

सरकारी कामकाज की जांच कीजिए

क्या कभी ऐसा होता है कि एक आम आदमी नगर निगम को कहे, "मैं आपके द्वारा बनाई जा रही अमुक सड़क का निरीक्षण करना चाहता हूं, जब सड़क बन जाये तो मुझे निरीक्षण के लिये बुला लिया जाय।"

आपको भले ही यह एक सपने जैसा लगे। लेकिन दिल्ली में सूचना का अधिकार कानून हर नागरिक को सरकार द्वारा कराए गये किसी भी काम को इस तरह निरीक्षण करने का अधिकार देता है।

सितम्बर 2003 में लोक निर्माण विभाग ने दिल्ली की 22 मुख्य सड़कों की रिपेयर की। परिवर्तन के कार्यकर्ताओं ने सूचना के अधिकार कानून के तहत इन सड़कों के निरीक्षण की मांग की। इसमें इन सड़कों से संबंधित मेजरमेंट बुक दिखाने की भी मांग की गई। मेजरमेंट बुक में ही सरकारी निर्माण कार्य की रोजाना की प्रगति का लेखा जोखा लिखा जाता है। जूनियर इंजीनियर को हरेक काम की प्रगति के अनुसार उसका नाप लेकर मेजरमेंट बुक में दर्ज करना होता है। लेकिन ज्यादातर मामलों में काम कम होता है और मेजरमेंट बुक में ज्यादा लिख दिया जाता है। काम का भुगतान मेजरमेंट बुक में दर्ज नाप के अनुसार ही होता है। अतः सारी धांधली मेजरमेंट बुक में की जाती है। इसे ज़मीन पर वास्तव में हुए काम से मिलाकर देखा जाय तो सब कुछ सामने आ सकता है।

जैसे ही सूचना के अधिकार के तहत किसी काम के निरीक्षण का आवेदन किया जाता है, तुरंत उस महकमे के सभी कर्मचारी चौकन्ने हो जाते हैं कि जनता का कोई व्यक्ति उनके काम का निरीक्षण करने आने वाला है। ऐसे में उन्हें चोरी पकड़े जाने का डर रहता है जिसके चलते वो कभी भी मेजरमेंट बुक में गलत नाप नहीं भरेंगे। इस तरह की धांधलियों को उजागर करने के लिए सूचना का अधिकार आम नागरिक के हाथ में एक अचूक हथियार है।

कल्पना कीजिए कि अगर दिल्ली का हर नागरिक अपने आस पास हो रहे किसी भी काम को देखे और तुरंत सूचना के अधिकार के तहत महज 25 रुपये की फीस देकर उसके निरीक्षण करने की मांग कर दे। यकीन कीजिए किसी भी सरकारी अधिकारी की मेजरमेंट बुक में गलत नाप भरने की हिम्मत नहीं होगी और भ्रष्टाचार पर अंकुश लगाने का यह एक क्रांतिकारी कदम होगा। तो फिर देर किस बात की? आपका फर्ज बनता है कि अगर आपके इलाके में सरकार द्वारा कोई काम कराया जा रहा है तो आप सूचना के अधिकार के तहत फार्म भरकर उसके निरीक्षण की मांग करें।

सरकारी काम में इस्तेमाल हुए माल का सेंपल भी मांग सकते हैं आप

दिल्ली सूचना का अधिकार कानून आपको किसी भी निर्माण कार्य में इस्तेमाल किये गये सामान का सेंपल लेने का भी अधिकार देता है। आप मांग कर सकते हैं कि अमुक काम का सेंपल आपकी उपस्थिति में लेकर आपको दिया जाय। इस सेंपल का आप किसी भी प्रयोगशाला में परीक्षण करा सकते हैं। ऐसा करने से सरकारी कामकाज में घटिया माल लगने की प्रवृत्ति पर रोक लगेगी।

भ्रष्टाचार के लिये आज तक हमने घर बैठ कर केवल नेताओं और अफसरों को कोसा है अब कोसना बंद कीजिए और थोड़ा सा समय निकालकर देश को सुधारने का काम अपने हाथ में लीजिये

दिल्ली में सूचना के अधिकार को इस्तेमाल कर एक पारदर्शी और जबाबदेह व्यवस्था बनाने के लिये एक आंदोलन चल रहा है। अलग अलग इलाकों में इस पर समूह बन रहे हैं जिनसे हर वर्ग के लोग जुड़ रहे हैं। क्या आप भी इसमें शामिल नहीं होना चाहेंगे? क्या आप भी अपने इलाके में एक समूह तैयार करना चाहेंगे?

सूचना के अधिकार के बारे में किसी भी तरह की जानकारी के लिये संपर्क करें -

परिवर्तन, जी 3/17, सुंदरनगरी, निकट सीमापुरी, दिल्ली - 93, फोन : 011 - 55254077

ई मेल - parivartan@parivartan.com

चारों तरफ भ्रष्टाचार और अराजकता, हर तरफ रिश्वत का बोलबाला
पर मैं अकेला क्या कर सकता हूँ, तिलमिला कर रह जाता हूँ !
घबराइए नहीं

अब आप अकेले भी भ्रष्टाचार का सामना कर सकते हैं

भ्रष्टाचार की मुख्य वजह : सरकारी कामकाज में हर तरफ गोपनीयता। सब कुछ चोरी चोरी चुपके चुपके होता है।
पर अब ऐसा नहीं होगा। दिल्ली सरकार ने सूचना का अधिकार कानून लागू किया है। कोई भी नागरिक सरकार के किसी
भी विभाग में जाकर कोई भी रिकार्ड देख सकता है और उनकी फोटोकापी ले सकता है।

सूचना के अधिकार के कुछ करिश्मे

अशोक गुप्ता को मिला बिजली का कनेक्शन

पटपड़गंज के रहने वाले अशोक गुप्ता को बिजली का नया कनेक्शन लेना था। लेकिन बिजली वाले रिश्वत मांग रहे थे और इस चक्कर में अशोक गुप्ता को कई साल तक कनेक्शन नहीं मिला। अशोक जी ने जब सूचना के अधिकार के तहत अपना कनेक्शन न मिलने की वजहों के बारे में जानकारी मांगी तो 10 दिन में बिजली वाले उनके यहां कनेक्शन लगा गये।

रातों रात ठीक हुई पानी की पाईप लाईन

पांडव नगर में पानी की पाईप लगी जो पहले दिन से ही लीक कर रही थी। नागरिकों ने विभाग में कई बार शिकायतें कीं लेकिन कोई असर नहीं पड़ा। आखिरकार सूचना के अधिकार के तहत जब पाईप डालने के ठेके की कापी मांगी गई और बिल पास करने वाले अधिकारियों के नाम पूछे गये तो रातों रात पाईप ठीक कर दिया गया।

राशन वाले की चोरी पकड़ी गई, त्रिवेणी को मिला पूरा राशन

त्रिवेणी को छः महीने से राशन नहीं मिला था। राशन वाला सरकार द्वारा तय दामों से कहीं ज्यादा दामों पर राशन देता था। त्रिवेणी ने इस कानून का सहारा लेकर पूछा कि सरकारी रिकार्ड में पिछले तीन महीनों में उसके नाम पर कितना राशन निकला है। उसने अपने नाम पर कटी रसीदों की कापी भी मांगी। जवाब आया कि उसके नाम पर हर महीने 25 किलो गेहूं और 10 किलो चावल दिए गए हैं और रसीदों पर उसके नाम के झूठे अंगूठे भी लगे थे। जाहिर है कि राशन वाला हर महीने उसके नाम का राशन चोरी कर रहा था। चोरी पकड़े जाने से राशन वाला डर गया और तबसे त्रिवेणी को हर महीने पूरा राशन सही दाम पर मिल रहा है।

अधूरी छोड़ी सड़क पूरी हुई

पटपड़गंज में एक सड़क बनी। लेकिन उसका आधा हिस्सा टूटा ही छोड़ दिया गया। लोगों ने सूचना के अधिकार के तहत सड़क के ठेके की कापी मांगी। ठेके की कापी तो लोगों को बाद में मिली लेकिन चोरी पकड़े जाने के डर से अधिकारियों ने अधूरी छोड़ी हुई सड़क भी पूरी करा दी।

गायब सफाई कर्मचारी काम पर लौटे

पांडव नगर में कभी कभार ही कोई सफाई कर्मचारी नजर आता था। चारों तरफ गंदगी ही गंदगी रहती थी। लोगों ने सूचना के अधिकार के तहत अपने इलाके के सफाईकर्मियों के हाजिरी रजिस्टर और मस्टर रोल की कापी मांगी तो पता चला कि इस इलाके में 62 सफाईकर्मियों नियुक्त हैं। सूचना आते ही कई नए सफाईकर्मियों नजर आने लगे जो अभी तक मुफ्त की तन्ख्वाह ले रहे थे।

पहली बार दिल्ली में जनता ने लिया सरकार से हिसाब किताब

परिवर्तन ने सीमापुरी और सुंदरनगरी इलाके में पिछले दो साल में नगर निगम द्वारा कराए गए सभी ठेकों की कापी ली और लोगों में यह जानकारी बांटी। पता चला कि एक करोड़ तीस लाख रुपये के ठेकों में 70 लाख रुपये का काम गायब था। जैसे 29 हैंडपम्प में से 15 नहीं लगे थे। 29 बिजली की मोटरों का भुगतान किया गया था लेकिन लगी एक भी नहीं थी।

यह कानून और क्या कहता है -

सूचना मांगने के लिये एक फार्म भरकर उसे उस सरकारी विभाग में जमा कराना होता है। फार्म के साथ 25 रुपये की फीस भी जमा करानी होती है। यदि मांगी गई सूचना 30 दिन में नहीं दी जाती तो उससे जुड़े अधिकारी की तन्ख्वाह 50 रुपये प्रतिदिन के हिसाब से कटेगी और यदि आपको गलत सूचना दी जाती है तो उस अधिकारी की तन्ख्वाह 1000 रुपये कटेगी।

सूचना के अधिकार से दिल्ली का हर नागरिक बना विधायक

सूचना के अधिकार के तहत पूछे गए सवाल विधानसभा और संसद में पूछे गये सवालों के मुकाबले ज्यादा महत्वपूर्ण सिद्ध हो रहे हैं

इतना बढ़िया कानून। भ्रष्टाचार से लड़ने का अचूक हथियार। कुव्वस्था और मनमानी करने वाले सरकारी कर्मचारियों पर अंकुश लगाने का सुनहरी अवसर। अब भी हम कुछ न करें तो कसूरवार हम ही होंगे।

DR. N. C. SAXENA, MR. S. R. SANKARAN
COMMISSIONERS OF THE SUPREME COURT
IN THE CASE: PUCL Vs UOI & ORS. WRIT PETITION (Civil) NO. 196 of 2001

March 25, 2004
PDS.RTI./171/Del

Mrs. Shailaja Chandra
Chief Secretary
Government of NCT, Delhi
Delhi Secretariat
Delhi

Dear Mrs Chandra,

We have been given to understand that the Delhi High Court has granted stay in some areas of Delhi against making PDS records available to public under the Delhi Right to Information Act. As this appears to be contrary to the orders of the Supreme Court in this matter, we would be grateful if you could let us know whether the Delhi High Court has been apprised of various orders passed by the Supreme Court in this regard. We would also be grateful if copies of the relevant papers, including the affidavits filed by your government, be sent to us at the earliest so that this matter can be brought to the notice of the Supreme Court, if appropriate.

With regards

N. C. Saxena

Dr N C Saxena

Cc. Nodal Officer

S. R. Sankaran

S R Sankaran

DR. N. C. SAXENA, MR. S. R. SANKARAN
COMMISSIONERS OF THE SUPREME COURT
IN THE CASE: PUCL Vs UOI & ORS. WRIT PETITION (Civil) NO. 196 of 2001

March 25, 2004
PDS.Transpcy/172/Del

Mrs Shailaja Chandra
Chief Secretary
Government of NCT, Delhi
Delhi Secretariat, I.P. Estate
New Delhi – 110002

**Subject: Non – Compliance of Supreme Court Orders relating to Transparency
in PDS**

Dear Mrs Chandra,

Your attention is drawn to the orders of the Honorable Supreme Court, in PUCL versus Union of India and others (No 196 of 2001), wherein the Hon'ble court has ordered that lists of all the beneficiaries should be publicly displayed and made available to the people. You may also kindly refer to our letter of 16 September, 2003 on the subject.

It has been brought to our notice that, even now, the lists of beneficiaries are not being displayed in many of the circles and neither are they being provided to the people, even when requested. In fact, we have recently been sent the report of a survey conducted by two local NGOs in 15 circles, comprising two districts, of Delhi. The report brings out that in all these circles the lists were not displayed anywhere. Further, when the officials were requested to show the list, they invariably refused and it was only after they were shown copies of the Supreme Court order that a few of them relented and showed the lists.

In order to ensure easy access to these lists, it is again clarified that these lists should be displayed on the notice boards of every circle. Duty should be cast upon a senior officer to ensure that the lists are not tampered with or removed. It shall be the duty of this officer to ensure immediate replacement in the event of any defacement of this list. Certified copies must also be made available to any person who asks for them at a price of not more than Rs. 1 per page. The lists should also be made available to the public in the form of CDs and should not be priced at more than the cost of CD.

It has also been brought to our notice that often, when people seek copies of records related to distribution of rations, the ration dealers, who maintain these records, refuse to make these records available, sometimes pleading their loss, theft or destruction. Also, we understand that, in Delhi, when people seek copies of records, the records have to be procured each time from the respective dealer. Apart from being time consuming, this also leads to the dealer being alerted about the request and sometime about the identity of the applicant. This can result in undue pressure being put on the applicant.

In some states, the FPS and KOD are required to submit their records every month, as a matter of practice, to the Government. Such a practice minimizes the possibility of loss of records and of the victimization of applicants. We think this is a healthy practice that would

help further the implementation of the orders of the Hon'ble Supreme Court. Therefore, the Delhi Government should direct all the FPS and KOD to submit their records every month to the Food Department. The records should include card register, daily sale register, stock register and other registers maintained by the dealers and these should be kept with the Food Department for providing copies and access to the public.

We would be grateful if you kindly send us a status report on the compliance of these instructions within 15 days, as we need to report progress to the Hon'ble Supreme Court.

With regards

Saxena

Dr N C Saxena

Cc. Nodal Officer

S. R. Sankaran

S R Sankaran

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S. R. Sankaran

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DR. N. C. SAXENA, MR. S. R. SANKARAN
COMMISSIONERS OF THE SUPREME COURT

IN THE CASE: PUCL Vs UOI & ORS. WRIT PETITION (Civil) NO. 196 of 2001

March 25, 2004
PDS.Transpcy/172/Del

Mrs Shailaja Chandra
Chief Secretary
Government of NCT, Delhi
Delhi Secretariat, I.P. Estate
New Delhi - 110002

**Subject: Non - Compliance of Supreme Court Orders relating to Transparency
in PDS**

Dear Mrs Chandra,

Your attention is drawn to the orders of the Honorable Supreme Court, in PUCL versus Union of India and others (No 196 of 2001), wherein the Hon'ble court has ordered that lists of all the beneficiaries should be publicly displayed and made available to the people. You may also kindly refer to our letter of 16 September, 2003 on the subject.

It has been brought to our notice that, even now, the lists of beneficiaries are not being displayed in many of the circles and neither are they being provided to the people, even when requested. In fact, we have recently been sent the report of a survey conducted by two local NGOs in 15 circles, comprising two districts, of Delhi. The report brings out that in all these circles the lists were not displayed anywhere. Further, when the officials were requested to show the list, they invariably refused and it was only after they were shown copies of the Supreme Court order that a few of them relented and showed the lists.

In order to ensure easy access to these lists, it is again clarified that these lists should be displayed on the notice boards of every circle. Duty should be cast upon a senior officer to ensure that the lists are not tampered with or removed. It shall be the duty of this officer to ensure immediate replacement in the event of any defacement of this list. Certified copies must also be made available to any person who asks for them at a price of not more than Rs. 1 per page. The lists should also be made available to the public in the form of CDs and should not be priced at more than the cost of CD.

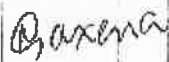
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In some states, the FPS and KOD are required to submit their records every month, as a matter of practice, to the Government. Such a practice minimizes the possibility of loss of records and of the victimization of applicants. We think this is a healthy practice that would

help further the implementation of the orders of the Hon'ble Supreme Court. Therefore, the Delhi Government should direct all the FPS and KOD to submit their records every month to the Food Department. The records should include card register, daily sale register, stock register and other registers maintained by the dealers and these should be kept with the Food Department for providing copies and access to the public.

We would be grateful if you kindly send us a status report on the compliance of these instructions within 15 days, as we need to report progress to the Hon'ble Supreme Court.

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PDS/170/Del

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Subject: Reduce the Charges for accessing information under Right to Information Act.

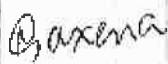
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However, it has been brought to our notice that the fee prescribed under this Act for accessing information is quite high and is making it difficult for the poor people to use this law to access information about the PDS. The Hon'ble Supreme Court has desired that the entire PDS should be transparent and people should be able to access information easily.

Therefore, in order to comply with the orders of the Supreme Court, it is necessary to bring down the applicable charges to an affordable level of not more than Rs 5 per application, and not more than Rs 1 per page for photocopying.

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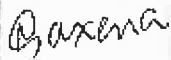
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