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## How the govt's curbing your right to know

New Delhi: Last week, when TOI broke the story about the cabinet being set to approve amendments to the RTI Act to keep file notings out of public purview, there was a predictable furor. Those who had worked for years to empower the Indian citizen with knowledge felt that the changes in the law would suck the life out of it. And honest bureaucrats who believed that the RTI was a handy tool to keep corrupt bosses in check saw it as a major setback in their bid to cleanse the system.

In a letter to the President, former Union home secretary Madhav Godbole, a man known for his integrity, wrote, "The decision of the Govt to amend the RTI Act is highly retrograde and will totally defeat the very purpose of the act. In fact, making the notings on the file open to people can be the single most effective check on rampant corruption, both at the administrative and political levels. It can also strengthen the hands of honest officers."

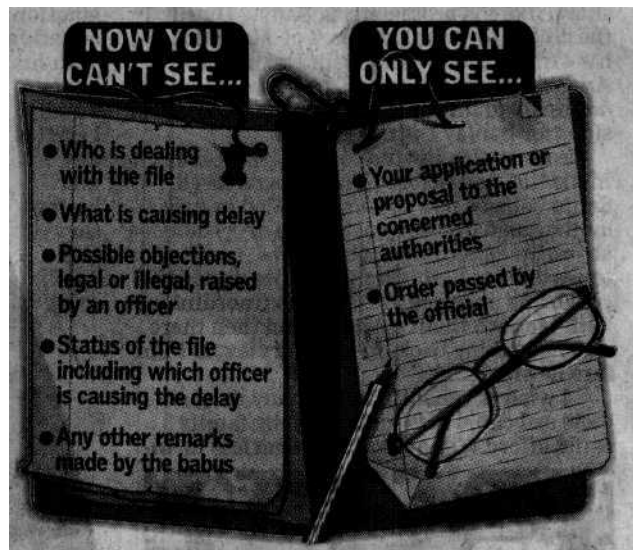
What do the amendments propose to do? Under the original act, file notings on *emc*-tyling barring defence, security, personal information could be accessed. Now, the proposal is to keep virtually all file notings under wraps, barring those on "social and developmental" projects.

The government says the change is aimed at allowing bureaucrats to put down their opinion fearlessly on paper. But veteran bureaucrats say the purpose is exactly the opposite—while pliable officers can now hide their consent to their masters' wrong demands, honest officers can no longer cite the RTI to demand that the masters put their un-

lawful instructions in writing and more often than not, fob them off.

TOI explains why file notings are inseparable from a meaningful RTI. And why, minus access to them, RTI becomes completely toothless.

passport should or should not be issued, or why a contract should or should not be given to a particular party, is all written in the file notings. If you don't get to know this, you will never know who is misusing his powers.



### •What are file notings?

Contrary to popular perception, file notings are not mere scribbles made by officers on the margins of any document. They are written on a separate green sheet on the left side of files, giving an officer's considered comments on the issue. While the right side of a file contains the proposal, the left side has an officer's views on it. After putting his views, the officer passes the file to his superior who, in turn, puts his views expressing approval or disapproval on the page. In short, the dynamics of a decision is contained on this page.

### •Why are they important?

The green sheet is a record of the entire decision-making process. An officer's comments on a particular issue—for or against—are written in the file notings. For instance, why a

### Who's afraid of file notings and why?

File noting can expose whether any officer has written anything illegal or if he has delayed a particular file. In that sense, if file notings are taken out of the RTI Act, dishonest officials have a reason to celebrate.

To illustrate the point, when 150 jhuggis were demolished in Mayur Vihar in September 2005, the DDA said no land was available to resettle them.

However, file notings revealed that 700 plots of land had actually been developed by DDA in Kondli to resettle them. It's just that an officer, or set of officers, was holding back these plots, perhaps for lucrative reasons.