

The Deputy Commissioner

Shivamogga District

Karnataka

Dated 31.07.2025

Subject: Repeated RTI Non-Compliance, False Statements, and Transparency Failures by District Nirmiti Kendra, Shivamogga

Respected Sir,

I write to bring to your kind attention the sustained and willful violations of the Right to Information Act, 2005 by the District Nirmiti Kendra, Shivamogga. Despite multiple orders issued by the Hon'ble Karnataka Information Commission (KIC), advisories from the Department of Personnel and Administrative Reforms (DPAR), and persistent citizen applications, the Kendra continues to operate in brazen disregard of statutory obligations.

Over the past four years, the District Nirmiti Kendra has:

- Denied public information on false pretexts;
- Misinterpreted key provisions, particularly Section 2(f);
- Refused to acknowledge its status as a Public Authority under Section 2(h); and
- Failed to comply with mandatory proactive disclosures under Section 4.

These actions have resulted in the systematic denial of public access to vital records related to infrastructure projects, expenditure, staffing, and institutional functioning.

We are fully familiar with the scope and duties under the RTI Act, especially Sections 2(f), 2(h), 4(1)(a), 4(1)(b), 4(3), 4(4), 8, 9 and 10 - Severability.

Key RTI Cases and Violations

1. **KIC 23513 APL 2023 – Anganwadi Construction Works**
Initially denied. The Commission intervened and ordered full disclosure.
2. **KIC 12211 APL 2023 – Contract Employee Details**
Nirmiti Kendra falsely claimed it had no contract employees. The Commission ordered disclosure under sworn affidavit.
3. **KIC 13843 APL 2023 – Order dated 15.05.2025**
Filed after inconsistencies in prior replies. **The Commission directed compliance with Sections 4(1)(a) and 4(1)(b) within 60 days**, affirming that Nirmiti Kendra is a public authority under Section 2(h).

4. **₹30 Lakh Water Filter Installations – Soraba Taluk**

Denied repeatedly; routed through the DC's office. No response yet. The matter is pending before the Commission.

5. **KIC 17537 APL 2023 – ₹8.4 Crore Riverfront & Pushkarni Works (Ramachandrapura Village)**

RTIs revealed illegal construction on floodplains. Nirmiti Kendra submitted a false affidavit denying its status.

- Matter is currently before the NGT, Southern Bench, Chennai.
- RTI denial is also under scrutiny before the Commission; next hearing is on 19/09/2025.

6. **KIC 8640 APL 2024 – Request for Section 4 Disclosures**

Despite repeated efforts, Nirmiti Kendra continues to claim that no records exist for proactive disclosure – an outright violation of Section 4.

Ignored DPAR Directives

The DPAR has clearly directed all Nirmiti Kendras to appoint Public Information Officers and comply with the RTI Act. However, the Shivamogga Nirmiti Kendra continues to function with impunity.

Transparency Deficit

The Kendra does not maintain a functional website and has never disclosed information under Section 4(1)(b). This complete absence of transparency is unacceptable for a body entrusted with multi-crore infrastructure projects funded by taxpayers.

Additional Concerns

- **Political Misuse:** Community hall contracts were handed to Nirmiti Kendra violating KTPP by KNNL under political pressure. The matter is under Lokayukta review.
- **Environmental Violations:** The ₹8.4 crore riverfront project in Ramachandrapura violated environmental laws blatantly and was undertaken without any necessary clearances.

My Humble Requests

In light of the above, I request your good office to:

1. **Formally acknowledge** the District Nirmiti Kendra, Shivamogga as a public authority under Section 2(h) of the RTI Act.
2. **Direct the immediate appointment** of a Public Information Officer under Section 5.
3. **Ensure full compliance** with Sections 4(1)(a) and 4(1)(b), including digitization of records and launching an official website.
4. **Initiate a departmental inquiry** into repeated false affidavits, intentional misrepresentation, and continued non-compliance with Commission and DPAR directives.

I am willing to appear in person before your office with all documentary evidence, including RTI applications, denial letters, affidavits, and KIC orders, to substantiate each point.

While many of these lapses predate your tenure, the Commission's recent ruling in **KIC 13843 APL 2023** provides a powerful opportunity to ensure corrective action and restore public trust in governance.

Thank you for your attention and leadership in this matter.

Yours faithfully,

Manjunath Hirechowti

Executive Committee Member

Lanchamuktha Karnataka Nirmana Vedike

✉ manju.neralu@gmail.com

☎ 9880499442