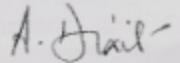
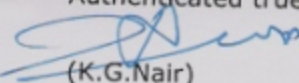


9. A practical regime of right to information for citizens to secure access to information is possible only when the Public Authority makes information available through various means as given in 4(1) of the RTI Act, which includes information through internet. As per the provision of 4(2) of the Act, it should be the constant endeavour of every Public Authority to take steps in accordance with the requirements of Clause (b) of sub-section (1) to provide as much information suo moto to the public at regular intervals through various means of communication including the internet. In accordance with these Sections in the Act, the Public Authority is urged to put up different drafts on the internet, as they evolve, so that stake holders are continuously aware of the concerns being deliberated upon and incorporated.
10. The Commission directs the CPIO to provide available information against Point No.2 of the RTI request including copies of presentations etc. within 15 days of receipt of this Order.

11. The appeal is disposed off.


(Annapurna Dixit)
Information Commissioner

Authenticated true copy:


(K.G.Nair)
Designated Officer

Cc:

1. Ms. Manju Menon, C/o 134 Tower 10, Supreme Enclave, Mayur Vihar-Delhi-110091.
2. The PIO & Director, M/o Environment & Forests, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi-110003.
3. The Appellate Authority - RTI, M/o Environment & Forests, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi-110003.
4. Officer incharge, NIC
5. Press E Group, CIC



Central Information Commission

CIC/WB/A/2008/01297/AD

Dated October 23, 2008

Name of the Appellant :Ms. Manju Menon,
C/o 134 Tower 10, Supreme Enclave,
Mayur Vihar-1,
Delhi-110091

Name of Public Authority :The CPIO & Director,
M/o Environment & Forsts,
Paryavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi-110003

Background

1. The RTI request was filed on 4.2.08. The Appellant sought the following information:
 - (i) Proposals/plans of M/o Environment and Forests to amend the EIA notification 2006.
 - (ii) All correspondence, draft notifications, presentations related to any such proposed/closed amendments.
2. The CPIO replied on 27.2.08 stating that the amendment to the EIA notification is an evolving process and that feedback from various stake holders is undertaken so as to take care of any deficiencies, in terms of procedures and procedural aspects. The CPIO further stated that the Environment (Protection) Act, 1986 has laid down the process including consultation with the stake holders in this regard which applies to the EIA notification as well. Not satisfied with the reply, the Appellant filed her first appeal on 10.4.08. The Appellant stated that the response did not correspond to the query raised and that the CPIO had rejected the Appellant's request for copies of correspondence etc. stating that it is an evolving process. The Appellate Authority in her order of 26.5.08 stated that the CPIO has



provided the factual information regarding the procedure adopted during amendment to the notification. The second appeal was preferred before the CIC on 27.8.08.

3. The Bench of Mrs. Annapurna Dixit, Information Commissioner, heard the matter on October 24, 2008.
4. The Appellant was present at the hearing
5. Mr. SK. Aggarwal & Dr. Nalini Bhat, Appellate Authority and CPIO respectively, represented the Public Authority.

Decision

6. The Appellant stated that the 60 days time given for the public to provide feedback on final draft of the EIA notification is not enough and that the period should be extended. She also stated that the process of finalizing the draft is only a one-way process and that the NGOs and other stake holders are not kept informed at different stages of evolution of the draft.
7. The Respondents stated that the final draft is prepared on the basis of inter-ministerial consultations. This draft is then put up for 60 days on the Website for comments from various stake holders. The time frame for finalization of amendment is one year and the Ministry has to ensure that it keeps to the dead line. The Respondents also stated that the procedure for preparation of final notification is laid out in the Environment Protection Act (1986).
8. The Commission urges the Ministry to consider making the whole notification amendment process more participatory in nature, holding more consultations at Central and State levels with all stakeholders even before the draft notification is finalized in the Inter-Ministerial Consultation.

