorities owned or controlled by the Central Government or otherwise. The instructions/guidelines issued by the CVC are advisory. Procedure has been laid down for disagreement with the advice of CVC.

(b) Wherever appropriate, instances of non-acceptance of Commission's advice/non-consultation are reported by the Commission in its Annual Report every year, is laid on the table of the House.

Non-compliance with guidelines of Central Secretariat on transparency

†256. SHRI HARIVANSH: Will the PRIME MINISTER be pleased to state:

(a) the reasons why most of the Ministries and departments are not complying with the guidelines of Central Secretariat on transparency;

(b) whether it is not against the rules of transparency; and

(c) the steps being contemplated to be taken against the Ministries which are not complying with these guidelines?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) to (c) Right to Information Act was enacted in the year 2005 to promote transparency and accountability in the working of every public authority and the implementation of the RTI Act is mandatory for all Public Authorities.

Under Section 4 of RTI Act, all Public Authorities have to provide disclosure as mandated. The Government has taken number of steps to strengthen this transparency legislation. With a view to maximizing *suo-motu* disclosure by public authorities, Government has issued guidelines to all the Ministries/Departments of Government of India on 21.09.2007 and 15.04.2013 impressing upon the public authorities to disclose maximum information proactively so that citizens need not resort to filing of RTI applications to access information available with the public authorities.

†Original notice of the question was received in Hindi.