

CENTRAL INFORMATION COMMISSION

(Room No.315, B-Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi 110 066)

Prof. M. Sridhar Acharyulu (Madabhushi Sridhar)

Central Information Commissioner

CIC/RM/A/2014/001582-SA

M V Gode v. PIO, KVS

Important Dates and time taken:

RTI: 19.11.2013	FAO: Nil	SA: 02.04.2014
Disposed of.	Hearing: 26.10.2016	Decided on: 01.11.2016

Parties Present:

1. Appellant: Present

Public authority: Mr. S. S. Chauhan, Asstt. Commissioner.

FACTS:

2. The appellant sought on 09.11.2013 information about giving away the Presidential Awards to best teacher for the year 2011. He got 81 points out of 100, along with another teacher, while the KVS Selection Committee, 2011 nominated the other, but not him. The required points and reply are tabulated by CPIO in letter dated 10.01.2014:

Sl. No.	Information sought	Information provided
5.	Subject reference: KVS(HQ) National Award Selection Committee-2011 selected and nominated name of six teachers in category one (HM/PRT) as per National Award format and forwarded to MHRD for KVS quota.	
6.	Information Wanted: Only for year-2011 in category one (HM/PRT) only. Awards were awarded in Sept.2012 by 8 Hon'ble President of India. a) Kindly provide aggregate marks (score) allotted out of 100 by KVS National Award Selection Committee	a) The photocopy of the information is enclosed.

	<p>2001-12 (here after called AS KVS-BASC 2011) to each KVS National Awardee against their names in category one (HM/PRT).</p> <p>b) Total number nominations reached to KVS (HQ) from all regions. Provide a sort out list of KVS (HQ) nominees along with their regional score against their names based on which names were selected for final six nominations in said category.</p> <p>c) Name nominee teachers who got 81 marks out of 100 at regional level.</p> <p>d) Provide information about the methodology of evaluation adopted by members of KVS-NASC 2011/j provide manual of proceeding available that disordered the regional merit while finalizing six final names that nominated and forwarded to MHRD for national awards-2011.</p> <p>Example: As Mrs. Gopa Chakrabarti KVS R.O. Mumbai obtained 81 out of 100 at regional.</p> <p>As well Mr. M.V. Gode PRT KVS RO Bhopal too obtained 81 out of 100 at regional.</p> <p>Likewise other few nominees from different regional who obtained higher counts are dropped out from final nomination and a few others obtaining lesser counts are included in final list of six nomination and their names were forwarded to MHRD for national awards for KVS quota.</p> <p>e) Provide information on Mrs. Gopa Chakrabarti RO Mumbai and Mr. M.V. Gode RO Bhopal both obtained 81 equal counts at regional level, Ms. Gopa Chakrabarti is nominated for national award 2011 by KVS-NASC and Mr. M.V. Gode PRT is dropped out from list. Provide information here how selection committee KVS (HQ) dealt on (meant methodology of evaluation adopted by committee members) awarding nomination to Ms. Gopa Chakrabarti the counter part of Mr. M. V. Gode.</p> <p>f) Provide information on any difference of opinion if registered separately on selection of above said national awardees by MHRD member nominee (Dr. Anjum Sibia Prof. NCERT) on KVS selection committee-2011.</p>	<p>b) 90 nominations were received at KVS (HQ). As far the regional score of the nominees, you are requested to approach concerned Regional Offices.</p> <p>c) Same as (a) above.</p> <p>d) No information exists in this form.</p> <p>e) & (f): List enclosed. As far the 2nd part of the information is concerned, it is informed that answering questions does not come under the mandate of RTI Act, 2005 under clause 2(f).</p>
--	---	---

	<p>g) Provide photocopy of proposal of Mrs. Lalita Bhattacharya PRT nominated from RO Bhopal and appellant. (in National format of IDO counts).</p> <p>h) Above said information is accessible under sect 10, Refer CIC decision-CIC/AT/2009/000260 dated 30.09.2009.</p>	<p>g) Proposal sent to Ministry of HRD and it is not available with KVS(HQ).</p> <p>h) No information sought.</p>
7.	Whether required observation/certified copies of record.	

3. On 29.01.2014, Mr. Gode filed First Appeal as follows: Only for year-2011 in category one (HM/pRT) only. Awards were awarded in the Sept. 2012 by Hon'ble President of India.

a) Kindly provide aggregate marks (score) allotted out of 100 by KVS National Award Selection Committee 2011-12 (hereafter called as KVS-NASC 2011) to each KVS National awardee against their names in category one (HM/PRT).

b) Total number of nominations reached to KVS(HQ) from all regions. Provide a sort out list of KVS(HQ) nominees along with their regional score against their names from which names to be selected for final six nominations in said category.

c) Name of nominee teachers who get 81 marks out of 100 at regional level.

d) Provide information about the methodology of evaluation adopted by members of KVS-NASC 2011. Provide manual of proceeding available that disordered the regional merit while finalizing six final names that nominated and forwarded to MHRD for national awards-2011. Likewise other few nominees from different regions who obtained higher counts are dropped out from final nomination and a few others obtaining lesser counts are included in final list of six nomination and their names were forwarded to MHRD for national awards for KVS quota.

e) Provide information on Ms. Gopa Chakrabarti RO Mumbai and Mr. M. V. Gode RO Bhopal both obtained 81 equal counts at regional level, Ms.

Gopa Chakrabarti is nominated for national award 2011 by KVS-NASC and Mr. M. V. Gode PRT is dropped out from list. Provide information here how selection committee KVS (HQ) dealt on (meant methodology of evaluation adopted by committee members) awarding nomination to Ms. Gopa Chakrabarti the counterpart of Mr. M. V. Gode.

f) Provide information on different of opinion if registered separately on selection of above said national awardees by MHRD member nominee (Dr. Anjum Sibia Prof. NCERT) on KVS selection committee-2011.

g) Provide evaluated photocopy (in respect of Ms. Gopa Chakrabarti) of proforma for recommending a teacher for NA based on which her name was recommended.

4. The FAA narrated the case, on 20.02.2014 and ordered as follows:

6) Reason for submission first appeal – 1) Reply not satisfactory, INCOMPLETE information provided. Appellant believes that required information is not provided under technical error covering under sections of exemption of RTI Act, 2005.

7) Information in details which required- Refer RTI application dated 26.11.2013 (copy attached) Column wise.

a) Information provided.

b) First part-Total nos. of nominations & sort out list of nominees of KVS(HQ)- information provided.

But second part 1) regional score of nominees received from all reasons at KVS (HQ) is not provided.

KVS(HQ) score cum check list is different than (marks of column Sr. No. 10 to 20 are changed). ROs score list.

c) Information provided is unsatisfactory as appellant could not trace out the names of nominees who got 81 marks at regional level from KVS(HQ) score list.

d) Appellant claims that information required is not provided. It is accessible under Sec. 10(1).ref. CIC decision No. CIC/AT/A./2009/000260 dated 30.09.2009.

e) Required information not provided. PIO provided information of selection status (counts) of six recipient of national awardees based on KVS(HQ) Analysis- quality parameters- check list- 11-12.

f) Information not provided.

g) Appellant claims that information provided is incorrect that Office copy of proposal in r/o Mrs. L. Bhattacharya not available with KVS (HQ).

As per office record of cluster level (forwarding of nominations) and self belief of appellant as under:-

(Appellant himself submitted his nomination in 5 (five) sets on requirement of KV Office as per details below 1st-KV's copy, 2nd-cluster, KV's, 3rd-ROs, finally KVS (HQ) received two sets of proposals out of which one is to retain by KVS(HQ) other is forwarded to MHRD along with nominations).

8) Subject and kind of information required – Provide information column wise A to G –

a) Nil

b) provide regional score of first 25 (1 to 25) sorted out nominees for national awards 2011 at KVS (HQ) (ref-check list of HM/PRT national award 2011-12).

(Notes – Appellant is regretful for PIO's request to approach concerned ROs to obtain regional score as approaching ROs is impracticable, time wasting, unaffordable & against nature and spirit of RTI Act, 2005). PIO could have been transferred the said part of information required of said RTI to it's concerned ROs under section 6(1) to provide information directly to appellant).

- c) Not provided.
- d) CPIO's reply is stereo type. Not satisfactory.

Note- Appellant wanted guidelines/selection criteria/while allotting marks (weightage given is 20 marks to main consideration for selection of teachers for national awards as given modalities for recommending the names).

Review of Analysis – quality parameter- check list of HM/PRT – 2011 shows that there is major changes of marks in column serial No. 10 to 18 and specially in column No. 20 named as committees. Appellant is of opinion of the KVS (HQ) screening committee – 11 deserves right to make over changes in marks with due analysis but to maintain clarity and transparency in allotting of marks.

In RTI dated 26.11.2013 appellant wanted information on such methodology of evaluation adopted by committee, that disordered the regional merit big way. The CPIO denied to have such information exists in this form. Provide information in available from that justifies and satisfies the appellant.

e) Appellant disagree with CPIO that information asked was in question form. He meant the committee should explain the methodology of evaluation adopted for awarding nominations to Ms. Gopa Chakraborty—and nomination of Mr. M.V. Gode is dropped out though both having equal 81 counts, provide information.

f) No information provided. Appellant understand that --- No difference of opinion.

g) No photocopies of proposals of six KVS national awardees—2011 provided saying that they are forwardded to MHRD and no records is available with KVS (HQ). Appellant is disagree with this information.

Provide photocopy of above referred six recipients of National awardees – 11 (category one) and of Appellant.

5. On 13.02.2014, 10.02.2014 and 12.03.2014, CPIO gave some more papers. In second appeal, Mr. Gode pointed out:

1) PIO has not complied with First AA's ordered decision to provide an appropriate information. His reply is stereo typed. He has not provided a fresh required information to appellant, but he provided the same earlier reply given to appellant.

2) Appellant claims that PIO has not complied with order appeal/decision of FAA dated 20.02.2014. He too not provided appellant's proposal which was not sent to MHRD & very much available with KVS(HQ).

Thus appellant claims that PIO violated Section 7 of RTI Act.

Decision:

6. The appellant submitted during hearing that the KVS was not transparent regarding the finalization of nominations for Presidential Awards for Best Teachers. The teachers felicitated with this award will get two years extension of service, which made each award a very contentious issue. The teachers whose nominations were rejected are now using the RTI route to demand various documents belonging to teachers selected for the award. The KVS officers in this case gave several documents in several phases. But the appellant says the KVS is not transparent enough on awarding of 20 per cent points, which is in exclusive domain of the Committee headed by Commissioner of KVS and consisting of his three subordinate officers at higher level. The top officer of KVS thus reserves discretionary power up to 20 marks. He expressed doubts about the objectivity of selections because 20 marks or award totally depends upon decision of the Chairman, as the subordinate officers on the panel may not always exercise their choice against their boss. There is every possibility of arbitrariness in the final nominations.

7. He claimed that he has every right to know how 20 marks are being awarded by the Committee. The documents supplied by the KVS show the following 8 criteria for awarding marks to the teachers: Results for the last five years, concrete steps taken to improve result, frequency of participation in

training programs etc, innovative experiments, development and use of teaching aids/computers, contribution and achievement in co-curricular activities and social service activities, publication of research papers, recognition, which constitute 80 points out of 100. The minutes of **Central Award Committee** Meeting to recommend names of the teachers for National Award 2011, dated 10.1.2012 stated that apart from above categories, the ACRs of teachers for last five years were also considered along with service cum vigilance clearances as certified. The Committee will decide 20 marks. The Analytical table of teachers whose nominations were given marks by the Central Award Committee showed that the Committee gave marks 5 to 20. The appellant is seeking what is the criterion for award of marks by the Committee. He is rightly questioning how the committee decides the marks to be given from its quota of 20 marks. The documents given under this RTI revealed that one teacher got 59 out of 80 based on the prescribed criteria and he was given 20 out of 20 by the Committee which enabled him to 79 marks and get national award. But two teachers who got 69 out of 80 before reaching the Committee, and were given 9 out of 20 by the Committee, who could not get award because total is only 78. These two teachers who lost by one mark, will naturally get frustrated because they do not know why one teacher got 20 while they were given only 9 each.

8. The Right to Information Act provides access to information not just to read and forget. The access to information should result in full disclosure to enable a citizen to question the arbitrariness in decision making. Natural justice demands that every selected and rejected candidate should get complete information from the public authority. The documents given under this RTI on application and first appeal, should have been disclosed voluntarily by the KVS on its own portal or notice board or by post to all the teacher candidates proposed for awards as mandated by section 4(1)(b) of RTI Act. The Central Awards Committee headed by the Commissioner of KVS has a duty to give reasons for such decision, whether it is administrative or quasi judicial, under Section 4(1)(d). The KVS has a duty to explain the reasons to all affected persons under Section 4(1)(c) of RTI Act. Here the appellant and all other rejected teachers are entitled to this disclosure under these provisions of RTI Act.

9. This means that KVS has a duty to ensure complete transparency regarding their selection or nominations for the National Awards. The authorities cannot use the national awards scheme or policy to deny two years of extension to some and gift it to some in an arbitrary manner. Such an exercise will violate equality principle and violate Article 14 of the Constitution. The public authority in this case has a duty to explain the mystery or non-transparency of 20 per cent marks held by top brass of KVS. They should tell how marks are decided by them.

10. The principles of natural justice demand that KVS acts in fair manner in deciding the awards. The apex court in *Dev Dutt v Union of India and others*, (<https://indiankanoon.org/doc/801705/>) (2008)8 SCC 725 explained what is natural justice and how this non-disclosure affects natural justice:

26. What is natural justice? The rules of natural justice are not codified nor are they unvarying in all situations, rather they are flexible. They may, however, be summarized in one word: fairness. In other words, what they require is fairness by the authority concerned. Of course, what is fair would depend on the situation and the context.

27. Lord Esher M.R. in *Voinet vs. Barrett* (1885) 55 L.J. QB 39, 39 observed: "Natural justice is the natural sense of what is right and wrong."

28. In our opinion, our natural sense of what is right and wrong tells us that it was wrong on the part of the respondent in not communicating the 'good' entry to the appellant since he was thereby deprived of the right to make a representation against it, which if allowed would have entitled him to be considered for promotion to the post of Superintending Engineer. One may not have the right to promotion, but one has the right to be considered for promotion, and this right of the appellant was violated in the present case.

29. A large number of decisions of this Court have discussed the principles of natural justice and it is not necessary for us to go into all of them here. However, we may consider a few.

30. Thus, in *A. K. Kraipak & Ors. vs. Union of India & Ors.* AIR 1970 SC 150, a Constitution Bench of this Court held:

"The concept of natural justice has undergone a great deal of change in recent years. In the past it was thought that it included just two rules, namely (1) no one shall be a judge in his own cause (*Nemo debet esse judex propria causa*), and (2) no decision shall be given against a party without affording him a reasonable hearing (*audi alteram partem*). Very soon thereafter a third rule was envisaged and that is that quasi-judicial enquiries must be held in good faith, without bias and not arbitrarily or unreasonably. But in the course of years many more subsidiary rules came to be added to the rules of natural justice".

11. Every administrative act should be in accordance with natural justice, as the Supreme Court analysed:

31. The aforesaid decision was followed by this Court in *K. I. Shephard & Ors. vs. Union of India & Ors.* AIR 1988 SC 686 (vide paras 12-15). It was held in this decision that even administrative acts have to be in accordance with natural justice if they have civil consequences. It was also held that natural justice has various facets and acting fairly is one of them.

32. In *Kumaon Mandal Vikas Nigam Ltd. vs. Girja Shankar Pant* AIR 2001 SC 24, this Court held (vide para 2):
The doctrine (natural justice) is now termed as a synonym of fairness in the concept of justice and stands as the most accepted methodology of a governmental action".

33. In the same decision it was also held following the decision of Tucker, LJ in *Russell vs. Duke of Norfolk* (1949) 1 All ER 109:
"The requirement of natural justice must depend on the circumstances of the case, the nature of the enquiry, the rules under which the tribunal is acting, the subject- matter that is being dealt with, and so forth".

34. In *Union of India etc. vs. Tulsiram Patel etc.* AIR 1985 SC 1416 (vide para 97) a Constitution Bench of this Court referred to with approval the following observations of Ormond, L.J. in *Norwest Holst Ltd. vs. Secretary of State for Trade* (1978) 1, Ch. 201 :
"The House of Lords and this court have repeatedly emphasized that the ordinary principles of natural justice must be kept flexible and must be adapted to the circumstances prevailing in any particular case".

Thus, it is well settled that the rules of natural justice are flexible. The question to be asked in every case to determine whether the rules of natural justice have been violated is: have the authorities acted fairly?

12. Fair play is the soul of natural justice rule.

35. In *Swadesh Cotton Mills etc. vs. Union of India etc.* AIR 1981 SC 818, this Court following the decision in *Mohinder Singh Gill & Anr. vs. The Chief Election Commissioner & Ors.* AIR 1978 SC 851 held that the soul of the rule (natural justice) is fair play in action.

36. In our opinion, fair play required that the respondent should have communicated the 'good' entry of 1993-94 to the appellant so that he could have an opportunity of making a representation praying for upgrading the same so that he could be eligible for promotion. Non-communication of the said entry, in our opinion, was hence unfair on the part of the respondent and hence violative of natural justice.

37. Originally there were said to be only two principles of natural justice : (1) the rule against bias and (2) the right to be heard (*audi alteram partem*). However, subsequently, as noted in *A.K. Kraipak's case* (*supra*) and *K.L. Shephard's case* (*supra*), some more rules came to be added to the rules of natural justice, e.g. the requirement to give reasons vide *S.N. Mukherji vs. Union of India* AIR 1990 SC

1984. In *Maneka Gandhi vs. Union of India* (supra) (vide paragraphs 56 to 61) it was held that natural justice is part of Article 14 of the Constitution.

38. Thus natural justice has an expanding content and is not stagnant. It is therefore open to the Court to develop new principles of natural justice in appropriate cases.

13. Transparency in public administration requires all entries in ACR must be accessible to affected employee. The Supreme Court developed the principles of natural justice.

39. In the present case, we are developing the principles of natural justice by holding that fairness and transparency in public administration requires that all entries (whether poor, fair, average, good or very good) in the Annual Confidential Report of a public servant, whether in civil, judicial, police or any other State service (except the military), must be communicated to him within a reasonable period so that he can make a representation for its upgradation. This in our opinion is the correct legal position even though there may be no Rule/G.O. requiring communication of the entry, or even if there is a Rule/G.O. prohibiting it, because the principle of non-arbitrariness in State action as envisaged by [Article 14](#) of the Constitution in our opinion requires such communication. [Article 14](#) will override all rules or government orders.

14. Natural justice includes right to represent against adverse remarks and seek review of the same.

40. We further hold that when the entry is communicated to him the public servant should have a right to make a representation against the entry to the concerned authority, and the concerned authority must decide the representation in a fair manner and within a reasonable period. We also hold that the representation must be decided by an authority higher than the one who gave the entry, otherwise the likelihood is that the representation will be summarily rejected without adequate consideration as it would be an appeal from Caesar to Caesar. All this would be conducive to fairness and transparency in public administration, and would result in fairness to public servants. The State must be a model employer, and must act fairly towards its employees. Only then would good governance be possible.

15. Like fair play, the transparency is, thus an addition to the natural justice, which demands the public authority to explain on what basis those teachers were awarded less marks, and also whether they were given any opportunity to appeal or seek review of these marks. If Committee holds 20 marks in its discretion, how fairly the Committee was deciding or evaluating for final nominees?

16. Section 4 of RTI Act, under Subsection (1), following clauses, demand the KVS to publish its policy, and reasons for the same:

(c) publish all relevant facts while formulating important policies or announcing the decisions which affect public;

(d) provide reasons for its administrative or quasi-judicial decisions to affected persons.

Under Section 4(2) It shall be a 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 motu to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.

Under Section 4(3) for the purposes of sub-section (1), every information shall be disseminated widely and in such form and manner which is easily accessible to the public.

17. The Commission noticed umpteen number of RTI applications by the disappointed teachers against award winning colleagues in KVS. They question why that person was selected and why he was not. Most of the appeals for answers cannot stand as under RTI, it is not possible for the CPIO to explain. But the problem behind those RTI applications cannot be brushed aside as they demand transparency in nominating the teachers for the National Awards which has a huge economic benefit of two years extension of service. Perhaps the scheme of these awards might have been introduced to create a competitive spirit among the teachers. The KVS has rightly evolved 10 parameters to decide 80 Marks but left 20 Marks to the discretion of the top brass of KVS. It appears that the Commissioner will have a final say, though his three senior colleagues are consulted. It may be almost impossible to prepare guidelines or decide the criterion for using this discretion power, but that cannot answer the persisting questions about fair play in nominating the Awardees. The KVS has to either come out with a comprehensive policy explain how they are going to use this 20 % evaluation discretion, or confine to the strict criteria for 80 per cent. If neither of these two choices could be exercised, the public authority may have to take drastic step of abolition of these Titles or Awards for teachers and extending their services by two years. It is for the experts in the field and the KVS or MHRD to decide these issues. But there is a need to make it totally, not 80 per cent but 100 percent transparent.

18. Recently the Union Government started an interactive platform to bring transparency in Padma Awards. DNA newspaper reported on 14th September 2016, that to put an end to the alleged lobbying involved in the award process, the Central government has started an interactive dashboard of all the awardees from 1954 to date where any user can explore and analyse the list of 4,400 awardees in a simple format. *The government has already received over 1,700 nominations and the last date of nomination is September 15. The Padma Awards have been mired in controversy for the last several years now and have been assumed to be politically influenced.* The Padma Awards website can now be used by any citizen of the country to recommend an achiever for the prestigious awards, for the government has also opened the online nomination process to general public, provided they furnish their Aadhaar details for authenticity and accountability.

19. If these measures do not result in selecting the most deserving achievers for these civilian honours, or eliminate the lobbying totally, the honours may not add any reputation to those awardees who really deserve these awards. Recently a citizen questioned use of Padma Shree prefix on the foundation stone plaque in Banaras Hindu University without considering how that awardee richly deserved for his great contributions to the society in the fields of Science and Research. There are judicial pronouncements against use of these titles for increasing the commercial brand values. The courts of law were right in questioning the abuse of awards by Bharat Ratnas or Padmas to endorse products to attract consumer's attention. But it may not be proper to impose a prohibition on use of those titles by other institutions at appropriate occasions. It appears unreasonable to say that an awardee should only mention in CV that he was awarded but not on his visiting card. These incidents challenge the very policy of giving such awards. In fact the Constitution has abolished such titles, saying:

No title, not being a military or academic distinction, shall be conferred by the State [Article 18(1)].

No citizen of India shall accept any title from any foreign state. [Article 18(2)].

20. But, as eminent lawyer Mr. Rajiv Dhavan pointed out, titles reappeared after 1950, were abolished again from 1977-80, and made another comeback in 1980..... But it could only be a title-that-was-not-a bit like Voldemort of the

Harry Potter series, the-one-who-must-not-be-named-because the Supreme Court had barred the use of titles as a 'suffix' or 'prefix'. (<http://indiatoday.intoday.in/story/titles-constitution-bharat-ratna-padma-bhushan/1/775854.html> September 28, 2016). Mr Dhavan has rightly confusion of minds that persisted on this:

In the Constituent Assembly of 1946, K.T. Shah had wanted a complete abolition of titles, which was naturally opposed by Sir Alladi (Krishnaswamy Iyer). Sir Alladi had the support of Rajaji (C. Rajagopalachari) while K.M. Panikkar chipped in with compromise solutions. Sardar Patel felt titles "were abused for corrupting the public life of the country", but did not want to nullify past honorific titles given by the British. Balkrishna Sharma thought non-heritable titles (e.g., Mahatma) were in sync with Indian tradition, but all princes lost theirs in 1950; they were divested of their privy purses later in 1971. You can see the persisting confusion of minds.

21. Mr Dhavan analysed the order of the apex court, as follows:

However, the Supreme Court, which has often made the obvious unobvious, decided through a Constitution bench in the Balaji case (Balaji Raghavan/S.P. Anand vs Union of India, December 15, 1995) that despite the anti-'titles' provision, 'awards' were constitutionally valid. This is reading from the heart, or elsewhere, what the eyes cannot see. The court thought the procedure followed for conferment was hopelessly wishy-washy. The idea that these titles are earned is against the text, which carves an exception only for 'military or academic distinction'. All others are banned. True, the Supreme Court wanted the procedure to be a high-level committee, but its first step of allowing the Bharat Ratna, the Padma awards, the Chakras, and the Arjuna and Phalke awards was totally wrong. Take the figures for 2015: Padma Vibhushans, 9 (including Advani, for consolation); Bhushans, 20; Shris, 75. Or the overall picture till 2016: Delhi, 793 winners; Maharashtra, 748; Tamil Nadu, 385; East, 372; Northeast, 161. Now what? More for the Northeast? Or is patronage non-political? The UPA, over ten years, gave away 1,169 awards, and the NDA over two years, 215. Will the NDA catch up? Probably. Details show a dominance of civil servants, followed by politicians, sportspersons, and then anyone who catches the political eye.

Mr Rajiv Dhavan did not find any meaning in 'electronic management system' and doubted effective participation of people besides mentioning the incidents of prominent people returning their Padma awards.

22. The KVS has to either make the final nominations for awards totally transparent or abolish the entire scheme of awards or completely reform the present evaluation process. Because this kind of awards giving mechanism is generating disgruntled teachers, which might not go well with the objectives of the KVS and this scheme of awards, and violating the principle of equality. Every teacher has a right to know why the award is given to some and not given to

some of the shortlisted nominees. This kind of awards giving might end up in litigation challenging the constitutional validity of 'titles' themselves or on the grounds of lack of transparency or breaching equality. When the Union is taking initiative to make the Padma awards nomination mechanism transparent, it should be emulated by the KVS to make it completely transparent.

23. Hence, the Commission directs respondent authority KVS to explain how the committee decides the marks for short listed nominees out of 20 allocated to the Central Awards Committee which entitle the selected candidates to get national award, and disclose from time to time at each year how the candidates were selected or not selected for the final nomination for those awards as per Section 4 of RTI Act, prepare FAQs and answer relating to process and finalisation of nomination for awards and initiate all necessary measures to ensure the transparency in nominations for awards as mandated by Section 4(1)(c) and (d) of RTI Act. These provisions of RTI Act also mandates that if for any reason, KVS thinks that complete transparency is not possible, it has to explain its policy of continuing this kind of awards system or reasons for not abolishing such awards or such system of awards to avoid disgruntlement and frustration. This appeal is disposed of accordingly.

Sd/-

(M. Sridhar Acharyulu)
Central Information Commissioner

Authenticated true copy

(Dinesh Kumar)
Deputy Registrar

Addresses of the parties:

1. The CPIO under RTI,
Kendriya Vidyalaya Sangathan, 18,
Institutional Area, Shaheed Jeet Singh Marg,
New Delhi-110016.
2. Shri M V Gode,
C/o Sh. Suresh, Plot No. 149,
Chatrapati Nagar, Nagpur-440015.