

PM-4079/S-11/2005

21-9-2005

प्रधान मंत्री कार्यालय  
PRIME MINISTER'S OFFICE

नई दिल्ली-110 011  
New Delhi-110 011

Reply by  
Monday  
22-9  
JS(E)

Please find enclosed a copy of a letter dated 13.9.2005 addressed to the Prime Minister by Shri Narendra Modi, Chief Minister, Gujarat regarding enactment of the Right to Information Act, 2005.

The undersigned has been desired to request that comments in the matter may kindly be sent to this office urgently for submission to the Prime Minister.

V. Vidyavathi,  
( V. Vidyavathi )  
Director

22/9/05  
Secretary, Department of Personnel & Training

PMO UO No.600/40/C/05/2005-ES.II

Dated: 19.09.05

Act, for which we will need extensive support and funding from Government of India as well.

Email : cm @ gujaratindia.com Website : www.gujaratindia.com

5.0 PM  
Filed to CAO H N Y 17/9

No. CMS/GOI/ 216

Mr. Narendra Modi  
MINISTER  
GUJARAT STATE



Sardar Bhavan, Sachivalaya,  
Block No. 1, 5th Floor,  
Gandhinagar-382 010, Gujarat  
Phone (O) (079) 23232611 to  
23232619  
Fax No (079) 23222101

September 13, 2005.

Respected Pradhan Mantri Ji,

The enactment of the Right to Information Act in June, 2005 is an important step towards ensuring transparency and accountability in government and empowering the people for real participation in governance. The Government of Gujarat is also committed to the concept of Right to Information and we have already taken preliminary steps for implementation of this Act in Gujarat.

However, I would like to point out certain difficulties enumerated below, which are likely to arise while implementing this Act because of certain provisions in the Act.

1. The time frame of 120 days for starting the implementation of the Act is very short in view of the number of activities which are required to be undertaken prior to the implementation date. Many countries of the world had a transition/preparation period of as much as 5 years before the Act was implemented. While this kind of time-frame may be considered too long, 120 days is inadequate to complete all the actions required prior to the implementation of the Act.
2. The success of the Act lies in bringing about the change of mindset of the civil servants who are to implement this Act. This requires an extensive training for change of mindset at all levels. In Gujarat, we have already trained 1.4 lakh government employees (including Class-IV employees) for change of mindset through a module of training called **V-Governance Training** which has helped us prepare the ground for accepting any Good Governance initiative such as Right to Information. Training is now required to be given to all the State Govt employees about the provisions of Right to Information Act, for which we will need extensive support and funding from Government of India as well.

5 PM

Forwarded to CA OFF NY on 11/17/9

3. One of the provisions of the Act exempts persons belonging to Below Poverty Line family from payment of any fees/charges for getting information. It is mentioned in the Act that the purpose of acquiring information will not be asked from the applicant. There is, therefore, a definite possibility that anyone wanting to get voluminous information from the Government will take the route of a BPL family so as to avoid payment of even the cost of stationery. We need to plug this loop-hole by putting a limit of certain number of pages of information which can be given free to members of BPL families and charging them for additional pages required.
4. Since even the personnel information is also not exempted under this Act, question will arise when information is asked for regarding the confidential reports of officers and records of Departmental Promotion Committees etc. ? Unless a specific exemption is made for personnel information, the Act is likely to be misused by various employees by taking a route of citizen seeking information.
5. The success of the Act will depend on dissemination of information about the provisions of the Act to public at large. This exercise will involve organizing mass-scale seminars, meetings, distribution of print material, and use of electronic media. It is necessary that Government of India sets apart some money for assistance to State.
6. The obligations arising out of the Act will necessitate business process re-engineering and modernization and up-gradation of record compilation in Government to meet the deadline of providing information within the 30 days. Each State Government will have to spend lakhs of rupees for computerization of data. It is important that Government of India strengthens the State Governments by providing necessary funds.

We estimate that training all the employees, preparation of print literature, compilation of data base and its computerization will cost at least Rs. 200 crores. We request Government of India to fund at least 50% of this.


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Since as per the existing provisions of the Act, it comes into force from 12<sup>th</sup> of October, 2005, the matter will need prompt and positive consideration by Government of India.

I look forward to active support of Central Government in pursuance of our request.

With regards,

Yours sincerely,

  
(Narendra Modi)

**Dr. Manmohan Singhji,**  
Hon'ble Prime Minister of India,  
Prime Minister's Office,  
NEW DELHI.