

CIC Orders Proactive Disclosure of information on MLA Development Funds

In a landmark judgement that will ensure transparency in the utilization of MLA local area development funds, the Central Information Commission (CIC) on September 2, 2009, ordered the Delhi Government to put up detailed information on utilization of these funds on its website.

The CIC ordered this disclosure in response to a complaint filed by Satark Nagrik Sangathan (SNS) in August 2008. SNS had filed this complaint as part of its 'Delhi MLA Report Cards campaign'. The Report Cards included information obtained under the RTI Act on how MLAs had allocated their development funds. SNS's experience showed that it was extremely difficult to access this information. Therefore, a complaint was filed with the CIC demanding that details of MLA funds should be made available in the public domain in compliance with Section 4 of the RTI Act. In the complaint, SNS had sought that project-wise information about MLA Local Area Development Scheme should be put up on the Delhi government's website and on boards in each constituency.

At the hearing of the complaint, Central Information Commissioner, Shailesh Gandhi, took strict notice of the Delhi government's non compliance with the provisions of Section 4 of the RTI Act which requires the government to proactively provide information on utilization of public funds to citizens. Issuing a show cause notice to the PIO of the Urban Development Department, the Commissioner noted that "the PIO is guilty of not making any effort to meet the Section 4 requirements (of the RTI Act)". The PIO has been ordered to ensure that this information is put up on the website of the Department within 15 days.

The order of the CIC will ensure that MLA local area development funds are utilized in a consultative, participatory and accountable manner. Over Rs. 700 crore is allocated by MLAs under the Delhi MLALAD Scheme over a five year period. Having access to information on these funds will enable people to meaningfully engage with their MLAs to ensure that these funds are spent on their area's most pressing development needs.